Whitcher Wildlife Ltd.
Ecological Consultants.

HALL GARDENS, BRIERLEY.

OS REF: SE 41116 11236.

PRELIMINARY ECOLOGICAL APPRAISAL.

Ref No: **191104.**

Date: **8th November 2019.**

Cliff Edge, Cliff Road, Darfield, Barnsley, S73 9HR.
Tel. 01226 753271. Fax. 01226 270993.
info@whitcher-wildlife.co.uk www.whitcher-wildlife.co.uk
Company No. 4401613.

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1. INTRODUCTION.

1.1. There are proposed plans to develop an area of land of Hall Gardens in Brierley. A development plan has not been provided at this time.

1.2. Whitcher Wildlife Ltd has been commissioned to carry out a Preliminary Ecological Appraisal of the site to establish whether there are any issues that may affect the proposed works.

1.3. The site survey was carried out on 6th November 2019 and this report outlines the findings of that survey and makes appropriate recommendations.

1.4. Appendices I to III of this report provide additional information on specific species and are designed to assist the reader in understanding the contents of this report.

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2. SURVEY METHODOLOGY.

2.1. Prior to visiting the site, the survey area was cross referenced to maps and aerial photographs to give a general idea of the habitats and potential issues within the area and to identify potential access and walking routes.

2.2. The survey area was walked where access was agreed and public rights of way were used where no access was agreed. All habitats within and immediately around the survey area were documented and the dominant species within that habitat listed in line with the JNCC Handbook for Phase 1 Habitat surveys.

2.3. The survey area and immediate surrounding area was thoroughly searched for evidence of badger (*Meles meles*) activity by looking for the following signs in line with Harris S, Cresswell P and Jefferies D (1989). *Surveying Badgers*. Mammal Society: -

* Badger setts.
* Badger latrines or dung pits.
* Badger snuffle holes and evidence of foraging.
* Badger paths.
* Badger prints in areas of soft mud.
* Badger hairs caught on fencing.

2.4. The survey area was searched for watercourses and where found all watercourses within the survey area and for approximately 100m in each direction were thoroughly searched for evidence of water vole (*Arvicola amphibius*) activity by looking for the following signs, in line with Dean M, Strachen R, Gow D and Andres R (2016). *The Water Vole Mitigation Handbook (The Mammal Society Mitigation Guidance Series).* Eds Fiona Mathews and Paul Chanin. The mammal Society, London: -
(2011). *Water Vole Handbook: Third Edition*: -

* Water vole burrows.
* Water vole faeces and latrines.
* Water vole feeding stations.
* Water vole runs.
* Water vole prints in areas of soft mud.
* Water vole lawns.
* Predator field signs.

2.5. The survey area was searched for watercourses and where found all watercourses within the survey area and for approximately 50m in each direction were thoroughly searched for evidence of otter (*Lutra lutra*) activity by looking for the following signs in line with the P Chanin (2003). *Monitoring the Otter* and *Conserving Natura 2000 Rivers: Monitoring Series No10 Guidelines: -*

* Otter prints in soft mud.
* Otter spraints.
* Otter Holts.

2.6. The survey area was searched for watercourses and waterbodies. Where found, and where safe to enter the water, all were thoroughly searched for the presence of crayfish, for approximately 50m in each direction of the site, by searching under rocks and logs. Where stated, crayfish traps were also deployed into the watercourse. All survey work was carried out in accordance with the *Conserving Natural 2000 Rivers Monitoring Series No 1, Protocol for Monitoring the White Clawed Crayfish*.

2.7. The survey area was searched for trees and structures and where found these were checked for potential bat roosting sites in line with Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition)* by looking for the following signs: -

* Holes, cracks or crevices.
* Bat Droppings.

2.8. The land immediately adjacent to the survey area was assessed for bat roosting potential and bat foraging potential. Connective routes and flight lines were also assessed whilst on site and using maps of the area.

2.9. The area within 500m of the survey site was cross referenced to maps to highlight all ponds close to the site. Where possible, all ponds identified were accessed using agreed access or public rights of way to assess the potential for great crested newts (*Triturus cristatus*) to be present.

2.10. The survey area was assessed for the potential for reptiles and suitable reptile habitats. Where applicable the area was also searched for the presence of reptiles.

