

Lingards Road, Slaithwaite
Ecological Impact Assessment
15th October 2020



Prepared by:

Middleton Bell Ecology, 33 Wilthorpe Road, Barnsley S75 1JA

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Site Name Lingards Road	Location Slaithwaite, Huddersfield HD7 5HY
Local Authority Kirklees Council	Grid Reference SE 0732 1336
Surveyor Peter Middleton MCIEEM	Date of Survey 02/06/2020
National Character Area (NCA) NCA 37: Yorkshire Southern Pennine Fringe	Designation of Site None
Phase 1 Habitat Types on Site A2.1 Dense scrub, A2.2 Scattered scrub, A3.1 Scattered trees, B1.2 Semi improved acid grassland, B5 Marshy grassland, B6 Poor semi improved grassland, C3.1 Tall ruderal, G2 Running water	
NVC Communities on Site Affinity with MG6 and MG10	
Protected/Notable Species, Constraints on Site Lowland dry acid grassland, nesting birds	
HPIs and SPIs under NERC Act 2006 Lowland dry acid grassland	
Kirklees BAP Lowland dry acid grassland	

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1. Summary

- 1.1.1 This Ecological Impact Assessment (EclA) for land off Lingards Road, Slaithwaite was commissioned by architect Steve Mitchell on behalf of the client SB Homes on 24th April 2020.
- 1.1.2 The survey was commissioned to inform a planning application for a residential development comprising 59 dwellings.
- 1.1.3 The site includes 0.39ha of unimproved or semi-improved acid grassland which comprise a Habitat of Principal Importance included on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and the Kirklees Biodiversity Action Plan. Areas of acid (unimproved and semi-improved) and marshy grassland on site total 0.57ha and are considered to be of local level importance to nature conservation. Habitats within the remaining 1.57ha of the site are not considered to be of more than site level importance. The site is not important to any faunal species group at higher than the site level.
- 1.1.4 The proposed development will result in the land-take of approximately 2.1ha of land largely comprising poor semi-improved grassland together with semi-improved acid grassland, marshy grassland, scattered and dense scrub, tall ruderal vegetation and scattered trees.
- 1.1.5 The small area of unimproved acid grassland will be retained, together with 0.025ha of the semi-improved acid grassland and a small stream. All remaining site habitats will be lost. This includes the vast majority of semi-improved acid grassland and all marshy grassland, resulting in a negative impact of local importance to nature conservation. The scheme will however include the translocation of 0.07ha of the highest quality semi-improved acid grassland, together with the on-site planting of 0.11ha of broadleaved woodland, establishment of 0.25ha of communal spaces and 0.54ha of new domestic gardens. Detailed measures to implement these proposals, together with new bat and bird box enhancements and hedgehog holes should be conditioned through the requirement for an Ecological Design Strategy (EDS).
- 1.1.6 Other mitigation recommendations include the following:
 - Potential damage to retained trees – Adopt measures detailed in British Standard 5837 (2012): Trees in relation to design, demolition and construction
 - Nesting birds - Vegetation clearance should take place at a time when it will not affect nesting birds (outside March to August).
 - Water course – Potential pollution incident affecting the stream. It is recommended that best construction practice and environmental management measures are followed.
- 1.1.7 Using the Biodiversity Metric 2.0 it has been calculated the post-development site will have an ecological value of 3.13 Habitat Units, resulting in a loss of 5.01 Habitat Units (62% of the existing site's ecological value). It is not possible to compensate for the scheme impacts within the site itself.
- 1.1.8 In order for the scheme to achieve a 10% net gain, it is proposed to establish a new woodland clough on a 1.6ha area of the moorland fringe. It is considered this measure has the potential to result in a benefit to nature conservation of local importance in the medium term.

2. Introduction

- 2.1.1 This Ecological Impact Assessment (EclA) for land off Lingards Road, Slaithwaite was commissioned by architect Steve Mitchell on behalf of the client SB Homes on 24th April 2020.
- 2.1.2 The survey was commissioned to inform a planning application for a residential development comprising 59 dwellings.
- 2.1.3 A previous Extended Phase 1 Habitat Survey was produced for the site in August 2015 (SLR, 2015). A Preliminary Ecological Appraisal (PEA) for the site was undertaken in June 2020 (MBE 2020) and that report informs this EclA following discussions with the client.
- 2.1.4 The proposed development will result in the land-take of approximately 2.1ha of land comprising largely semi-improved acid and poor semi-improved grassland together with marshy grassland, tall ruderal habitat, scattered trees, scrub and a short ditch.
- 2.1.5 The purpose of this report is to present the results of an extended Phase 1 habitat survey which includes determining the potential for, or presence of, protected and notable species, plus an appended map of the site showing the Phase 1 habitats present. Scheme impacts have been assessed and agreed mitigation, compensation and enhancement measures have been detailed.
- 2.1.6 Key legislation relating to designated sites and protected species and habitats is presented in Appendix 3. The implications of legislation are detailed in the body of the report where necessary.

3. Site Description

- 3.1.1 The application site, which is a largely triangular area of c2.3ha of land in a somewhat rural location, is accessed off Lingards Road on the western fringes of Slaithwaite. It is approximately eight kilometres southwest of Huddersfield town centre.
- 3.1.2 The site is bordered to the north by residential properties and the A62, and to the east and south by Lingards Road and associated residential properties. The River Colne is approximately 150m to the north of the site, beyond the A62. The wider area comprises mainly broadleaved woodland and grassland.
- 3.1.3 The site supports a very small area of unimproved acid grassland, together with semi improved acid grassland and poor semi-improved grassland. Smaller areas of marshy grassland, dense and scattered scrub, scattered trees and a little tall ruderal vegetation are also present. Some of the boundaries comprise dry stone walls including some which have collapsed in places, forming piles of rubble. A ditch runs through part of the site, flowing north-eastwards, which is joined by a culverted spring from the south.
- 3.1.4 The site falls within National Character Area 37: The Yorkshire Southern Pennine Fringe National Character Area (NCA) is a transitional landscape from the upland areas of the Southern Pennines NCA in the west through to the low-lying land of the Nottinghamshire, Derbyshire and Yorkshire Coalfield NCA to the east. The most striking aspect of the landscape is the mingling of predominantly 'gritstone' industrial

towns and villages with the strong valley forms and pastoral agriculture of the Pennine foothills.

- 3.1.5 Information from the Government resource 'Magic' describes the soils in the area to comprise freely draining slightly acidic loamy soils.

Figure 1. The site location, as indicated by red line



4. Methodology

4.1 Data Consultation

- 4.1.1 West Yorkshire Ecological (WYE) were contacted to request the following information for locations within a 2km radius of the site:
- Protected and notable species records
 - The boundaries of non-statutory designated sites of nature conservation interest
- 4.1.2 A search of the Multi-Agency Geographical Information for the Countryside (MAGIC) website was undertaken to determine the following:
- The boundaries of statutory designated sites of nature conservation interest
 - The locations of historic European Protected Species (EPS) licences granted by Natural England
- 4.1.3 A previous extended Phase 1 Habitat Survey report of the site (SLR, 2015) was obtained and consulted in the preparation of a PEA (MBE 2020) which informs this EcIA following discussions with the client (SB Homes).

4.2 Field Survey

Extended Phase 1 Habitat Survey

- 4.2.1 The site was surveyed on 2nd June 2020 using extended Phase 1 habitat survey methodology (JNCC, 2010) by the following personnel:
- Peter Middleton (MCIEEM)
- 4.2.2 Notable, rare or scarce plant species were highlighted if present. Evidence of protected species or species of nature conservation importance was recorded where present at the time of survey. Species recorded are included within the report as appropriate. Information is presented on the Phase 1 plan, using Target Notes (TN) to identify particular features of interest, where appropriate. Additionally, and where possible, habitats were classified using the National Vegetation Classification (NVC), as described in the JNCC National Vegetation Classification – Users Handbook (Rodwell, 2006).
- 4.2.3 Aerial photographs (Google Earth) were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This is particularly useful for identifying wildlife corridors and ponds but because the latter are often not apparent on aerial photographs, OS 1:25 000 scale maps are also used.

