

## NT14837 Barnsdale Bar Discharge of Conditions

## Site Inspection Report

<b>Date of site visit:</b>	28/04/2020
<b>Aims:</b>	To advise on protected species constraints (Badger, Reptile and nesting bird) ahead of vegetation clearance required for lateral quarry extension (phase 1).
<b>Inspected by:</b>	Callum Salter – Ecologist (Wardell Armstrong LLP)

### Introduction

Wardell Armstrong were commissioned by FCC Recycling (UK) to carry out a Protected Species Walkover along expansion area for phase 1 of the quarry extension, to identify any potential ecological constraints prior to commencement of vegetation clearance and soil strip.

The survey was required to discharge condition 5 of planning consent (ref C8/2019/0585/CPO), which reads as follows -

“Prior to the commencement of development, pre commencement checks for badgers, breeding birds and reptiles (as referred in chapter 7 (Ecology) of the Environmental Impact Assessment) shall be completed to ensure any presence can be taken into consideration in line with the relevant legislation. These surveys must be undertaken at the appropriate time of year by a suitably qualified ecologist. If species are identified in these check a report detailing changes in the status of these species and any additional mitigation measures that may be required shall be submitted to the County Planning Authority for written approval

Reason: *This is a pre-commencement condition and one which is considered warranted in the interest of protecting the ecological value of the site.”*

The survey was carried out on the 28<sup>th</sup> of April 2020 by an ecologist at Wardell Armstrong. The extension area was walked, as well as any areas of scrub immediately adjacent. Any evidence of protected species or any habitat capable of supporting protected species was noted.

**Figure 1**

Survey extent



***Legislative background***

*Badger*

The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger, or attempt to do so and to intentionally or recklessly interfere with a Badger sett. This includes:

- damaging or destroying an active sett;
- obstructing access to a sett; and
- disturbing a Badger while it is occupying a sett.

*Reptile*

All reptiles receive partial protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which provide protection against intentional killing or injury of any such animal.

*Nesting birds*

All wild birds (as defined by the act) are protected under the Wildlife and Countryside Act 1981 (and as amended), 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.

***Results***

*Badger*

No evidence of badger activity was found during the survey, either within the area to be cleared, or in adjacent areas of habitat. The works present minimal risk of impacting on this species.

*Reptile*

The inspection also identified no evidence of any reptile activity. The site is generally considered to be of low value to this group and is not connected to any significant areas of higher value habitat, nor does it form part of any potential dispersal routes for reptile populations through the area.

*Nesting birds*

Survey found no evidence of active nests. Activity during the survey included moderate movement in and out of the surveyed vegetation by numerous common species. Species noted on site included; Skylark, Song Thrush, Wren and Stock Dove.

**Photo 1**

*Tree line to the west of the active quarry to be removed during extension.*



**Further survey required**

*Nesting birds*

Currently the proposed vegetation clearance works present minimal risk of impacting on nesting birds. However, should works not commence until after the 8<sup>th</sup> of May 2020 (and within March – August inclusive) re-survey is recommended to update the baseline.

*Reptiles*

No further survey recommended in this area – the presents minimal risk of impacting on reptile.

*Badger*

Phase 1 of the proposed extension presents minimal risk of impacting on this species.

Should, during the vegetation clearance contractors find any evidence of badger, nesting birds, or reptiles, works should stop immediately, and a suitably qualified ecologist should be contacted.