2.11. Where appropriate, the habitat within and surrounding the survey area was searched for species such as hazel, oak, honeysuckle, bramble and other species which may provide potential habitat for hazel dormice (*Muscardinus avellanarius*). Field signs such as feeding remains and nests were also searched for where possible,

in line with P Bright, P Morris and T Mitchell-Jones *the Dormouse Conservation Handbook 2nd Edition*.

2.12. Where appropriate, the area within and surrounding the survey area was assessed for its potential to house habitat for red squirrels. Field signs of red squirrels were searched for at least every 50m, looking for any dreys, feeding signs or sightings of red squirrels.

2.13. The survey area was searched for all alien invasive plant species as listed on Schedule 9 of the Wildlife and Countryside Act 1981. The location of all plants identified were recorded and listed within the survey report along with appropriate recommendations to avoid causing the plants to spread in the wild. All species were searched for, but the main species generally found under this category are Japanese knotweed, Giant hogweed, Himalayan balsam, Cotoneaster, Rhododendron and Japanese Rose.

2.14. All surveys were carried out in line with the Chartered Institute of Ecological and Environmental Management (CIEEM) survey standards and advice.

2.15. This survey was carried out by Jenny Whitcher Roebuck MCIEEM. Since 2001 Jenny has had experience in a professional capacity as a Wildlife Consultant carrying out Ecology Surveys and Phase 1 Habitat surveys. Jenny holds Natural England Survey Licences in respect of bats, great crested newts, crayfish and barn owls, NRW and SNH Survey Licences in respect of bats and great crested newts. She has also successfully completed several courses run by the Chartered Institute of Ecology and Environmental Management (CIEEM), the Bat Conservation Trust (BCT) and the Field Studies Council (FSC) in the relative protected species, plant species and in carrying out Phase 1 Habitat Surveys. As a full member of CIEEM she is committed to continuous professional development, a continual process of learning and career development, a condition of CIEEM membership.

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3. SURVEY RESULTS.

3.1. Data Search Results.

3.1.1. A desktop data search was requested from Barnsley Biological Records Centre for records of protected species and designated sites within 2km of the survey area.

3.1.2. There are two records of badger 650m from the site. There are two further records of badger and records of water vole, but these records lie over 950m from the site. The nearest bat record is of a Common Pipistrelle roost which lies 1.5km from the survey area. There are no more relevant records of protected species within 2km of the survey area.

3.1.3. There are no records of designated sites within 2km of the survey area.

3.1.4. The data search is available to the client on request.

3.1.5. South Yorkshire Badger Group were consulted for records of badgers within the surrounding area. The nearest record of a badger sett is 3km from the survey area.

3.2. The Surveyed Area.

3.2.1. The survey area is a grazing field off Hall Gardens in Brierley. The aerial photograph below shows the survey area.



3.2.2. The aerial photograph below shows the survey area and wider surrounding area.



3.3. Description of Habitats.

3.3.1. Appendix IV of this report contains annotated maps marked up with the varying habitats that are cross referenced to target notes in Appendix V of this report. The habitats on and adjacent to the site are: -

- Poor Semi-Improved Grassland
- Scattered Trees
- Dense Scrub
- Tall Ruderal
- Wall
- Fence

3.3.2. Poor Semi-Improved Grassland

The site is a large grazing field with occasional scattered trees. The field is normally grazed but had not been grazed for a while at the time of this survey. The main species present were perenial rye grass *(Lolium perenne)*, cocks foot *(Sonchus oleraceus)*, Yorkshire fog *(Holcus lanatus)*, annual meadowgrass *(Poa annua)* with dock *(Rumex sp.)*, nettle *(Urtica dioica)*, thistle *(Cirsium sp(p))*, sow thistle *(Sonchus oleraceus)*, white clover *(Trifolium repens)*, meadow buttercup *(Ranunculus acris)* and chickweed *(Stellaria media)*.





3.3.3. Scattered Trees

3.3.3.1. There are a number of scattered trees around the boundaries and within the field with mature and semi-mature trees including oak *(Quercus sp(p))*, lime *(Tilia vulgaris)*, walnut *(Juglans regia)*, sycamore *(Acer pseudoplantus)*, beech *(Fagus*

sylvatica), hawthorn *(Crataegus monogyna)*, ash *(Fraxinus excelsior)*, horse chestnut *(Aesculus hippocastanum)* and elder *(Sambucus nigra)*.