Bird Survey

- 4.2.4 A three-visit bird survey undertaken was undertaken by ornithologist Peter Middleton between 28th April and 2nd June 2020. All areas of the site were visited to within 50m and all contacts with birds, either by sight or sound were plotted on an appropriate map using standard British Trust for Ornithology (BTO) codes.

4.3 Methods of assessment

- 4.3.1 The value and sensitivity of ecological features present on site were determined based on the guidance given in 'Guidelines on Ecological Impact Assessment' (CIEEM, 2016). Individual ecological receptors (habitats and species that could be affected by the development) for the scheme were assigned levels of importance for nature conservation. The highest level is international, then decreasing in order of importance through national, regional, county, local and lastly site.

4.4 Biodiversity Calculation

- 4.4.1 Biodiversity calculations provide a numeric method of calculating biodiversity gains and losses as a result of a proposed development.
- 4.4.2 The Biodiversity Metric 2.0 (Crosher *et al.*, 2019) is used to calculate the biodiversity impact of this scheme. This metric uses habitat as a proxy for wider biodiversity with different habitat types scored according to their relative biodiversity value. This value is then adjusted depending on the condition and location of the habitat, to calculate 'biodiversity units'. Biodiversity Metric 2.0 incorporates similar but separate calculations for habitats that require a different method of measurement such as hedgerows, lines of trees, rivers, streams and street trees. Calculations are undertaken in a purpose designed spreadsheet, which provides the main output of the process.

- 4.4.3 The site's post development value was based on agreed on-site habitat creation measures detailed in Appendix 5.

4.5 Survey Limitations

- 4.5.1 No significant limitations to an effective extended Phase 1 habitat survey or bird survey were identified.

5. Ecological Baseline

5.1 Data Consultation

- 5.1.1 Designated sites present within 2km of the site are detailed in Table 1.

Table 1. Designated sites

Designation	Name	Interest	Distance and direction to site
Local Wildlife Site (LWS)	Huddersfield Narrow Canal	Standing open water	300m northwest
	Drop Clough	Species rich acid grassland	1.9km west-southwest
	Green Hill Clough	Species rich acid woodland	1.95km west-southwest

- 5.1.3 The site does not lie within the Kirklees Wildlife Habitat Network, nor is there any Ancient Semi Natural/Replanted Woodland within 1.5km of the search area.
- 5.1.4 The South Pennine Moors designated sites are present 2.4km west of the site. These sites comprise South Pennine Moors Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), with the same area included in South Pennine Moors Phase II Special Protection Area (SPA).
- 5.1.5 Records of protected and notable species obtained are discussed in the species accounts within the results section.

5.2 Field Survey

- 5.2.1 The arrangement of site habitats is shown on the Phase 1 plan in Appendix 1, whilst a field survey botanical species list is provided in Appendix 2.
- 5.2.2 The habitats within the two western fields are considered to be of local level importance to nature conservation on account of their botanical interest, with the remainder considered to be of site level importance only. The site is unlikely to be of greater than site level importance to any faunal species group.
- 5.2.3 A detailed description of site habitats and the site's potential to support protected and notable species is provided below.

Habitats

A2.1 Dense scrub

- 5.2.4 In the northwest corner of the site is a small area of bramble *Rubus fruticosus* agg. scrub which is covering a section of the western boundary wall (see TN 1 in Appendix 1). In addition, there are small areas of mixed hawthorn and bramble scrub near the south-eastern boundary, adjacent to Lingards Road, and a small area of bramble covering the wall between Fields 2/3 and Field 4 (Figure 2).

Plate 1. Scrub (and trees) along south eastern boundary with Lingards Road



A2.2 Scattered scrub

- 5.2.5 Scattered scrub is present on almost all field boundaries. The scrub varies in size and age and comprises frequent hawthorn *Crataegus monogyna* and bramble with some specimens of the former species approaching 5m in height. Two rowan *Sorbus aucuparia* were recorded together with rarely occurring elder *Sambucus nigra*, wild cherry *Prunus avium*, silver birch *Betula pendula* and holly *Ilex aquifolium* (see Plate 1).

Plate 2. Sycamores and an ash



A3.1 Scattered trees

- 5.2.6 Trees on site comprise four semi mature sycamore *Acer psuedoplatanus* and an ash *Faxinus excelsior* near the boundary in the northeast of the site (Plate 2), two mature pendunculate oak *Quercus robur* towards the western end of the site and several mature hawthorn on the south-eastern boundary adjacent to Lingards Road (see Plate 1).

Site grassland

- 5.2.7 For ease of description, site fields have been numbered, with field numbers shown in Figure 2.

B1.2 Semi improved acid grassland

- 5.2.8 Semi improved acid grassland is present in Fields 4 (F4), 5 (F5) and Area 6 (A6)(Figure 2 & Appendix 1), together with areas of marshy grassland. A very thin strip of unimproved acid grassland is present between the western boundary wall of F5 and the red-line boundary.
- 5.2.9 The steep northern slope of F4 is the most species rich area of the fields and comprises abundant red fescue *Festuca rubra* and sweet vernal grass *Anthoxanthum odoratum* together with frequent sheep's fescue *Festuca ovina* and Yorkshire fog *Holcus lanatus*. Forbs present comprise frequent pignut *Conopodium majus*, heath bedstraw *Gallium saxatile*, ribwort plantain *Plantago lanceolata*, red clover *Trifolium pratense*, meadow buttercup *Ranunculus acris* and bulbous buttercup *Ranunculus bulbosus*. Species present in smaller quantities include occasional common sorrel *Rumex acetosa*, and catsear *Hypochaeris radicata* together with rarely occurring spear thistle *Cirsium vulgare* and rough meadow-grass *Poa trivialis* (see Plate 3).

Figure 2. Field numbers



Plate 3. Species rich semi improved acid grassland (F4)



5.2.10 The southern and highest elevation section of F5 is less species rich than F4 with fewer indications of an acidic character and some signs of nutrient enrichment. Species present comprises abundant or locally dominant sweet vernal grass together with locally abundant sheep's fescue, common sorrel and catsear. Heath bedstraw, red fescue and Yorkshire fog are frequent together with occasional broadleaved dock *Rumex obtusifolius*, meadow foxtail *Alopecurus pratensis*, meadow buttercup and ribwort plantain. Species present in smaller quantities include pignut, creeping thistle, cocksfoot *Dactylis glomerata* and red clover. Locally abundant springy turf-moss *Rhytidiadelphus squarrosus* is also present in many places (see Plate 4). Just falling within the red-line boundary at the western edge of F5 is a small linear area of unimproved acid grassland between a defunct wall and a fence (see Appendix 1).

Plate 4. Semi improved acid grassland (F5) in foreground



5.2.11 At the lowest point of F6 is an area where the water attenuation tank will be located for the development (see Figure 2 and Appendix 1). This section also supports a small area of acid grassland together with marshy grassland.

5.2.12 Acid grassland on site classes within the Lowland Dry Acid Grassland Habitats of Principal Importance included on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. This habitat is also included on the Kirklees Biodiversity Action Plan. The acid grassland at the northeast corner of the site, in particular, comprises a fair example of this habitat type.

Plate 5. Small field F1 in foreground (the rest of the site is beyond)



B5 Marshy grassland

5.2.13 The lower north section of F5, the eastern section of F6 and the southern higher elevation section of F4 supports this habitat which has a strong affinity with the National Vegetation Classification MG10 (rush pasture) (Plate 6). This section of habitat comprises abundant soft rush and Yorkshire fog together with frequent meadow buttercup and occasional meadow foxtail, wavy bittercress *Cardamine flexuosa*, broadleaved dock, rough meadow-grass *Poa trivialis* and smooth meadow-grass *Poa pratensis*.

