

**Whitcher Wildlife Ltd.  
Wildlife Consultants.**



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**WORTLEY VILLAGE  
PROTECTED FAUNA SURVEY.**

**Ref No:- 100806.**

**Date:- 19<sup>th</sup> September 2010.**

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# **1. INTRODUCTION.**

1.1. There are plans to submit an outline planning application for a range of projects within Wortley Village.

1.2. Whitcher Wildlife Ltd has been commissioned to carry out initial data searches and an initial protected fauna survey of the site to establish whether there are any potential issues that may affect the proposed works.

1.3. This survey was carried out on 28<sup>th</sup> August 2010 and this report outlines the findings of that survey and makes appropriate recommendations.

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

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## 2. SURVEY METHODOLOGY.

The survey area was thoroughly searched for evidence of badger (*Meles meles*) activity by looking for the following signs:-

- \* 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.

All watercourses within the survey area were thoroughly searched for evidence of water vole (*Arvicola terrestris*) activity by looking for the following signs:-

- \* 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.

All watercourses within the survey area were thoroughly searched for evidence of otter (*Lutra lutra*) activity by looking for the following signs:-

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

All mature trees and derelict buildings were checked for potential bat roosting sites by looking for the following signs:-

- \* Holes, cracks or crevices.
- \* Bat Droppings.

The survey area was searched for the presence of great crested newt (*Triturus cristatus*) breeding ponds within 500m of the site.

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### 3. SURVEY RESULTS.

#### 3.1. Data Search Results.

3.1.1. A data search request was submitted to Barnsley Bat Group for existing records of bat roosts within 1km of the village. The response is shown in the table below.

Wortley Records

Site Name	NGR	Species	Count
Wortley Top Forge	SK294998	Brown Long-eared-roost	+Dr
Cherry Tree Cottages	SK291995	55 Pipistrelle-roost	1
Top Cottage, Wortley Top Forge	SK 294999	Pipistrelle-roost	+ Dr
Hare Springs Cottage	SK 302986	Indet	-
Finkle Street fields to north	SK302989	Pipistrelle-feeding	2
Finkle Street fields to north	SK302989	Noctule-feeding	5
Rose Cottage	SK3099	Brown Long-eared-found dead	1

3.1.2. All of the roost records are in the valley to the south of the village.

3.1.3. South Yorkshire Badger Group holds records of badgers within the surrounding area with the closest sett being in the gardens of Wortley Hall to the south east of the village.

3.1.4. No other source of data search information was identified within the Barnsley Borough.

#### 3.2. Site Description.

The surveyed site is the village of Wortley in the Borough of Barnsley, South Yorkshire. Appendix V of this report shows the overall site master plan. Each of the individual areas is covered separately within the following section of this report.

### **3.3. Survey Results.**

#### **3.3.1. A. Proposed New Planting.**



3.3.1.1. Additional new tree planting is proposed in the corner of a field off the main A629 at the north west corner of the village. The field comprises grazing land as shown in the photograph below.



3.3.1.2. There are no ecological issues in this area.

#### **3.3.2. B and C. Proposed New Housing, Cricket Ground and Sports Facility.**

3.3.2.1. New Housing and a new cricket ground and sports facility are planned for an area to the east of an unnamed lane that runs between The Avenue and Hermit Hill Lane.

3.3.2.2. The proposed housing occupies the western edge of the site with the Cricket Ground and Sports Facility the area to the rear of the new houses, as shown in the drawing below.



3.3.2.3. The area currently comprises one large grazing field as shown in the photograph below, which looks from the eastern corner of the site.



3.3.2.4. The photograph also shows a clump of farm buildings in the south west corner of the site. These are all old buildings and include a number that are constructed with stone walls some with slate roofs and some with corrugated sheet roofs. These buildings have potential for roosting bats and nesting birds.

3.3.2.5. There is a row of mature trees along the western side of the farm buildings and scattered along the western boundary of this site. These are shown in the two photographs below and have potential for roosting bats and for nesting birds.

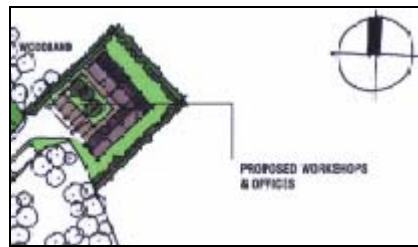


3.3.2.6. There is a further row of mature trees along the north western boundary of this site. These also have potential for roosting bats and nesting birds but will remain unaffected by the proposed works.

3.3.2.7. There is a large farm building in the eastern corner of this site, as shown in the photograph below. This is a modern, steel framed and open barn with half timber walls and a corrugated sheet roof. This building will have some potential for nesting birds but no potential for roosting bats.