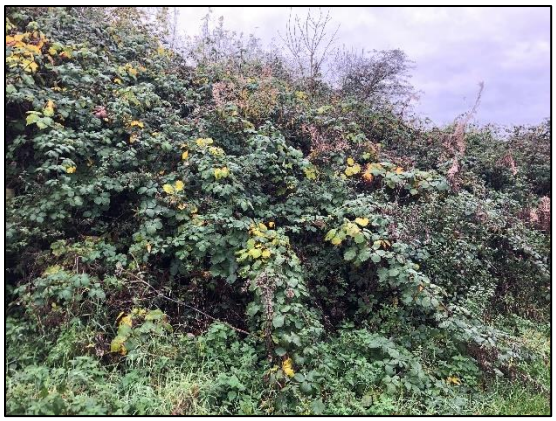


3.3.3.2. There is also a large dead tree stump on the site, this tree appears to have died some time ago.

3.3.4. Dense Scrub

3.3.4.1. At the northwest corner of the site is an area of dense bramble *(Rubus fruticosus)* scrub on the neighbouring land which is encroaching onto the site. The photograph on the left below shows this area.

3.3.4.2. At the northeast corner and along the northern site boundary is dense scrub, which is mainly bramble *(Rubus fruticosus)* with elder *(Sambucus nigra)* and hawthorn *(Crataegus monogyna)*. This may have been a hawthorn hedge but has become totally overgrown with scrub. The photograph on the right below shows this area.




3.3.5. Tall Ruderal

There are areas of tall ruderal growing in the field, mainly along the boundaries, under the tree canopies with occasional areas throughout the field. The main species present are nettle *(Urtica dioica)* and thistle *(Cirsium sp(p))* with some hogweed *(Heracleum sphondylium)*, sow thistle *(Sonchus oleraceus)*, bramble *(Rubus fruticosus)* and sapling cherry *(Prunus sp(p))*.




3.3.6. Wall

There are walls around the eastern, southern and western site boundaries. Along the western boundary is a brick wall with the other walls all stone.




3.3.7. Fence

There is a small section of post and wire fence along the southern boundary where a section of the stone wall has collapsed. There is a section of wood panel fencing at the southern end of the western boundary on the top of a low section of the brick wall. There are sections of post and wire fence along the northern boundary where there are small breaks in the scrub.

3.4. Description of Fauna.

3.4.1. No badger setts or badger field signs were identified within the survey area.

3.4.2. No watercourses were identified within the survey area. Therefore, there is no habitat for water voles, otters or white clawed crayfish within the survey area.

3.4.3. No ponds were identified within 500m of the survey area whilst on site or on an Ordnance Survey Map of the area. Therefore, there is no habitat for great crested newts within the survey area.

3.3.4. No structures were identified within the survey area.

3.3.4.1. There are a number of mature trees on the site, some of a size and age that could provide features suitable for roosting bats. Some of these trees contained features that could be seen from ground level, including rot holes, cracks and raised bark, which provide potential for roosting bats. These trees are target noted T1, T2, T3 and T4 on the annotated map of the site. There is a large tree stump from a dead tree in the field, T5 on the annotated map. This is quite tall and may have some holes

present that could not be seen from ground level that could provide potential for roosting bats.

3.3.4.2. No bats or bat field signs could be seen from a ground level survey of the trees or the tree stump.

3.3.5. The survey area is assessed as providing low potential for foraging and commuting bats, although a thorough assessment of bat activity could not be made during a daytime survey of the site.

3.3.6. The vegetation within the survey area, mainly the trees and scrub, provides opportunities for nesting birds during the nesting season, which extends from March to September each year. However, no active nests were identified during this survey as the survey was carried out outside the nesting season.

3.3.7. The survey area provides low potential habitat for reptiles as it is a large grazing field with little in the way of refugia and is bordered by residential properties on three sides. No reptiles were identified during this survey.

3.3.8. No suitable dormouse habitat was identified during this survey. The survey area is also outside the natural range of this species.

