



New Civic Office Accommodation
for Rotherham Borough Council
Evans Regeneration Investments Limited

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1 Introduction

1.1 BACKGROUND

1.1.1 WSP Environmental (WSPE) has been commissioned by Evans Property Group to prepare an ecological report to accompany a planning application for new civic office accommodation for Rotherham Metropolitan Borough Council, off Don Street/Main Street, Rotherham (hereafter referred to as the 'proposed development'), which is shown in Appendix 1.

1.1.2 The proposed development is situated within the north eastern corner of the former Guest & Chrimes site which comprised an iron, steel and brass foundry, engineering works and a scrap yard. The buildings have now been demolished and the site has recently been the subject of a comprehensive remediation strategy. Consequently the application site is now devoid of buildings and semi-natural habitats.

1.1.3 Discussions have been held with Rotherham MBC during which it was requested that additional ecological information is presented to support the planning application for the proposed development, with the following aims:

- To present the ecological baseline for the application site;
- Assess the potential ecological impacts of the proposed development, where applicable;
- Provide details of control measures to reduce potential ecological impacts; and
- Provide information relating to improving the biodiversity value of the application site.

1.1.4 A planning application was submitted for the remediation scheme, which was accompanied by an Environmental Statement (ES), which included an Ecological Impact Assessment (WSPE, 2007). The remediation activities, which have now been completed, comprised land remediation, incorporating soil bio-remediation works (ex situ biological treatment) and shallow perched groundwater treatment. An additional ES was also prepared for the proposed redevelopment of the Guest & Chrimes and the adjacent Gloystarne site (GVA Grimley, 2007). A planning application for this development was subsequently not submitted.

1.1.5 This document draws upon information contained within the two Environmental Statements referenced above.

1.2 LEGISLATION, POLICY AND GUIDANCE

Legislation


1.2.1 The principal European and UK legislation relating to biodiversity and nature conservation relevant to the proposed development are:

- Conservation (Natural Habitats &c.) Regulations 1994 (as amended);
- The EC Directive on the Conservation of Wild Birds (791409/EEC);
- The Wildlife & Countryside Act (1981) and subsequent amendments; and
- The CRoW Act 2000, particularly Section 74 habitats and species.

1.2.2 This primary legislation confers varying degrees of statutory protection on habitats and species listed within respective annexes, schedules and lists.

Planning Policy

1.2.3 National policies relating to nature conservation are set out in Planning Policy Statement 9 - Biodiversity and Geological Conservation. This sets out policies for the protection of biodiversity and geological conservation through the planning system. ODPM Circular 06/2005 – Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (August 2005) provides advice on the application of law relating to planning and nature conservation in England.



1.2.4 The Government's vision for conserving and enhancing biological diversity in England includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible. In moving towards this vision, the Government has constructed a set of objectives. These are:

- 'To promote sustainable development by ensuring that the conservation and enhancement of biodiversity is an integral part of all types of development;
- To conserve, enhance and restore the diversity of England's wildlife and geology;
- To contribute to an urban renaissance; and
- To contribute to rural renewal by ensuring that developments in rural areas take account of the role and value of biodiversity.'

1.2.5 The planning system has an important role to play in order for the Government's objectives to be met. PPS9 supplies key principles for the planning system to adhere to. Biodiversity related principles that are relevant to this development are:

- When considering planning policies and decisions local authorities should assess the potential to sustain and enhance biodiversity resources;
- When considering the form and location of development, planning policies should take a strategic approach and recognise the contributions that individual sites make to conserving and enhancing biodiversity;
- If a proposed development may cause harm to biodiversity, local planning authorities should ensure that adequate mitigation measures are put in place before planning permission is granted. Local authorities should seek suitable compensation for any harm that cannot be prevented or mitigated; and
- Development policies should promote opportunities for the incorporation of beneficial biodiversity and geological features within the design of development."

1.2.6 The Regional Spatial Strategy for Yorkshire and the Humber (Published May 2008) contains one policy of relevance to this assessment:

- Policy ENV8 Biodiversity: The Region will safeguard and enhance biodiversity and geological heritage, and ensure that the natural environment functions as an integrated network of habitats. Plans, strategies, investment decisions and programmes should aim to maintain and enhance, restore or add to distinctive elements of the natural environment in line with international, national, regional, sub regional and local importance for biodiversity, to:

A Maintain and restore natural processes, especially sediment flow on the Holderness coast and in the Humber Estuary taking account of the likely impacts of climate change

B Protect geological and geomorphological features and processes, especially cave systems, karst landscapes and dinosaur remains on the East Coast

C Support the recovery of priority species and restore and enhance priority habitats and functional networks of biodiversity in the floodplains, peat lands and saline lagoons of the Humber, calcareous grasslands, heaths and bogs, limestone pavements and meadows, especially in parts of North Yorkshire, East Yorkshire, and South and West Yorkshire.