Plate 6. Marshy grassland (rush pasture MG10) in foreground



B6 Poor semi improved grassland

5.2.14 This habitat constitutes the majority of the site, encompassing the majority of F1, F2 & F3. With the exception of F1, these areas of grassland are heavily grazed by horses and the sward is short, comprising an assemblage of grasses which are present in F1, together with frequent perennial ryegrass *Lolium perenne* and crested dogstail *Cynosurus cristatus*. Other species present frequently comprise common mouseear, meadow buttercup, bulbous buttercup, Yorkshire fog and locally frequent ribwort plantain. Occasional species include meadow foxtail, creeping buttercup *Ranunculus repens*, soft rush *Juncus effusus*, common sorrel, sweet vernal grass, red clover and cocksfoot *Dactylis glomerata*. In addition, rarely occurring American willowherb *Epilobium ciliatum* was present where the ground has previously been poached (see Plate 7). The steep ground adjacent to the south-eastern boundary (TN1) had previously been categorised as acid grassland (SLR 2015), however, this no longer appears to be the case in spite of the presence of frequent red fescue in this area.

Plate 7. Poor semi improved grassland (west end of F3)



Plate 8. Small area of tall ruderal vegetation in F1 comprising dominant nettle



C3 Tall ruderal

- 5.2.15 There is a relatively small area of tall ruderal vegetation dominated by nettle *Urtica dioica*, together with occasional broadleaved dock in the northeast section of the red line boundary (F1).

Plate 9. Water course



G2 Running water

- 5.2.16 A fast-flowing stream which flows northeast from where it is culverted exits the site on the north western boundary where it is again culverted (Plate 9). The vegetation adjacent to the stream is the same as the surrounding area, with the addition of soft rush and foxglove *Digitalis pupurea*. A spring (and small pool) in F5 (see TN2 and Plate 10) disappears quickly down a pipe, presumably flowing into the underground water storage (TN3, Appendix 1, Plate 11).

Plate 10. Spring a small pool (with duckweed)



Plate 11. Water storage tank



Species and species groups

Amphibians

- 5.2.17 No Great Crested Newt (GCN) *Triturus cristatus* records were provided by WYE for locations within a 2km radius of the site. No historic GCN EPS mitigation licences have been issued for locations within 6km of the site.
- 5.2.18 Four water bodies containing standing water were recorded within 1km of the site during the pond search. These include two reservoirs and a canal, with the only pond in a location 840m from the site boundary. Given the lack of ponds in the area, barriers to movement, absence of records and local knowledge of their absence in the Colne Valley, GCN are not considered to be a receptor to the proposed scheme.
- 5.2.19 Other amphibian records provided by WYE for locations within 2km of the site include four common toad *Bufo bufo*, three common frog *Rana temporaria* and two smooth newt *Triturus vulgaris* records. The nearest record to site relates to a common toad, with the record collected in 2005 from a location 580m from the site centroid. Given the lack of ponds in the local area, usage levels of the site by common amphibians are expected to be low.

Badger

- 5.2.20 No badger *Meles meles* records were provided by WYE for locations within a 2km radius of the site.
- 5.2.21 No badger setts or other evidence of badger presence were found on site; however, the site may be used as part of a wider foraging habitat for this species.

Bats

- 5.2.22 One hundred and nine bat records of at least six species were provided by WYE. Species positively identified in the records comprised common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, Leisler's bat *Nyctalus leisleri* and Daubenton's bat *Myotis daubentonii*. No records were received for the site itself and the nearest record (field record) to site (common

pipistrelle) was collected in 2012 from a location 298m from the site centroid. The nearest roost to site comprises a noctule hibernaculum, recorded in 2012 from a location 320m of the site centroid.

- 5.2.23 Two historic EPS mitigation licences have been issued for locations within 2km of the application site. The nearest licence to site was issued in 2014 to permit the destruction of common and soprano pipistrelle resting places at a location 770m northeast of the site centroid.
- 5.2.24 A wood-framed sheet-metal covered horse shelter is present on the boundary of F1 (see Plate 2). This structure lacks features with potential to accommodate bats and is considered to offer negligible bat roost potential. There are no trees on site which could potentially accommodate roosting bats and the site provides sub-optimal habitat for foraging bats. The site is unlikely to be of more than site level importance to foraging and commuting bats.

Birds

- 5.2.25 Relevant bird records provided by WYE for locations within a 2km radius of the site include short eared owl *Asio flammeus*, merlin *Falco columbaris*, golden plover *Pluvialis apricaria* and lapwing *Vanellus vanellus*. The nearest record to site (lapwing) was collected in 1999 from a location 600m from the application site.
- 5.2.26 Weather conditions during a three-visit breeding bird survey are shown in Table 2.

Table 2. Bird survey conditions

Weather Conditions			
Date	28/04/20	19/05/20	02/06/20
Time	05:45 to 06:30	06:20 to 07:00	06:30 to 07:30
Temperature start/end	7°C – 7°C	12°C – 12°C	10°C - 14°C
Cloud over	100%	100%	40%
Wind speed	Force 1	Force 2/3	Force 1
Wind direction	Northeast	West	North

- 5.2.27 A total of 12 species were recorded during the three survey visits including three red listed species within the Birds of Conservation Concern (Eaton *et al.*, 2015). These species comprise house sparrow *Passer domesticus*, starling *Sturnus vulgaris* and song thrush *Turdus philomelos*. However, there is no evidence to suggest they are nesting on site as both house sparrow and starling nest in nearby houses and the song thrush was only recorded briefly singing on a single occasion before it flew to a nearby garden to resume singing. Other species observed foraging on site include blackbird *Turdus merula*, blue tit *Cyanistes caeruleus*, great tit *Parus major*, mistle thrush *Turdus viscivorus*, wood pigeon *Columba palumbus*, crow *Corvus corone*, and jackdaw *Corvus monedula*. Species recorded on site (mostly at the boundaries) that could potentially breed on site include goldfinch *Carduelis carduelis*, wren *Troglodytes troglodytes*, robin *Erithacus rubecula* and mistle thrush.
- 5.2.28 South Pennine Moors Phase 2 Special Protection Area (SPA) is located 2.3km west of the site. The primary reasons for selection of this SPA are due to it supporting a significant proportion of the national population of short eared owl, merlin and golden plover. None of these species were recorded on site during the bird survey and none are likely to use the site given the close proximity of the site to habitation, the site's topography, distance from the SPA and the fact that the site it is largely overgrazed.

These species and other species of wading bird are not considered to be a receptor to the proposed scheme.

Hedgehog

- 5.2.29 One hedgehog *Erinaceus europaeus* record was provided by WYE for a location within a 2km radius of the site. The record collected in 1999 was from a location 760m from the site centroid.

Invasive species

- 5.2.30 No invasive species included on Schedule 9 of the Wildlife & Countryside Act 1981 (as amended) were recorded on site.

Invertebrates

- 5.2.31 Given that the majority of the site is heavily grazed, and the remainder is small in its size, significant populations of rarely occurring and/or notable invertebrate species are not likely to be present.

Plants

- 5.2.32 The most notable species found on site comprise pignut and heath bedstraw which are present in the two fields adjacent to the western boundary. The latter species, together with sheep's fescue and sweet vernal grass (also present) is indicative of acid grassland, with pignut associated with long-established unploughed grasslands.

Reptiles

- 5.2.33 No reptile records were provided by WYE for locations within 2km of the site. Given the lack of records, unfavourable habitat on site and lack of connectivity with suitable habitats elsewhere, reptiles are not considered a receptor to the proposed scheme.