3.3.9. No red squirrels or red squirrel field signs were identified during this survey and there is no suitable habitat within the survey area. The survey area is also outside the natural range of this species.

3.3.10. No non-native invasive species of plant listed under Schedule 9 of The Wildlife and Countryside Act 1981 were identified within the survey area.

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4. EVALUATION OF FINDINGS.

4.1. There are no designated sites within the survey area. Therefore, there will be no impact on designated sites.

4.2. The majority of the site is poor semi-improved grazing land, which is of a low ecological value. The trees within the field and along the boundaries provide high ecological value as a number of these trees are large mature trees. The scrub along the boundaries provides moderate ecological value as it provides food and shelter for a variety of species.

4.3. No badger setts or badger field signs were identified within the survey area. Therefore, there will be no impact on badgers during the proposed works.

4.4. No watercourses were identified within the survey area. Therefore, there will be no impact on water voles, otters or white clawed crayfish during the proposed works.

4.5. No ponds were identified within 500m of the survey area whilst on site or on an Ordnance Survey Map of the area. Therefore, there will be no impact on great crested newts during the proposed works.

4.6. There are a number of mature trees on the site, some of a size and age that could contain features suitable for bat roost potential. Some of these trees contained features that could be seen from ground level, including rot holes, cracks and raised bark, which provide potential for roosting bats, although these were too high to be inspected. There is also a large tree stump that could contain suitable features. Therefore, works that will have an impact on these trees could have a high impact on roosting bats if they are present in the trees.

4.7. The survey area is assessed to provide low foraging potential for bats. The proposed works will not fragment any foraging habitat and will therefore have no impact on foraging or commuting bats.

4.8. The vegetation within the survey area, mainly the trees and scrub, provides opportunities for nesting birds during the nesting season, which extends from March to September, inclusive, each year. Vegetation clearance within the nesting bird season will have an impact on any birds nesting within the work site.

4.9. The survey area provides low potential habitat for reptiles as it is a large grazing field with little in the way of refugia and is bordered by residential properties on three sides. It is assessed that reptiles are unlikely to be present on the site and that the works will have a low impact on any reptiles within the area.

4.10. No suitable dormouse habitat was identified during this survey. The survey area is also outside the natural range of this species. Therefore, there will be no impact on dormice during the proposed works.

4.11. No red squirrels or red squirrel field signs were identified during this survey and there is no suitable habitat within the survey area. The survey area is also outside the natural range of this species. Therefore, there will be no impact on red squirrels during the proposed works.

4.12. No non-native invasive species of plant listed under Schedule 9 of The Wildlife and Countryside Act 1981 were identified within the survey area. Therefore, there will be no impact on the proposed works.

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5. RECOMMENDATIONS.

5.1. It is recommended that the trees on the site are retained as they provide the main ecological value on the site.

5.2. If the trees cannot be retained it is recommended that, before any works have an impact on any of the trees or the tree stump on the site, a further bat survey is carried out to establish whether bats are roosting in the trees. This should be an aerial bat inspection survey carried out by bat licenced and climbing qualified surveyors.

5.3. If bats or bat field signs are found, or moderate levels of bat roost potential are found in any of the trees, further bat activity surveys will be required, which can only be carried out between May and August when bats are active.

5.4. If roosting bats are found in any of the trees a Natural England EPS licence will be required before any works can have an impact on the tree.

5.5. Any vegetation clearance should be carried out outside the nesting bird season, which extends from March to September each year.

5.6. If any vegetation clearance is to be carried out during the nesting bird season a thorough nesting bird survey must be carried out by a suitably experienced person immediately prior to works commencing. If any active nests are found during this survey, they must be left undisturbed until the young have fledged. This could put a considerable delay on proposed works.

5.7. It is recommended that all personnel on the site are briefed on the potential presence of reptiles. In the unlikely event that any reptiles are found during the works Whitcher Wildlife Ltd contacted for further advice. Appendix VI of this report contains a toolbox talk to assist with this briefing.

5.8. In order to provide biodiversity enhancements in line with the NPPF, it is recommended that integrated bat bricks and bird boxes are installed into 10% of the new buildings constructed on the site.