### ***3.3.3. D. Proposed New Offices and Workshops.***



3.3.3.1. There are plans to construct new workshops and offices at the end of an unnamed lane leading north eastwards off The Avenue.

3.3.3.2. The area is within the corner of a heavily grazed field that contained sheep at the time of the survey.

3.3.3.3. In the western corner of the field there is an existing farm building, as shown in the photograph below. This is surrounded by large clumps of nettle that are invading the grazing land.

3.3.3.4. The building has a steel frame with timber roof supports, slatted timber walls and a corrugated sheet covered roof. This contains sheep pens.

3.3.3.5. The building has some potential for nesting birds but no potential for roosting bats.

3.3.3.6. The site is adjacent to woodland along the western site boundaries. The woodland contains very large and mature broad leafed trees with potential for nesting birds and roosting bats.



**3.3.4. E. Proposed New Houses.**



3.3.4.1. There are plans to construct two new houses off The Avenue.

3.3.4.2. This area currently comprises grazing land. There are nettles growing within the field and in particular along the south western site boundary.

3.3.4.3. Along the southern site boundary there are three very large and mature broad leafed trees with potential for nesting birds and for roosting bats. However, the site has been designed to provide access to the houses from the lane down the western site boundary thereby retaining the mature trees.

3.3.4.4. The site and the trees are shown in the two photographs below.



***3.3.5. F. Proposed New Village Car Park.***



3.3.5.1. There are plans to construct a new village car park in an area of woodland within the village. The Avenue runs along the northern and eastern site boundary.

3.3.5.2. The photograph below looks southwards onto the site showing that the woodland comprises predominantly a mature beech plantation with sparse ground cover. There are other broad leaved species within the site, particularly along the eastern site boundary.



3.3.5.3. The site has potential for nesting birds and for roosting bats.

### ***3.3.6. G. Proposed New Alms Houses.***



3.3.6.1. There are plans for new Alms Houses on an area that is currently close mown amenity grassland, as shown below.

3.3.6.2. There are no ecological issues associated with this site.



### ***3.3.7. H. Proposed New Village Parking.***



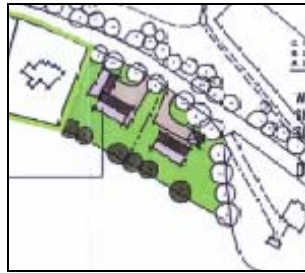
3.3.7.1. There are plans to create a village parking area in dense woodland off The Flats.

3.3.7.2. The woodland is separated from The Flats by a dry stone boundary wall. The woodland comprises mixed broad leaf woodland with a dense understory of saplings, bramble and a lot of Rhododendron.

3.3.7.3. The entire area has a high potential for nesting birds and there are some very mature trees within this area with a high potential for roosting bats.



***3.3.8. 1. Proposed New Houses.***



3.3.8.1. There are plans to construct new houses off The Flats.

3.3.8.2. The area comprises grazing land that has been close grazed by sheep.

3.3.8.3. There is a row of mature lime trees along the boundary with The Flats. This is a continuation of a row of lime trees within the gardens of the houses that already exist along The Flats. The site has been designed to avoid disturbance to these trees.



**3.3.9. J. Proposed New Houses and Allotments.**



3.3.9.1. There are plans to construct additional housing on part of the existing allotment gardens located on an unnamed lane leading south eastwards off Park Avenue.

3.3.9.2. The area is currently allotment gardens with some in use and some not. Some areas are becoming overgrown with grass, weeds, saplings and immature trees.

3.3.9.3. There is a mixed hedgerow that runs along the south of the site but the site has been designed to avoid disturbance to this hedge with the proposed access leading from the northern corner of the site through an existing dry stone wall.



**3.3.10. General Survey Results.**

3.3.10.1. No specific ecological issues were identified from the data search results although there were few sources of records available in the Barnsley Borough.

3.3.10.2. There are no watercourses within the village of Wortley and no ponds were identified during the survey or on the Ordnance Survey maps. Ponds are shown on the Ordnance Survey Map to the east and north east of the site but some are clearly reservoirs and one to the north east of the site was recently assessed for great crested newts in connection with proposed works to the sewerage works. This was assessed to be unsuitable for breeding amphibians.

3.3.10.3. No badger setts or badger field signs were identified during the surveys.

3.3.10.4. No Japanese Knotweed, Giant Hogweed to alien invasive plant species were identified in the survey areas. Some rhododendron was identified in the woodland areas.

3.3.10.5. There are abundant opportunities for nesting birds around the various sites.

3.3.10.6. There are abundant opportunities for roosting and foraging bats within the farm buildings to be affected by the proposed works and in the woodland areas.

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## **4. EVALUATION OF FINDINGS.**

4.1. The proposed work sites around the village have been carefully designed to remain in keeping with the existing habitat and in particular to retain the mature woodland character of the village.