Water vole

- 5.2.34 Twenty water vole *Arvicola terrestris* were provided by WYE for locations within a 2km radius of the site. The nearest record to site was recorded in 1999 from a location 184m of the site centroid. All but one record was collected in 1999 with the only recent record (2017) recorded from a location 1.6km of the site centroid.
- 5.2.35 No signs of water voles were recorded on site and the shallow and fast-flowing nature of the site's watercourse makes it largely unsuitable for by this species.

Table 3. Ecological importance of each habitat, species or species group on site and adjacent

Habitat, Species or Species Group	Ecological value
Scattered scrub	Site
Scattered trees	Site
Unimproved acid grassland	Local
Semi improved acid grassland	Local
Marshy grassland	Site
Poor semi improved grassland	Site
Amphibians	Site

Habitat, Species or Species Group	Ecological value
Badger	Site
Bats	Site
Birds	Site
Reptiles	Unlikely to be present
Invasive species	None
Invertebrates	Site
Plants	Local

5.3 Biodiversity Calculation

- 5.3.1 The existing site's value as calculated by the Biodiversity Metric 2.0 tool is 8.14 Habitat Units.

6. Assessment

6.1 Proposals

- 6.1.1 The proposed development will result in the land-take of approximately 2.1ha of land largely comprising poor semi improved grassland together, with semi-improved acid grassland, marshy grassland, scattered and dense scrub, tall ruderal vegetation and scattered trees. The small area of unimproved grassland, together with 0.025ha of the semi-improved acid grassland will be retained. The stream will also be retained.
- 6.1.2 The assessment of impacts is based upon the proposed site layout plan entitled: Lingards Road, Slaithwaite. Drawing SBH Sk L 01 – Surface Finishes, August 2020 (Appendix 5).
- 6.1.3 The scheme includes the translocation of 0.07ha of the highest quality semi-improved acid grassland (the northern section of F4) to cover an area of marshy grassland, to be first excavated during the creation of attenuation tanks. In addition, a 0.11ha belt of land on the southern side of the site will be planted with broadleaved woodland. A total of 0.25ha of land will comprise new communal gardens and areas of open land, whilst 0.54ha will comprise new domestic gardens. Built land including dwellings, roads and drives will account for 1.17ha of the site.

6.2 Assessment of Effects, Mitigation Measures and Enhancements

- 6.2.1 The assessment of effects, mitigation measures and selected enhancements are considered in relation to habitat, species or species group.

Designated sites

- 6.2.2 No impacts upon designated sites are anticipated due to the nature and scale of the development and distance of designated sites from the development area.
- 6.2.3 South Pennine Moors Phase 2 Special Protection Area (SPA) is located 2.3km west of the site. The primary reasons for selection of this SPA are due to it supporting a significant proportion of the national population of short eared owl, merlin and golden plover. None of these species were recorded on site during the bird survey and none are likely to use the site given the close proximity of the site to habitation, the site's topography, distance from the SPA and the fact that the site it is largely overgrazed.

These species and other species of wading bird are not considered to be a receptor to the proposed scheme.

Habitats

- 6.2.4 Habitats lost include areas of semi-improved acid grassland and marshy grassland which are considered to be of local level importance to nature conservation. Habitats across the remainder of the site are considered to be of no more than site level importance to conservation. The small area of unimproved acid grassland will be retained, whilst the highest quality 0.07ha of semi-improved acid grassland, including the area of pignut, will be translocated to the western edge of the site. Nevertheless, the combined land-take of semi-improved acid grassland and marshy grassland is considered to comprise a negative impact of local importance to nature conservation.
- 6.2.5 In order to partially compensate for the loss of grassland, the proposed scheme includes the planting of 0.11ha of new broadleaved woodland along the site's southern boundary. In addition, 0.25ha of land will comprise new communal gardens and areas of public open-space, whilst 0.54ha will comprise new domestic gardens. Planting proposals for new communal and domestic gardens have not yet been produced but are expected to include new native shrub and tree planting, together with the planting of wildlife friendly ornamental species. It is recommended that on-site habitat translocation and creation measures are formalised within an Ecological Design Strategy (EDS) to be secured by a planning condition
- 6.2.6 Existing trees that will be retained will be protected during construction in accordance with British Standard 5837 (2012): Trees in relation to design, demolition and construction. Root Protection Zones (RPZ's) will be calculated and implemented to prevent harm to trees. This will also apply to any trees outwith the site, up to 5 m from the boundary.
- 6.2.7 In order to minimise the risk of a pollution incident to the water course, it is recommended that best construction practice and environmental management including CIRIA guidance (Conolly and Charles, 2005) and various DEFRA/Environmental Agency guidelines (2016), that have replaced the Pollution Prevention Guidelines (Environment Agency, 2007) are followed. In particular site compounds should be sited away from the watercourse and any mechanical equipment used on site should be equipped with spill kits and operators should be trained in their usage.

Species and Species Groups

Bats

- 6.2.8 The existing site provides sub-optimal foraging habitat for this species group; however, it benefits from an absence of artificial lighting. Whilst artificial lighting will be installed within the scheme, the planting of a new area of broadleaved woodland is expected to result in the creation of an area of higher quality bat foraging habitat on site.
- 6.2.9 Enhancements for roosting bats will include the integration of cavity boxes within the gables of 20% of the dwellings. The specification and exact location of bat boxes is to be detailed in an EDS produced for the site.

Birds

- 6.2.10 Nesting birds are subject to legal protection (Appendix 3) which amongst other things makes it an offence to take, damage or destroy a bird nest. In the absence of mitigation, the removal of trees and scrub has potential to result in the destruction of active nests. Consequently, site clearance should not be undertaken during the bird nesting period (March-August (inclusive)). If limited clearance of potential bird breeding habitat is required during the breeding season then this should be preceded by a nesting bird check to be undertaken by an ecologist.
- 6.2.11 Enhancements for birds will be provided through the installation of house sparrow terraces and swift *Apus apus* boxes on 80% of buildings (40% of new dwellings to have a box for each species). These boxes will be installed under eaves, integral to the fabric of the buildings on the north and east elevations. The specification and exact location of bird boxes is expected to be detailed in an EDS.

Hedgehogs

- 6.2.12 Hedgehog *Erinaceus europaeus* will be afforded free movement through the site through the creation of access holes provided at the bottom in corners or junctions of all new fences. The location and specification of these hedgehog holes is expected to be detailed in an EDS document for the development.

6.3 Biodiversity Calculation

- 6.3.1 It is calculated the post-development the site will have an ecological value of 3.13 Habitat Units, resulting in a loss of 5.01 Habitat Units on site (62% of the existing site's ecological value). It is not possible to compensate for scheme impacts within the site itself.
- 6.3.2 The client is however able and willing to enhance a 1.6ha area of upland acid grassland within their ownership, located on the moorland fringe near Berry Greave. This area is centred on Ordnance Survey Grid Reference SE 03630 12550. This off-site location was subject to an ecological walkover survey by Peter Middleton on 20th August 2020. The findings of this survey together with the enhancement proposals are presented in Appendix 6. Following the survey, it was determined that this area of grassland was in an appropriate location within which to establish a new clough woodland. The aim would be to establish the Annex 1 habitat '91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles', with the presence of this habitat a primary reason for selection of the nearby South Pennine Moors SAC. An attempt was made to discuss this proposal with Natural England (see Appendix), however this has not been possible due to resource constraints at Natural England.
- 6.3.3 If the proposed off-site habitat enhancement measures are taken into account, then it has been calculated the overall development will result in a net gain of 1.6 Habitat Units, or a 19.7% increase in Habitat Units relative to the existing baseline.