5.9. It is also recommended that native tree and shrub species, including fruit and berry bearing species, are included in the landscaping on the site.

5.10. A sensitive lighting scheme should be included in the new development with low level down lighting to prevent light spilling onto boundary features and adjacent land.

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Prepared by:	
Jenny Whitcher Roebuck MCIEEM.	Date: 8th November 2019.

Checked by:	
Derek Whitcher. BSc, MCIEEM, MCMI	Date: 12th November 2019.

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Appendix I. BAT INFORMATION.

Ecology

There are currently 18 species of bat residing in Britain, 17 of which of which are known to breed here. They are extremely difficult to identify in the hand and even more so in flight.

All appear to be diminishing in numbers, probably due to habitat change and shortage of food, caused by pesticides, as insects are their sole diet.

As their diet consists solely of insects, bats hibernate during the winter when their food source is at its most scarce. They will spend the winter in hollow trees, caves, mines and the roofs of buildings.

Certain species, particularly the pipistrelle (the commonest and most widespread British bat) can quickly adapt to man-made structures and will readily use these to roost and to rear their young.

Surveys

During walkover surveys, bat roosts can be identified by looking for:

- Suitable holes, cracks and crevices within any building, tree or other structure.
- Bat droppings along walls, window cills, or on the ground.
- Prey remains, such as insect wings.

Further investigations can be made using endoscopes, by carrying out aerial inspections of trees or by conducting bat activity surveys during dusk and dawn over summer months.

Legislation

Bats are protected under Appendix II and III of the Bern Convention (1982), Schedule 5 and 6 of the Wildlife and Countryside Act (1981), Annex IV of the Habitats Directive (some species under Annex II), Annex II of the Conservation of Habitats and Species Regulations (2010) and EUROBATS agreement. Numerous species are also listed under section 41 of the Natural Environment and Rural Communities Act (2006) making them species of principal importance.

All bats and their roosts are therefore protected in the UK. This makes it an offence to kill, injure or take any bat, to interfere with any place used for shelter or protection, or to intentionally disturb any animal occupying such a place.

The UK has designated maternity and hibernacula areas as Special Areas of Conservation (SAC's) under the Habitats Directive. Implementation of the UK Biodiversity Action Plan also includes action for a number bat species and the habitats which support them.

Where development proposals are likely to affect a bat roost site, a licence is required from Natural England.

Appendix II. NESTING BIRD INFORMATION.

Ecology

The nesting season will vary according to the weather each year but generally commences in March, peaks during May and June and continues until September. It is also worth remembering that some birds nest in trees and scrub, but others are ground nesting or prefer man- made structures or buildings.

Surveys

Nesting bird surveys search for potential nest sites in vegetation, buildings etc. Potential nesting sites are observed over a suitable period of time for bird movements or calling male birds that would indicate the presence of a nest. The presence of a nest can be identified from the field signs without the necessity to see the nest itself, thereby avoiding any disturbance of the nests. The best way to avoid this issue is to plan for vegetation clearance to be carried out outside the bird-nesting season.

Legislation

Nesting birds are protected under The Wildlife and Countryside Act 1981.

Part 1. -(1) Of the Act states that: - If any person intentionally: - kills, injures or takes any wild bird; takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or takes or destroys an egg of any wild bird, he shall be guilty of an offence.

Part 1. -(5) of the Act states that: - If any person intentionally: - disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on, or near a nest containing eggs or young; or disturbs young of such a bird, he shall be guilty of an offence and liable to a special penalty.

The Countryside and Rights of Way Act 2000 amends the above by inserting after “intentionally” the words “or recklessly”.

Appendix III. REPTILE INFORMATION.

Ecology

There are five main species of reptile that reside in the UK; Common or Viviparous Lizard (*Lacerta vivipara*); Sand Lizard (*Lacerta agilis*); Slow Worm *(Anguis fragilis*); Grass Snake (*Natrix natrix*) and Adder (*Vipera berus*). The Adder is the only native species that is venomous although this is rarely harmful to humans.

Reptiles occupy a wide range of habitats including woodland, marshes, heathland, moors, sand dunes, hedgerows and bogs. Sand Lizards are confined to moorland and coastal sand dunes where they lay their eggs in the warm sand. The range of the Sand Lizard in the UK is therefore very limited. Slow Worms can be found in a wide variety of habitats throughout Britain and is the most likely reptile to be found in urban and suburban environments.