4.2. The potential impact of the proposals is therefore low and confined to the potential impact on nesting birds and on roosting bats.

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## 5. RECOMMENDATIONS.

5.1. The potential nesting bird issues can be designed out of the proposed works by planning all vegetation clearance outside the nesting bird season, which extends from March to September each year.

5.2. Additional mitigation measures should be designed into the various site proposals in order to mitigate for any potential loss of habitat and also to provide enhanced biodiversity measure in line with PPS9.

5.3. Detailed bat surveys will be required at specific locations around the site to support full planning applications made in the future. In particular, further surveys will be required of the farm buildings to be demolished along The Avenue and in the event roosting bats are identified, it will be necessary to prepare a detailed mitigation strategy and to apply for a Natural England European Protected Species Licence.

5.4. Further surveys may be necessary within the woodland areas once further details are available, although it is anticipated that careful planning will avoid the loss of any trees with high bat roosting potential.

5.5. Additional biodiversity enhancement measures in the form of bat roosting potential should be designed into the various schemes. Further details can be provided once further details of the various schemes are available.

5.6. Where new buildings are to be constructed close to mature trees and woodland, it will be necessary to carefully design lighting schemes to avoid any impact on bat foraging habitat and access routes.

5.7. No other ecological issues are anticipated.

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Derek A Whitcher.

Natural England Bat Survey Licence Number.	20100181
Natural England Great Crested Newt Survey Licence Number.	20100182
Natural England Crayfish Survey Licence Number.	20100184
Natural England Barn Owl Survey Licence Number	20094247

19.09.2010.

## **Appendix I.**

### **BADGER INFORMATION.**

The following background information on the territorial behaviour, ecology and legal protection of badgers is provided to enable the reader to more clearly understand the contents of this report.

#### ***1. Territoriality.***

Badgers live in social groups called clans and are territorial. Each clan territory can vary considerably in size, from 0.2 sq. km to 1.5 sq. km. The average number of badgers in a clan has been calculated to be six but this number can vary between two and twenty badgers. In areas with a significant badger population there will be contiguous clans and a well-defined boundary between clan territories will exist with the badgers scent marking their boundary with areas of dung pits, called latrines. In areas with relatively low badger populations there will be less competition for territory and the amount of territorial markings will be low or even non-existent.

Territorial boundaries can be defined using a technique called bait marking. Over a two-week period badgers are fed at their main setts with food containing coloured plastic pellets, a different colour at each main sett. The colour of pellet found in dung pits and territorial latrines shows what areas each clan of badgers is occupying.

#### ***2. Ecology.***

Badgers are omnivorous but their preferred food source is worms and insects. Worms are most abundant in well-grazed pastureland while mixed woodland is a good source of insects and grubs. Badgers have a soft and supple nose with which they snuffle into the ground to find insects. When they do this they leave distinct round holes known as snuffle holes or grubblings. Badgers easily find worms on the surface of well-grazed pastureland and often leave no visible indications of this foraging.

The badger's most important sense is that of smell. They will use particular paths around their territory repeatedly, following a scent trail from previous use. As a result badger paths become well worn. These paths are important to the badgers and obstruction to these paths will interfere with the badger's movement around their territory.

Badgers mate at any time of year but delayed implantation controls the time of birth. Most cubs are born between January and March but they can be born at any time between December and June. An average of two to three badger cubs are born to each sow and will initially be totally dependent on their mother. Cubs do not appear above ground until during April or May when they are 8 – 10 weeks old and are not fully weaned until June of each year.

### ***3. Badger Setts.***

A badger sett is any structure or place, which displays signs of current or seasonal use by a badger. Within a badger clan territory there can be several badger setts, which are categorised in the following ways.

**Main Sett.** There will normally be one main sett in a territory. This will generally be the largest sett in the territory, typically with five or more entrances, will be permanently occupied throughout the year and used as the breeding sett.

**Outlying Sett.** These are the smallest setts with generally only one or two entrances. They are intermittently occupied and there can be any number in a territory.

**Annex Sett.** A sett of intermediate size, located close to the main sett and connected by well-defined paths. These are occupied for prolonged periods and may be used as a second breeding sett if there are two breeding sows in the clan.

**Subsidiary Sett.** A sett of intermediate size, similar to an annex sett but located at some distance from the main sett and not connected to the main sett by defined paths.

### ***4. Legislation***

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under the Act it is illegal to:-

- Willfully kill, injure or take a badger or attempt to do so.
- Cruelly ill-treat a badger.
- Interfere with a sett by doing any of the following:-
  - (i) damaging a badger sett or any part of it
  - (ii) destroying a badger sett
  - (iii) obstructing access to a badger sett
  - (iv) causing a dog to enter a sett
  - (v) disturbing a badger while it is occupying a sett.