D Retain and incorporate biodiversity in development and encourage networks of green infrastructure and ecological corridors in line with the Region's habitat enhancement areas identified in Figure 10.5 and explained in Table 10.3.

1.2.7 The Rotherham Unitary Development Plan was adopted on the 14th June 1999. Relevant policies within the UDP include:

- Policy ENV2 Conserving the Environment: In considering any development, the Council will ensure that the effects on the wildlife, historic and geological resources of the Borough are fully taken into account. In consultation with the relevant national agencies and local interest groups, the Council will ensure the protection of these resources while supporting appropriate development which safeguards, enhances, protects or otherwise improves the conservation of heritage interests. The Council will only permit development where it can be shown that:

(i) development will not adversely affect any key environmental resources;



(ii) development will not harm the character or quality of the wider environment; and

(iii) where development will cause environmental losses, these are reduced to a minimum and outweighed by other enhancements in compensation for the loss.

- Policy ENV3 Borough Landscape: The Council recognises the vital importance of maintaining and enhancing the landscape of the Borough, pursuing and supporting this objective through positive measures or initiatives and, when considering development or other proposals, taking full account of their effect on and contribution to the landscape, including water resources and environments.
- Policy ENV4 Environmental Improvement: High priority will be given to reclamation and other environmental improvements to enhance the quality, appearance and development potential of the Borough.

1.2.8 The emerging Local Development Framework (LDF) will eventually replace the Rotherham Unitary Development Plan.

Biodiversity Action Plan

1.2.9 A Biodiversity Action Plan is a plan, programme or strategy for the conservation and sustainable use of biological diversity. They are produced at the national level in the UK BAP (UK Biodiversity Steering Group, 1995) and at the local level. The local Biodiversity Action Plan (BAP) for the area is Rotherham's Biodiversity Action Plan (McCarthy 2004).

Guidance

1.2.10 The impact assessment process regarding the nature conservation features affected by this development has been undertaken with reference to the Institute of Ecology & Environmental Management Guidelines for Ecological Impact Assessment (IEEM, 2006).



2 Ecological Baseline

2.1 FORMER GUEST & CHRIMES SITE

2.1.1 This section provides a summary of the ecological baseline for the Guest & Chrimes site, prior to the demolition of buildings and the implementation of the remediation strategy, which has resulted in all buildings and semi-natural habitats being removed from the application site. The following studies were carried out in support of the remediation strategy ES and additional ES prepared for the proposed redevelopment of the Guest & Chrimes and Gloystarne sites:

- Phase I habitat surveys;
- Black redstart surveys;
- Bat surveys
- Water vole survey; and
- Kingfisher survey.

Desk survey results

2.1.2 There is one Site of Special Scientific Interest 1.3km to the north west of the site. Bradgate Brickworks SSSI has been notified for its geological interest and is thus not considered further within this assessment.

2.1.3 There are currently no non-statutory nature conservation designations within a 2km radius of the site. Two sites however have been proposed as Wildlife Sites. The first, Holmes Goit Candidate Wildlife Site, is a linear site centred on the Holmes Goit corridor part of which lies approximately 350m from the application site at its nearest point. The second is Canklow Wood and Boston Park and Reneville Bank Candidate Local Wildlife Site, which is situated approximately 450m from the application site.


2.1.4 The Rotherham Biological Records Centre (RBRC) has supplied a database containing a large number of records of species recorded within the area of search since 1985. This database extends to over 1350 records. The key data are summarised below.

- Bats - there are six records of three species of bat within the 1km area. Three of the records relate to pipistrelle along the banks of the River Don, one record to a Daubenton's bat also along the Don and a whiskered/Brandt's bat at the police station on the other side of Main Street from the site;
- Water vole - there are records from 1991 and 1998 of water vole along the Don including the section on the opposite side of Don Street from the site;
- Birds – 32 species have been recorded in the wider area around the site. The most significant of these are peregrine falcon and kingfisher, two species that receive protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). Peregrine falcon has been recorded over 500m to the south east of the Guest and Chrimes site on the other side of the River Don and kingfisher along the River Don including the section alongside the site including the Tesco supermarket;
- Of the other species recorded, 10 are generally associated with water with most records from the River Don and sixteen species are relatively common passerine species that breed in gardens and scrub or are winter visitors. The remaining four species are kestrel, sparrowhawk, woodcock and tawny owl; and
- Invertebrates - a number of notable invertebrate species have been recorded from the banks of the River Don to the south and east of the Guest and Chrimes site.