Maintaining the right body temperature is vital to reptiles' survival. In the morning, they find a warm basking site to heat up their bodies, then later they may move back into the shade because they do not sweat and have to be careful not to overheat. During hot summers, Adders will try to move to damper, cooler sites.

Over winter reptiles will hibernate in burrows or under longs where they are protected from the cold and predators, emerging from February onwards as the weather warms up.

Reptiles generally begin to mate April to May with young born in late July to September. The Common Lizard gives birth to live young, hence the term viviparous, meaning live bearing.

Surveys

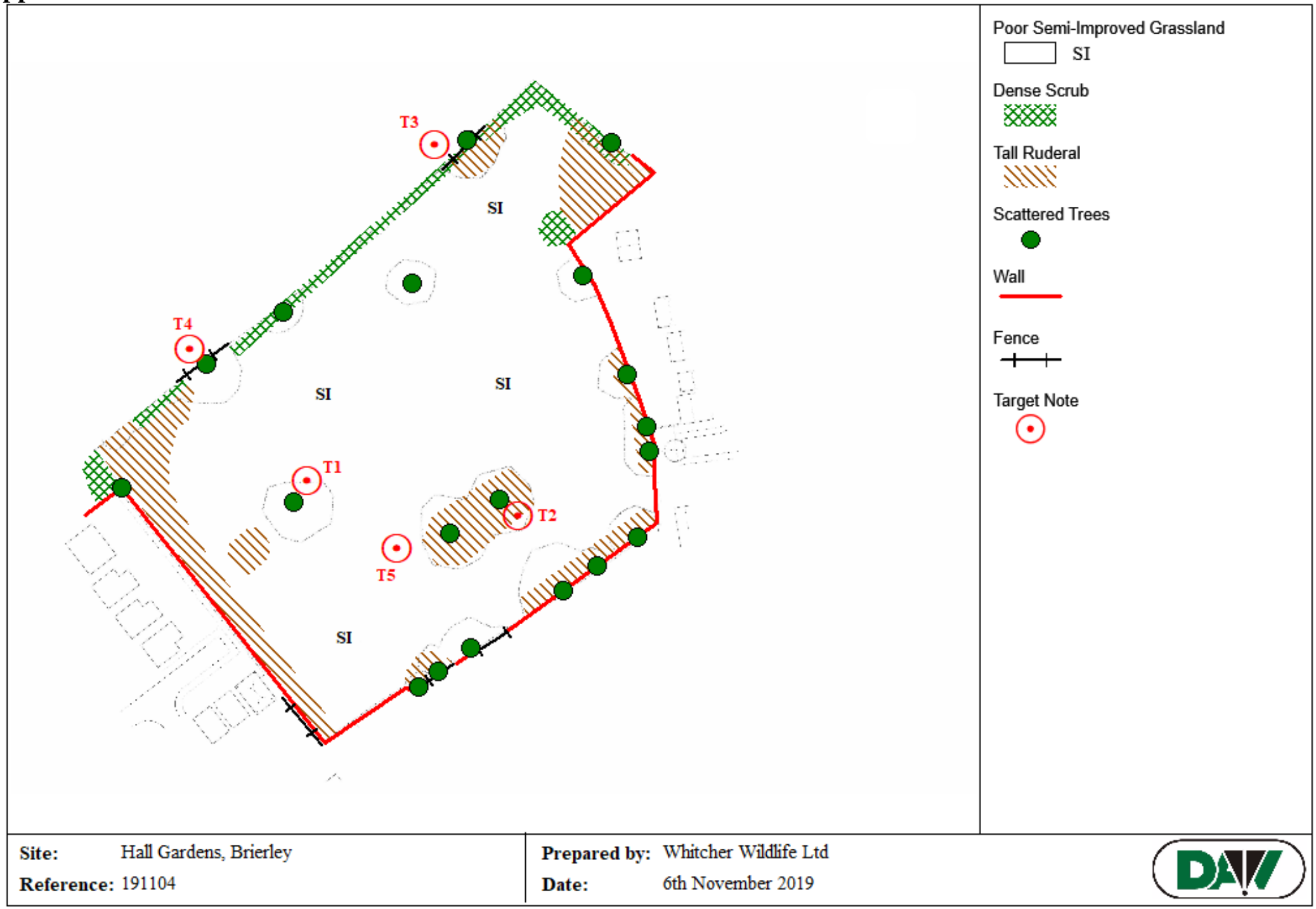
Reptile surveys involve the searching of refuge such as logs and stones for any animal sheltering below. Artificial refuge may be laid out on site for the purpose of reptile surveys.