6.4 Conclusions and Residual Effects

- 6.4.1 The development will result in a negative impact of local importance to nature conservation (loss of semi-improved acid and marshy grassland on site). The proposals do however retain the only area of unimproved grassland and include translocation of the most ecologically interesting section of semi-improved grassland. No other impacts of greater than site level importance to nature conservation will result

and proposed compensation measures, including some on-site woodland planting, will result in several ecological benefits.

- 6.4.2 In order for the scheme to achieve a 10% net gain, as measured using the Biodiversity Metric 2.0, it is proposed to establish a new clough woodland on an area of the moorland fringe. It is considered this measure has the potential to result in a benefit to nature conservation of local importance in the medium term.

7. References

CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

Connolly, S and Charles, P. (2005) Environmental Good Practice Pocket Book. CIRIA, London.

Crosher I, Gold S, Heaven M, Heydon M, Moore L, Panks S, Scott S, Stone D and N White (2019) The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. Natural England.

Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man. British Birds 108, 708–746.

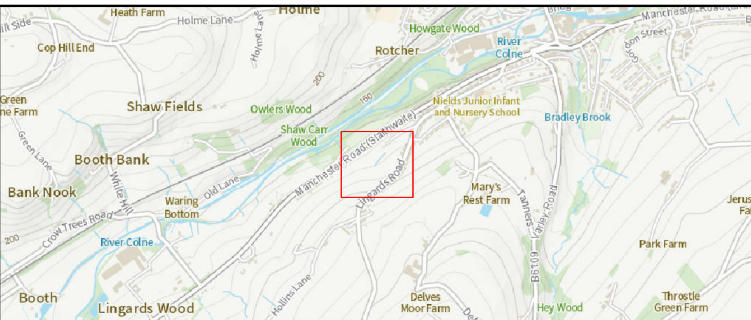
Harris S, Cresswell P and Jefferies D (1989). Surveying Badgers. Mammal Society.

Joint Nature Conservation Committee (2010). Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit. Reprinted by JNCC, Peterborough.

Rodwell, J.S, (2006), NVC Users' Handbook. JNCC

SLR (2015) SLR Ref: 424.04328.00004 Land off Lingards Lane, Slaithwaite – Extended Phase 1 Habitat Survey. SLR

Appendix 1. Phase 1 Plan



Survey Information	
	Site boundary (22,638.4m ²)
Phase 1 Habitat Survey	
	Dense scrub (167.8m ²)
	Unimproved acid grassland (141.0m ²) within site boundary
	Semi-improved acid grassland (3,971.7m ²)
	Marshy grassland (2,212.7m ²)
	Poor semi-improved grassland (16,089.0m ²)
	Tall ruderal (56.2m ²)
	Running water
	Fence
	Wall
	Wall - dererlict
	Steep bank
	Scattered broadleaved tree
	Scattered scrub
	Target note

Target Notes:

[1] Steep bank

[2] Spring and pool culverted downstream

[3] Underground water storage covered in corrugated sheeting and enclosed by stone wall

[4] Species rich acid grassland

[5] Fast flowing stream

[6] Pile of stone (masonry)

[7] Location of culverted spring

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05102030

Metres

PROJECT TITLE

LINGARD ROAD, SLAITHWAITE

DRAWING TITLE

Figure 1. Phase 1 Habitat Plan

VER	DATE	REMARKS	Drawn	Checked
2.1	13/10/20	Phase 1	MP	PM

DRAWING NUMBER:

MIDDLETONBELLECOLOGY/LingardRd/Phase 1

SCALE	1:950	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG
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Middleton Bell Ecology

33 Wilthorpe Road, Barnsley, South Yorkshire, S75 1JA
www.middletonbellecology.co.uk
T: 01226 286282

Middleton Bell

ECOLOGY

Appendix 2. Plant Species Recorded on Site

Full Species List		
English Name	Scientific Name	DAFOR Rating
A2.1 Dense scrub		
Bramble	<i>Rubus fruticosus</i> agg.	Loc D
Hawthorn	<i>Crataegus monogyna</i>	O
A2.2 Scattered scrub		
Elder	<i>Sambucus nigra</i>	R
Hawthorn	<i>Crataegus monogyna</i>	F
Holly	<i>Ilex aquifolium</i>	R
Wild cherry	<i>Prunus avium</i>	R
Bramble	<i>Rubus fruticosus</i> agg.	F
Silver birch	<i>Betula pendula</i>	R
Rowan	<i>Sorbus ocuparia</i>	R
A3.1 Scattered trees		
Sycamore	<i>Acer psuedoplatanus</i>	O (4)
Ash	<i>Fraxinus excelsior</i>	R
Hawthorn	<i>Crataegus monogyna</i>	O
Pendunculate oak	<i>Quercus robur</i>	O (2)
B1.2 Semi improved acid grassland		
Sweet vernal grass	<i>Anthoxanthum odoratum</i>	A
Yorkshire fog	<i>Holcus lanatus</i>	F
Red clover	<i>Trifolium pratense</i>	F
Common sorrel	<i>Rumex acetosa</i>	O/F
Soft rush	<i>Juncus effusus</i>	Loc F
Red fescue	<i>Festuca rubra</i>	A
Sheep's fescue	<i>Festuca ovina</i>	O
Meadow buttercup	<i>Ranunculus acris</i>	F
Bulbous buttercup	<i>Ranunculus bulbosus</i>	F
Ribwort plantain	<i>Plantago lanceolata</i>	F
Pignut	<i>Conopodium majus</i>	F
Heath bedstraw	<i>Gallium saxatile</i>	F
Spear thistle	<i>Cirsium vulgare</i>	R
Catsear	<i>Hypochaeris radicata</i>	F
Rough meadow-grass	<i>Poa trivialis</i>	R
Common mouseear	<i>Cerastium fontanum</i>	Loc O
B5 Marshy grassland		
Soft rush	<i>Juncus effusus</i>	A
Yorkshire fog	<i>Holcus lanatus</i>	A
Meadow foxtail	<i>Alpecurus pratensis</i>	F
Rough meadow-grass	<i>Poa trivialis</i>	O
Smooth meadow-grass	<i>Poa pratensis</i>	O
Broad leaved dock	<i>Rumex obtusifolius</i>	O
Wavy bittercress	<i>Cardamine flexuosa</i>	O
B6 Poor semi improved grassland		
Rough meadow-grass	<i>Poa trivialis</i>	O
Smooth meadow-grass	<i>Poa pratensis</i>	F
Sweet vernal grass	<i>Anthoxanthum odoratum</i>	F
Cocksfoot	<i>Dactylis glomerata</i>	R
Yorkshire fog	<i>Holcus lanatus</i>	Loc A

Red clover	<i>Trifolium pratensis</i>	O
Broad leaved dock	<i>Rumex obtusifolius</i>	O
Spear thistle	<i>Cirsium vulgare</i>	R
Soft rush	<i>Juncus effusus</i>	O
Common sorrel	<i>Rumex acetosa</i>	O
Tufted vetch	<i>Vicia cracca</i>	Loc O
Meadow buttercup	<i>Ranunculus acris</i>	F
Creeping buttercup	<i>Ranunculus repens</i>	O
Bulbous buttercup	<i>Ranunculus bulbosus</i>	F
Crested dogtail	<i>Cynosurus cristatus</i>	Loc F
Ribwort plantain	<i>Plantago lanceolata</i>	Loc F
Meadow foxtail	<i>Alopecurus pratensis</i>	F
Perennial ryegrass	<i>Trifolium repens</i>	Loc F
American willowherb	<i>Epilobium ciliatum</i>	R
Common mouseear	<i>Cerastium fontanum</i>	Loc F
C3.1 Tall ruderal		
Broad leaved dock	<i>Rumex obtusifolius</i>	O
Nettle	<i>Urtica dioica</i>	D

Appendix 3. Relevant Legislation and Policy

Wildlife legislation relating to statutory designated sites and species is summarised in Table A1 and A2 below. This legal information is intended for summary only, and the original legal documents should be consulted if a detailed understanding is required.