Field survey results

2.1.5 The following habitat types were recorded within the Guest & Chrimes site:

- Scattered Scrub;
- Secondary Grassland and Ephemeral/Short Perennial Vegetation;

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- Planted Trees;
 - Watercourse (Holmes Tail Goit); and
 - Buildings and hard standing.

Protected Species Surveys

2.1.6 A bat survey was undertaken by White Young Green in 2006 of the former Guest & Chrimes site which found that the listed buildings in the eastern part of the Guest & Chrimes site, which falls outwith the current application site, are more suitable for use by bats. These buildings were previously highlighted in 2001 and subsequently surveyed for presence of bats. The results in 2001 were negative but further survey work was undertaken in 2006 due to the potential for seasonal preference of bats to particular roost sites and their tendency to frequently move from one roost site to another. Emergence/Swarming surveys undertaken on the 15th May, 31st May and 23rd June 2006 indicated the presence of 45KHz common pipistrelle bats, which are roosting within these buildings.

2.1.7 A water vole survey undertaken on the River Don adjacent to the application site in 2007 did not identify the presence of water vole.

2.1.8 No signs of the presence of kingfisher were found along the banks of the River Don during a survey undertaken adjacent to the application site in 2007.

2.1.9 There is little opportunity for foraging and nesting birds across the site however small passerine species were recorded amongst the scrub and the planted tree areas within the former Guest & Chrimes site.

2.1.10 No evidence to suggest the presence of badger, reptiles or great crested newts was been found during survey work and the site is considered to be unsuitable for these species.

2.2 CURRENT ECOLOGICAL BASELINE

2.2.1 As discussed above, all buildings within the application site have now been demolished and a remediation strategy has been completed. The application site is therefore devoid of buildings and semi-natural habitats and is therefore of no ecological value.

2.2.2 The River Don is a significant ecological feature and borders the application site. Just upstream of the application site the River Don and South Yorkshire Navigation Canal run side by side, merging with one downstream from the application site. Don Island which separates the canal and the river supports mature woodland dominated by sycamore (*Acer pseudoplatanus*). The river and canal corridor is considered to be of ecological significance at the County level.

2.2.3 A small watercourse (Holmes Tail Goit) is present within the former Guest & Chrimes site, adjacent to the application site. This watercourse emerges from a culvert and flows for approximately 15m, then under a bridge on Don Street and into the River Don. Due to the very small open length of this watercourse this feature is considered to be of value at the site level only.

2.2.4 The complex of listed buildings within the former Guest & Chrimes site have not been affected as a result of the demolition and remediation works. Survey work conducted by White Young Green in 2006 found the presence of pipistrelle bats roosting within this building. These buildings are outwith the application site. The presence of roosting pipistrelle within the listed buildings is considered to be of value in the local context.



3 Assessment of Potential Impacts

3.1 INTRODUCTION

3.1.1 The predicted impacts are distinguished between the construction and operational phases and the likelihood of significance is assessed in accordance with accepted standards such as the impact upon the integrity of a defined site or ecosystem and/or the conservation status of habitats or species.

3.1.2 Mitigation measures are then provided to avoid or reduce the impacts associated with the proposals. Compensatory measures are recommended in Section 4.

3.2 POTENTIAL IMPACTS

Construction

3.2.1 It is not predicted that there will be any direct ecological impacts associated with the proposed development given that the application site is devoid of buildings and semi-natural habitats. Control measures are however provided within Section 4 in the event that areas of vegetation should develop on the site in advance of the commencement of construction works.

3.2.2 The River Don, which borders the application site is a significant ecological feature. No direct impacts will occur to the river or associated fauna. There is however the potential for indirect impacts upon the river as a result of construction run-off and dust generated during the construction phase. This is also the case with Holmes Tail Goit, which flows near to the application site. This feature potentially provides an additional pathway for construction run-off and dust to enter the River Don during the construction phase. Control measures are provided in Section 4 to ensure that significant ecological impacts do not occur during construction on these features.