Legislation

Reptiles are protected under Appendix II (sand lizards) and Appendix III (common lizard, slow worms, smooth snake, grass snake and adders) of the BERN Convention (1982), partially protected under Schedule 5 of the Wildlife and Countryside Act (1981), Annex IV of the Habitats Directive and are all listed under section 41 of the Natural Environment and Communities Act (2006) making them a species of principal importance.

This makes it an offence to disturb any reptile while it is occupying a structure or place it uses for shelter or protection or to obstruct access to such a place.

Appendix IV. ANNOTATED MAP OF THE SURVEY AREA.



Site: Hall Gardens, Brierley
Reference: 191104

Prepared by: Whitcher Wildlife Ltd
Date: 6th November 2019

Appendix V. TARGET NOTES.

Target Note 1 – Mature oak tree with rot holes and cracks that could be suitable for roosting bats.

Target Note 2 – Mature horse chestnut tree with cracks that could be suitable for roosting bats.

Target Note 3 – Mature ash with possible features suitable for roosting bats.

Target Note 4 – Mature beech with possible features suitable for roosting bats.

Toolbox Talk: Reptiles

Whitcher Wildlife Ltd

Ecological Consultants

Identification: Grass Snakes.

The grass snake can be up to 120cm long. It is generally dark green in colour but may occasionally appear grey with vertical black bars and spots that run along its sides. There is usually a yellow marking around the neck.



Identification: Adders.

The adder is the only native species that is venomous, but it is rarely harmful to humans. Adult adders are generally up to 66cm long. Back ground colouration is a light shade of grey or brown with a black zigzag marking along the length of the back. As with all reptiles, colouration varies and becomes duller as sloughing (skin shedding) approaches.



Identification: Slow Worms.

Slow worms grow to around 45cm in length. The males and females display a marked difference in colour when fully grown. In general, the species displays colouring that varies from light brown, dark brown, grey, bronze or brick red with the females often displaying a dark vertebral stripe and both males and females displaying occasional markings on the flanks.



Identification: Common Lizards.

Common lizards grow to around 16cm. They are grey brown to dark brown, often with a darker streak that may run the entire length of the spine. A continuous dark band bordered by light yellow or white spots is often seen on either side of the body. The underside of the males is egg yolk yellow to orange spotted with black. Females are yellowish grey.



Other Reptiles.

In addition to the reptiles outlined on this document there are also two other reptile species in Great Britain, the smooth snakes and the sand lizard. These reptiles are a lot less common then the four species covered with the smooth snake being predominantly found on heathland in southern England and the sand lizard found throughout Great Britain in coastal dune areas.

These species are also afforded a higher level of protection because they are European Protected Species.

Habitat.

Maintaining the right body temperature is vital to reptiles' survival. In the morning they find a warm basking site to heat up their bodies and then later they may move back into the shade so as not to overheat. Hence, reptiles require a habitat that provides a range of suitable refugia for shelter such as dense vegetation, rubble or log piles, or crevices and open areas for basking such as bare ground, rocks or railway ballast shoulders. During hot summers reptiles may be found in damper, cooler sites. Reptiles hibernate, spending the winter in burrows or under logs protected from the cold and predators.





When disturbed in their natural habitat reptiles will usually move away quickly.

Legislation.

Reptiles are protected under Schedule 5 of the Wildlife and Countryside Act 1981. They received greater protection following reviews of the schedules published in 1988 and 1991. This means they are protected against intentional or recklessly killing and injuring and against sale or transporting for sale.

If reptiles are identified during works, stop all works and contact Whitcher Wildlife Ltd directly on 01226 753271 or at info@whitcher-wildlife.co.uk