Table A1. Legislation relating to designated sites and habitats

Designated Site	Legal Status
Special Protection Area (SPA)	SPAs are strictly protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC), also known as the Birds Directive. They are classified for rare and vulnerable birds, listed in Annex I of the Birds Directive, and for regularly occurring migratory species. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 are the legal instrument for implementing the Birds Directive in the UK. SPAs are of at least European importance to nature conservation.
Local Wildlife Site (LWS)	While they have no direct legal status, Local Wildlife Sites are considered important enough to receive recognition within the planning system. National planning policy requires local authorities to identify Local Wildlife Sites and provide for their protection through local policy.

Table A2. Legislation relating to species

Species	Legal Status
European protection	
European Protected Species (EPS) (including bats, Great Crested Newt (GCN), otter and hazel dormouse)	These animal species and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2017, which makes it illegal to: • Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. • Deliberately disturb such an animal. • Damage or destroy a breeding site or resting place of such an animal. European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed: • The development is for reasons of overriding public interest. • There is no satisfactory alternative; and • The favourable conservation status of the species concerned will be maintained and/or enhanced. Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining whether Planning Permission should be granted for developments

Species	Legal Status
	likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed. Natural England also allow sites to be registered on the Bat Low Impact Class Licence to permit activities that would otherwise be unlawful under the Conservation Regulations where the 3 tests can be passed and the bat roosts to be impacted are of low conservation status.
National protection	
European Protected Species and other species including water vole and white clawed crayfish	These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any such animal. • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and • Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Common amphibians and reptile species	These animals receive limited protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal to intentionally kill or injure any such animal.
Badger	The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger or attempt to do so and also make it illegal to intentionally or recklessly interfere with a Badger sett. This includes damaging or destroying a sett, obstructing access to a sett and disturbing a Badger while it is occupying a sett. Licences can be granted by Natural England to permit sett closure and/or disturbance between July and November inclusive.
Schedule 1 birds	Special penalties relate to offences concerning birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.
All bird species	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any wild bird. • Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Invasive species	The Wildlife and Countryside Act 1981 (as amended) contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 of the Act. In relation to Schedule 9 plants it is an offence to plant or otherwise cause these plant species to grow in the wild.

Species and Habitats of Principal Importance

Planning authorities have a duty under Section 40 of the NERC Act 2006 to have regard to priority species and habitats in exercising their functions including development control and planning. In compliance with Section 41 of the NERC Act, the Secretary of State has published a list of species and habitats considered to be of principal importance for conserving

biodiversity in England under the UK Post-2010 Biodiversity Framework. This is known as the list of Habitats and Species of Principal Importance (HPI/SPI). The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

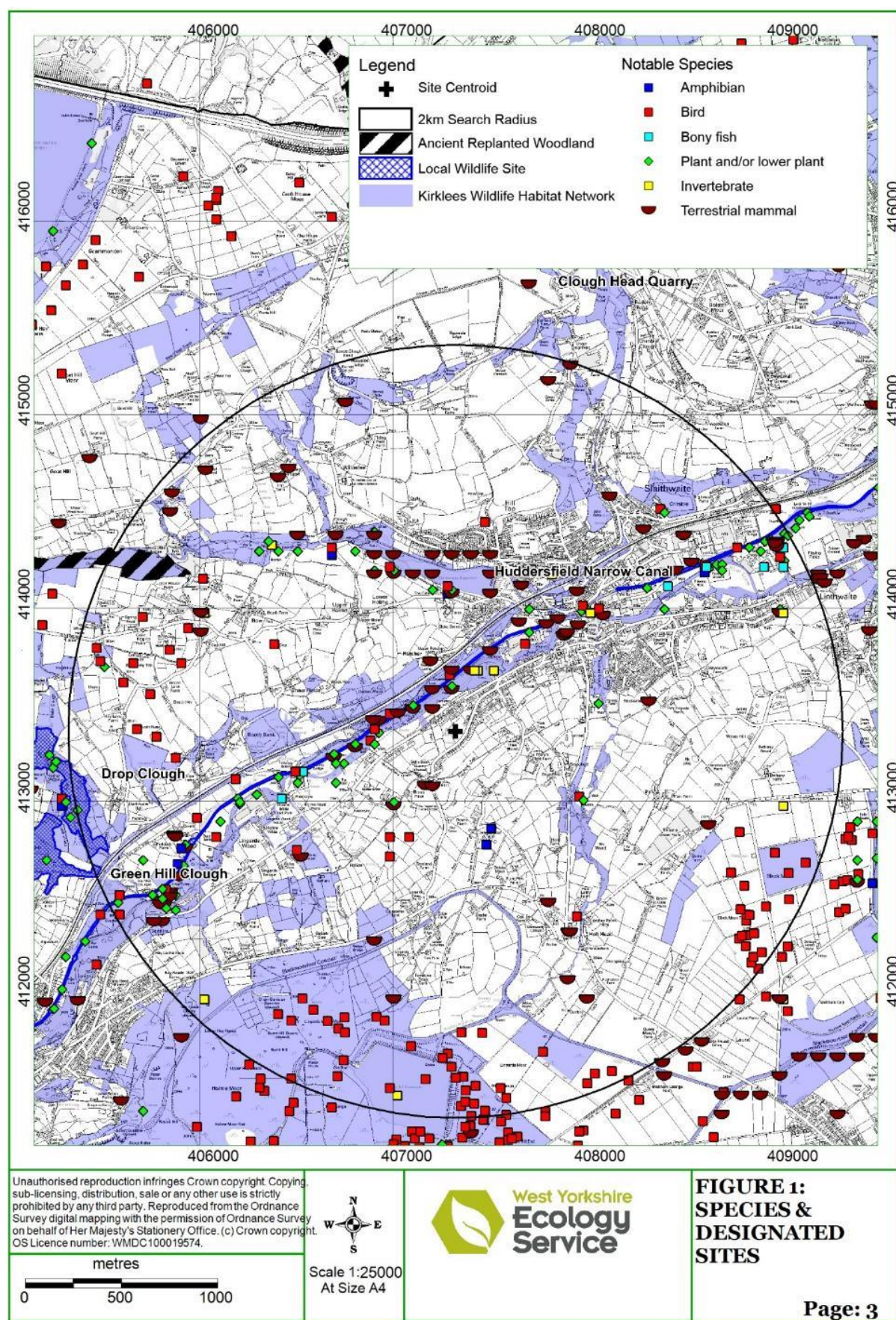
National Planning Policy Framework

The National Planning Policy Framework for England was revised in 2019. This document states that plans should 'promote the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'. It also puts an emphasis on refusing development which would result in the 'loss or deterioration of irreplaceable habitats (such as ancient woodland)' unless there are 'wholly exceptional reasons and a suitable mitigation strategy exists'.

Local Biodiversity Action Plans

The HPI/SPI list included on Section 41 of the NERC Act 2006 is supported by a series of Local Biodiversity Action Plans (LBAPs), usually set up on a local authority local authority administrative boundary basis. Each LBAP identifies those habitats and species considered to be most important in that area (usually referred to as priority habitats and species). Commonly, an LBAP will identify a number of habitats and species for which "action plans" have been prepared.

Appendix 4. Designated Sites Map



Appendix 5. Proposed Plan for Site



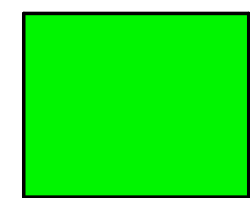
The area of road and footpath = 4238.144 M2



The area of open land (incl communal gardens) = 2453.837 M2



The area of dwellings, drives etc = 6923.641 M2



The area of gardens = 5392.398 M2



The area of translocated acid grassland = 684.204 M2



The area of open watercourse = 204.733 M2



The area of retained acid grassland = 375.966 M2



The area of broadleaved woodland planting = 1135.240 M2



Rev A 09/10/2020 Areas subdivided.