3.2.3 The listed buildings within the former Guest & Chrimes site, to the south of the application site, will not be directly affected as a result of the proposed development. There is however the potential for impacts to occur upon roosting bats associated with lighting and noise during the construction phase. Control measures are provided in Section 4 to ensure that significant ecological impacts do not occur.

Operation

3.2.4 During the operation of the proposed development, the potential for ecological impacts is limited to lightspill from the proposed development affecting bats foraging along the River Don corridor. Control measures are provided in Section 4 to ensure that significant ecological impacts do not occur.



4 Mitigation Measures

4.1.1 This section describes the mitigation measures which will be implemented to ensure that there are no significant ecological impacts associated with the proposed development and to ensure compliance with legislation.

Construction

4.1.2 Although the site is currently devoid of semi-natural habitats, should areas of vegetation develop prior to the commencement of construction works which is potentially suitable for breeding birds, such as areas of scrub and areas of grassland measures will be undertaken to prevent impacts. Where practicable such vegetation clearance works would take place outside of bird breeding season (March to July inclusive). Where this is not possible a survey would be undertaken in advance of the works by an ecologist to ensure that breeding birds were not present. If breeding birds are present these areas would be delineated and vegetation clearance would not commence until an ecologist has confirmed that the nests are no longer in use.

4.1.3 Best practice construction methods will be adhered to throughout the construction phase to minimise the potential for impacts. This will include measures to control the generation of dust and construction run-off which could result in significant ecological impacts if released into Holmes Tail Goit and the River Don. Construction works will take place with reference to the Environment Agencies Pollution Prevention Guidelines, particularly PPG 5 Works and maintenance in or near water and PPG 6 Working at construction and demolition sites.

4.1.4 In addition, measures will be undertaken during the construction phase to reduce construction noise, such as consideration of the use of piling techniques if required and utilising the quietest plant and machinery where possible to ensure that disturbance to adjacent bat roosts within the listed buildings to the south of the application site are minimised. Construction lighting will also be kept to a minimum where used and will not be used in the vicinity of the listed buildings and will not be left on overnight, aside from the minimum lighting required for security purposes, to ensure there are no significant impacts upon bats roosting within these buildings. As an additional precaution, a physical barrier will be erected on the southern boundary of the application site to ensure that disturbance (such as that caused by workers, plant and visitors) to the listed buildings is kept to a minimum.

Operation

4.1.5 The design of the lighting scheme within the proposed development will utilise the minimum lighting required to ensure the safety of site users, whilst minimising the potential for lightspill onto the River Don.

4.2 SUMMARY

4.2.1 With the implementation of the mitigation measures described above it is considered that the proposed development will not result in any significant ecological impacts.



5 Biodiversity Improvements

5.1.1 This section sets out the biodiversity improvements which will be undertaken within the proposed development. PPS 9 states that:

‘Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, local planning authorities should maximise such opportunities in and around developments, using planning obligations where appropriate’.

5.1.2 Given the nature of the proposed development, there is very little opportunity for the provision of semi-natural habitats given space restrictions. It is understood that the landscaping proposals for the site include primarily hard landscaping with mature specimen trees to provide definition and containment. These areas include Main Street, the arrival plaza and the two internal courtyards. It is also understood that works to the river frontage have not been included within the landscape package.

5.1.3 It is recommended that native tree species are used where possible as this will provide habitats in the longer term for invertebrates, birds and as focal points for foraging bats.

5.1.4 In addition to this the opportunity should be undertaken to provide bird nesting boxes and bat boxes on the buildings themselves and on trees planted within the proposed development once sufficiently mature. This will increase the availability of bird nesting and bat roosting sites in the vicinity of the River Don, which represents a biodiversity benefit compared to the existing baseline of the application site. Advice should be sought from an ecologist on the siting and type of boxes used.



6 References

ODPM (2005a). *Planning Policy Statement 9 - Biodiversity and Geological Conservation*

TSO (2008). *The Regional Spatial Strategy for Yorkshire and the Humber* (Published May 2008)

RMBC (1999). *The Rotherham Unitary Development Plan* (Adopted 14th June 1999)

McCarthy (2004). *Rotherham's Biodiversity Action Plan*

Institute of Ecology & Environmental Management (2006). *Guidelines for Ecological Impact Assessment*

WSP (2007). *Environmental Statement, Former Guest & Chrimes Site, Rotherham*

GVA Grimley (2007) *Guest & Chrimes Environmental Statement*

ODPM (2005b). *Circular 06/2005 – Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*



Appendix A Red Line Drawing