Penalties for offences under the Act are up to six months in prison and a fine of £5,000 for each offence.

Disturbance to a badger in a sett can be caused by working close to a sett.

Before any work goes ahead which will cause damage to setts or disturbance to badgers, a licence will be needed from Natural England in accordance with their guidelines. To obtain a licence an application must be made giving at least one months notice. This application must include full justification for the work, the manner in which any work is to be carried out, full supporting information and a named person capable of carrying out specialised badger work, to supervise that licence. Natural England will normally only issue such licences for work to be carried out between the months of July and October inclusive, to avoid the breeding season, although exceptions may be possible if a sound justification can be made.

## **Appendix II. BAT INFORMATION.**

It is necessary to understand a little about bats, their basic nature, ecology and legal protection in order to evaluate the findings of this report.

Over 15 species of bat have been recorded in Britain. These fall into two families, the horseshoe bats and the 'ordinary bats'. 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 shortage of food, caused by pesticides, as insects are their sole diet, and habitat change.

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.

Bats are protected under the Wildlife and Countryside Act 1981, The Habitats Regulations 1994 and the Countryside & Rights of Way Act 2000.

It is an offence to intentionally or recklessly kill, injure or capture or disturb bats or to damage, destroy or obstruct access to any place used by bats for shelter or protection.

A breeding or resting site of any bat is known as a bat roost. A bat roost is therefore any structure a bat uses for shelter or protection. Because bats tend to use the same roosts each year, legal opinion is that the roost site is protected whether or not the bats are present at that time.

Bat roosts can be identified by looking for:-

- Suitable holes, cracks and crevices.
- Bat droppings.
- Prey remains.
- By carrying out night observations using a bat detector.

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

The person applying for that licence has to be suitably qualified and experienced in bat matters. That person is then responsible for ensuring that the measures contained in the licence are carried out.

## **Appendix III. INVASIVE SPECIES INFORMATION.**

There are two specific invasive species generally encountered and dealt with here.

- Japanese Knotweed.
- Giant Hogweed.

Japanese Knotweed, (*Fallopia Japonica*) {JKW} is a pernicious non-native species of plant. The plant is an extremely long-living perennial that does not spread by seeding but instead it spreads by vegetative means. Any small section of the rhizome, crown and stem segments will grow into a new plant. It is extremely vigorous and very difficult to eradicate.

Giant Hogweed, (*Heracleum mantegazzianum*) {GH} is not only an invasive alien species but is also an injurious weed as contact with skin causes increased sensitivity to ultra violet light, which can result in rashes, severe burns and painful blistering.

Under section 14 and Part II of Schedule 9 of the Wildlife and Countryside Act 1981 it is an offence for either to be planted in the wild or otherwise caused to grow in the wild. Any area where either is found should be fenced off and warning signs erected. All staff should be warned both verbally and in writing that these areas should not be entered and should not be tracked over by machinery.

If land that is contaminated with either Japanese Knotweed or Giant Hogweed is required to be worked on or is in danger of being tracked over or affected by the construction works in any way it must be dealt with in a rigorous way. Failure to do so not only risks prosecution but very high costs to eradicate any new growth.

There does not appear to be any defined distance away from Japanese Knotweed that work should be carried out. Literature does state that the underground root system can spread up to seven metres and this is the suggested size of area to be excavated when eradicating by excavation. All excavated soil must be treated as controlled waste and dealt with according to strictly controlled procedures.

DEFRA guidance suggests that all soil within 4m radius of a Giant Hogweed plant is potentially contaminated with seeds and must therefore be dealt with as contaminated waste and according to strictly controlled procedures.

All excavated materials must be transported in sealed vehicles to a waste disposal site that is licensed to deal with waste contaminated with invasive species. On leaving areas of the site known to contain Japanese Knotweed or Giant Hogweed, any tracked machinery that has been used should be thoroughly cleaned within a designated area.

Alternatively Japanese Knotweed and Giant Hogweed can be controlled by a prolonged treatment with approved herbicides.

It is not an offence to leave either growing, in situ, only to spread them to new areas.

Further information is available on the DEFRA website at [www.defra.gov.uk](http://www.defra.gov.uk)

## **Appendix IV. NESTING BIRD INFORMATION.**

It is necessary to understand a little about the legal protection offered to nesting birds in order to evaluate the findings of this report.

Part 1.-(1) Of the Wildlife and Countryside Act 1981 states that:-

If any person intentionally:-

- (a) kills, injures or takes any wild bird;
  - (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
  - (c) 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:-

- (a) 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
- (b) disturbs dependant 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”.

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.

The best way to avoid this issue is to plan for vegetation clearance to be carried out outside the bird-nesting season.

# Appendix V. MASTER PLAN.