Drawing SBH Sk L 01 A - Surfaces finishes
1:500 @ A1.
Lingards Road, Slaithwaite
Aug 2020.

Appendix 6. Offsite Habitat Enhancement Proposals

Introduction

An area of land in the ownership of our client (hereafter referred to as the 'site') has been identified for ecological enhancement which is intended to avoid a net loss or potentially to achieve ecological net gain for their proposed residential development of a site off Lingards Road site at Slaithwaite.

This 1.6ha area of land is located on the moorland fringe near Berry Greave, northwest of Tunnel End near Marsden and is centered on Ordnance Survey Grid Reference SE 03630 12550 (Appendix 5.1). The site itself is subject to no conservation designations, however, it is located 159m south of moorland included in the South Pennine Moors Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), with the same area included in South Pennine Moors Phase II Special Protection Area (SPA). The site is also 560m east of Park Clough SSSI

It is proposed to establish a clough woodland on the site. Through planting and the appropriate management of saplings of a local provenance, the aim will be to establish a sessile oak wood with alder along the stream sides and holly in the understory. With time it is hoped this clough will develop into the Annex 1 habitat '91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles'. This habitat comprises a primary reason for selection of the adjacent SAC and through the local extension of this habitat type, it is hoped the proposed off-site enhancement works will complement the SAC.

The planted area will be fenced to prevent grazing by sheep which will encourage growth of dwarf shrubs which comprise a component of old sessile oak woodland.

Existing site

The site has been chosen taking into account its topography and location adjacent to Purl Clough. The site is cut through by a network of drainage gullies which eventually flow into Purl Clough. Woodland created in this location will link to tree cover bordering the downstream end of Purl Clough and woodland adjacent to the River Colne. It is also foreseen that woodland creation in this location is likely to help with flood alleviation.

The site which slopes from north to south and has an altitude of 335m at its highest point (Plates 1 & 2).

The site is enclosed by drystone walls that are in varying states of disrepair. Habitats on site largely comprise upland acid grassland containing abundant common bent *Agrostis capillaris*, sheep's fescue *Festuca ovina* and heath bedstraw *Galium saxatile* together with frequent mat grass *Nardus stricta* and occasional bilberry *Vaccinium myrtillus* and tormentil *Potentilla erecta*. Patches of heather *Calluna vulgaris* are present on the sides of Purl Clough and there is abundant rush *Juncus* spp. 2-3 metres wide in the bottoms of the gully network (Plate 3).

The site is predominantly covered with upland acid grassland of typical species richness. Dwarf shrub cover is limited to the clough sides with rushes limited to the base of gullies. Subtle variations of this habitat are present across large areas of land to the east, north and west of the site.

Plate 1. Purl Clough (proposed planting on area right of clough) (view uphill)



Plate 2. Planting up to this gully (highest point) that runs into Purl Clough to right (view downhill)



Plate 3. A gully (view downhill)



Consideration of impacts on Annex 1 habitats and birds

No areas of the Annex 1 habitat for which the adjacent SAC is designated are present on site. With the exception of curlew *Numenius arquata*, the creation of this habitat will not in the long-term impact upon birds for which the nearby SPA is designated. Over the medium to long term there will be a net loss of potential breeding habitat for curlew, however, it is unlikely to be significant given the site's relatively small size and its topography (this species prefers open landscapes with wide visibility (Cramp and Simmons 1983)). Curlew are not an Annex 1 species but comprise part of a diverse assemblage of breeding migratory moorland and moorland fringe species for which South Pennine Moors Phase II SPA qualifies.

Twite *Carduelis flavirostris* will not be impacted by the proposals as they nest in tall heather and bracken *Pteridium aquilinum* and in rocky cloughs with dwarf shrubs. Neither does the site provide foraging habitat for this species as they visit species rich grasslands or/and grasslands containing an abundance of common sorrel (Middleton, 2007). Other species for which the SPA is designated, in particular, merlin *Falco columbarius*, golden plover *Pluvialis apricaria* and dunlin *Calidris alpina* will not be impacted as the former nests in tall heather and the latter two on blanket bog at higher altitude. There are also insufficient areas of rush on the site to support nesting snipe *Gallinago gallinago* and the ground is unlikely to be used by lapwing *Vanellus vanellus* for breeding due to the slope. Short eared owl *Asio flammeus* could benefit from the proposals as dwarf shrub cover will increase following the cessation of grazing and woodland edge is sometimes used by this species for nesting.

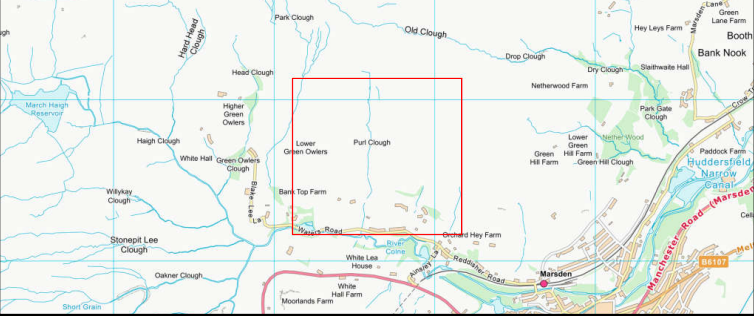
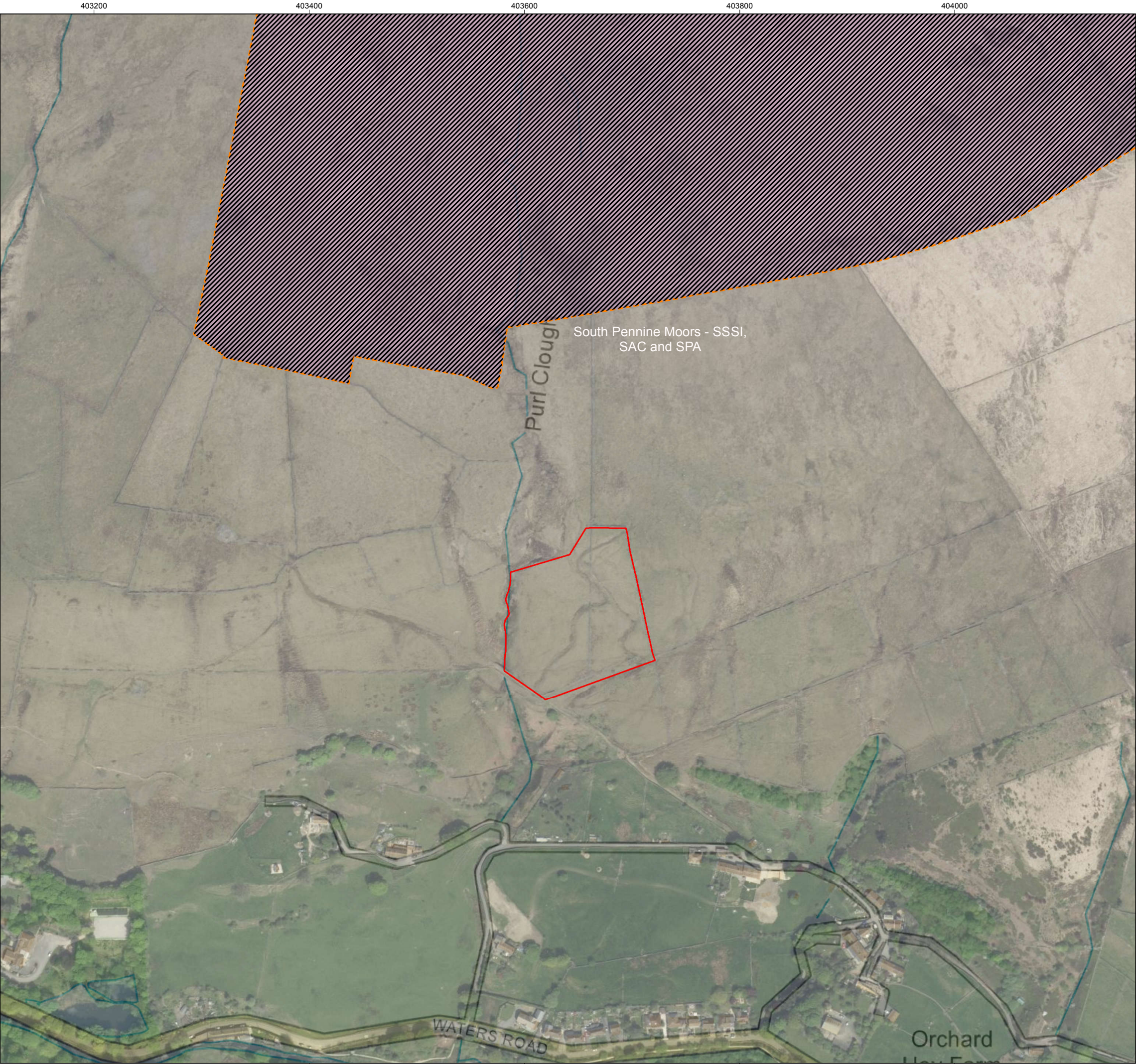
Positive outcomes for bird species over the medium and long-term, resulting from this proposed woodland creation scheme would comprise the creation of breeding habitat for the red listed bird species tree pipit *Anthus trivialis* and pied flycatcher *Ficedula hypoleuca*. The amber listed bird species redstart *Phoenicurus phoenicurus* would also be expected to benefit from these proposals as well as a wider range of more ubiquitous woodland bird species.

References:

Cramp, S. & Simmons, K.E.L. (eds). 1982. The Birds of the Western Palearctic, Volume 3, Waders to Gulls. Oxford University Press, Oxford.

Middleton, P. (2007), The South Pennines Twite Population, *British Birds*, 100, 124-5.

Appendix 6.1. Off Site Habitat Enhancement Plan



Survey Information	
	Off Site Habitat Enhancement Area (1.58Ha)
Statutory Designations	
	Site of Special Scientific Interest (SSSI)
	Special Area of Conservation (SAC)
	Special Protection Area (SPA)

Source:
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Metres

PROJECT TITLE

XXXXXX, XXXX

DRAWING TITLE

Figure 1. Off Site Habitat Enhancement Plan

VER	DATE	REMARKS	Drawn	Checked
1.0	22/08/20	Enhancement	MP	RB

DRAWING NUMBER:

MIDDLETONBELLECOLOGY/Marsden/Enhancement

SCALE	1:3,500	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG
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Middleton Bell Ecology

33 Wilthorpe Road, Barnsley, South Yorkshire, S75 1JA
www.middletonbellecology.co.uk
T: 01226 286282

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Appendix 7. Correspondance with Natural England in Relation to Off-Site Enhancement Proposals

RE F.A.O. Andrew Bridge - Propo x +

File | C:/Users/rober/OneDrive/MEC/Active%20Contracts/2020/ECO/ECO%202020%2013%20Lingards%20Road,%20Slaithwaite/RE%20F.A.O.%20... ☆ ☆ Not syncing ...

Google History Surfcam New Tab Chrome Google Citrix Access Gatew... UK Grid Reference... Weather History &... Stovolds Hill - Alfol... How to Make a We... Sign In | Huddle >

From: SM-Defra-Plan Cons Area Team (Yorkshire & Northern Lincolnshire) (NE) <PlanConsAreaTeamYorkshireandNorthernLincolnshire@defra.gov.uk>
Sent: 11 September 2020 11:22
To: robert@middletonbellecology.co.uk
Subject: RE: F.A.O. Andrew Bridge - Proposed planting of oak woodland by Purl Clough

Dear Robert

Thank you for your enquiry regarding our Discretionary Advice Service (DAS). Unfortunately due to lack of staff capacity we are currently unable to offer this service.

However, we wish to highlight the proximity of the proposed development to the designated sites South Pennine Moors Site of Special Scientific Interest (SSSI), South Pennine Moors Special Area of Conservation (SAC) and South Pennine Moors Phase 2 Special Protection Area (SPA). The current proposals will lead to the loss of functionally linked land used by notified SPA bird features. We advise that potential impacts which may arise due to the loss of the functionally linked land should be considered for both the housing development and the woodland planting scheme.

For more information on the South Pennine Moors SSSI, SAC and SPA please see the Natural England Designated Sites View website;
[https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1007196&SiteName=South Pennine Moors&countyCode=&responsiblePerson=&SeaArea=&IFCAAarea=](https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1007196&SiteName=South%20Pennine%20Moors&countyCode=&responsiblePerson=&SeaArea=&IFCAAarea=)

Kind regards

Lisa Sheldon

Sustainable Development Adviser
Yorkshire and Northern Lincolnshire Area Team
Natural England
Foss House,
Kings Pool,
1-2 Peasholme Green,
York,
YO1 7PX

02080268724

Lisa.Sheldon@naturalengland.org.uk

www.gov.uk/natural-england

Thriving Nature
for people and planet

NATURAL
ENGLAND

RE F.A.O. Andrew Bridge - Propo x +

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From: robert@middletonbelleecology.co.uk [<mailto:robert@middletonbelleecology.co.uk>]
Sent: 07 September 2020 17:55
To: SM-NE-Protected Sites (NE) <ProtectedSites@naturalengland.org.uk>
Cc: peter@middletonbelleecology.co.uk
Subject: F.A.O. Andrew Bridge - Proposed planting of oak woodland by Purl Clough

Dear Andrew,

Apologies for sending this through without prior notification. I do not have any other contact details for you but suspect you may be the best person to talk to about this.

We are working for a client (Steve Bryam) who is looking to obtain planning permission for a medium sized residential development on a plot of land off Lingards Rd in Slaithwaite.

In order to offset the ecological impact of the proposed scheme, the client would like to enhance an off-site 1.6ha area of land they own, located on the moorland fringe northwest of Tunnel End near Marsden (central OS Grid Ref SE 03630 12550). The proposal is to establish a clough woodland on this site.

The proposals are at an early stage however we are aware that Natural England may have views on the scheme and will likely be consulted by Kirklees Council. We don't want to bind you to a fixed position on this scheme but would appreciate the opportunity to discuss your initial impression regarding the proposals. The attached document briefly presents the schemes and considers potential impacts to the nearby designated South Pennine Moor sites.

Would it be possible to arrange a phone call to discuss this scheme?

Thank you for your time.

Best Regards,

Robert Bell MCIEEM
Principal Ecologist

**Middleton
Bell ECOLOGY**

33 Wilthorpe Road
 Barnsley
 S75 1JA

Phone: 01226 286282

Appendix 8. Defra Metric Headline Results

On-site baseline	Habitat units	8.14
	Hedgerow units	0.00
	River units	0.00
On-site post-intervention (Including habitat retention, creation, enhancement & succession)	Habitat units	3.13
	Hedgerow units	0.00
	River units	0.00
Off-site baseline	Habitat units	14.54
	Hedgerow units	0.00
	River units	0.00
Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	Habitat units	21.14
	Hedgerow units	0.00
	River units	0.00
Total net unit change (including all on-site & off-site habitat retention/creation)	Habitat units	1.60
	Hedgerow units	0.00
	River units	0.00
Total net % change (including all on-site & off-site habitat creation + retained habitats)	Habitat units	19.67%
	Hedgerow units	0.00%
	River units	0.00%