

Calder Vale Park, Simonstone Lane – Extended Phase 1 Habitat Survey



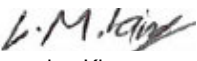
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Calder Vale Park, Simonstone Lane – Extended Phase 1 Habitat Survey

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Introduction

1 Introduction

- 1.1 AECOM were commissioned by Fort Vale Engineering Ltd to undertake an Extended Phase 1 Habitat Survey and invasive plant species survey at an area of land adjacent to the existing Fort Vale plant at Calder Vale Park, Simonstone Lane, near Burnley in Lancashire. The site location is shown on Figure 1.
- 1.2 The survey was commissioned in response to a planning application objection from Ribble Valley Borough Council (Letter Ref CE/2010/103862/01-L01, given in Appendix A) for the site. The proposed development will involve the construction of a new foundry building, car park and transport yard, extending the existing working premises.
- 1.3 The Council have objected the application with regards to the absence of up to date ecological information for the site, and stated that an Extended Phase 1 Habitat Survey, along with surveys for protected and invasive species should be undertaken. This report will inform the requirement for protected species survey requirements specific to the site.
- 1.4 The objectives of the Extended Phase 1 Habitat Survey and invasive plant species survey report are:
 - To undertake an ecological desk study, to obtain and identify any existing ecological data within 2km of the site;
 - To ascertain Phase 1 Habitat types present, as defined in 'Handbook for Phase 1 Habitat Survey' Joint Nature Conservation Committee (JNCC, 2007);
 - To identify any areas of nature conservation interest within or surrounding the site;
 - To produce a description of each of the habitats present and provide a list of species found within them;
 - To undertake preliminary investigations into the potential presence of any protected faunal species, such as badger (*Meles meles*), bat, breeding birds, reptiles, otter (*Lutra lutra*), water vole (*Arvicola amphibious*), white-clawed crayfish (*Austropotamobius pallipes*) and great crested newt (*Triturus cristatus*);
 - To look for the presence of any invasive plant species, including Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalyan balsam (*Impatiens glandulifera*);
 - To identify any ecological constraints to the proposed development;
 - To suggest further ecological surveys that may be required prior to the development commencing.
- 1.5 The report is set out as follows:
 - Section 2 Legislation and Policy Background – Details of legislation and policy in relation to biodiversity and protected species;
 - Section 3 Methodology – Survey methodologies;
 - Section 4 Results – Survey results;
 - Section 5 Impacts – Potential impacts upon the habitats present on site and recommendations for species specific surveys;
 - Section 6 Mitigation – General best practice mitigation measures with regards to ecology.

Legislation and Policy Background

2 Legislation and Policy Background

2.1 The key legislation and policy in relation to ecology and biodiversity is given in Table 1.

Table 1 – Key Legislation and Policy

Legislation/Policy	Description
EC Habitats Directive <i>(European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna)</i>	Under the Directive, measures must be taken to maintain or restore natural habitats and wild species at a favourable conservation status. The Annexes of the Habitats Directive list species and habitats identified as being threatened or of 'community interest' and to which the Directive gives protection. Annex I lists habitat types regarded as being of European Importance including 'priority habitat types'; Annex II lists species of European Importance; and Annex IV(a) lists animal species of community interest needing strict protection. Under this Directive the Commission requires the establishment of a network of wildlife sites to protect examples of species or habitats of value at European level. These sites, called Special Areas of Conservation (SACs), and in conjunction with Special Protection Areas (SPAs) designated under the EC Wild Birds Directive form a network of protected sites across Europe referred to as Natura 2000.
EC Wild Birds Directive <i>(European Directive 79/409/EEC on the conservation of wild birds)</i>	Council Directive 79/409/EEC on the conservation of wild birds, commonly referred to as the Birds Directive creates a comprehensive scheme of protection for all wild bird species naturally occurring in the European Union. The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species (listed in Annex I), especially through the establishment of a coherent network of SPAs comprising all the most suitable territories for these species. Since 1994 all SPAs form an integral part of the Natura 2000 ecological network.
Bern Convention 1979 <i>(The Convention on the Conservation of European Wildlife and Natural Habitats)</i>	The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) was adopted in Bern, Switzerland in 1979, and came into force in 1982. The principal aims of the Convention are to ensure conservation and protection of wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to regulate the exploitation of those species (including migratory species) listed in Appendix 3. To this end the Convention imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1000 wild animal species.
The Conservation of Habitats and Species Regulations 2010 Habitats Regulations 1994 <i>(The Conservation (Natural Habitats & c.) Regulations)</i>	The Conservation of Habitats and Species Regulations 2010 supersede the Conservation (Natural Habitats, &c.) Regulations 1994 which transpose Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The Regulations came into force on 30th October 1994, and have been subsequently amended in 1997, 2000 (in England only) and 2010. Containing five Parts and four Schedules, the Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

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Legislation/Policy	Description
1994)	
The Wildlife and Countryside Act (WCA) 1981 (as amended)	The WCA 1981 implements the Bern Convention and Wild Birds Directive in Great Britain. This piece of legislation remains the primary UK mechanism for statutory site designations (e.g. SSSI – Site of Special Scientific Interest) and the protection of individual species listed under Schedules 1, 2, 5 and 8 of the Act, each subject to varying levels of protection.
The Countryside and Rights of Way (CROW) Act 2000	This legislation strengthens the provisions of the WCA 1981, both in respect to statutory sites such as SSSI's and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further the conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England.
Hedgerow Regulations 1997	In England and Wales the Hedgerow Regulations 1997 are intended to protect important countryside hedgerows from destruction or damage. Hedgerows are assessed against a number of criteria before being assigned 'important' status. Once this has been achieved, a 'hedgerow removal notice' must be obtained from the Local Authority to remove the hedgerow.
Natural Environment and Rural Communities (NERC) Act 2006	This act created Natural England, bringing together the function of English Nature and certain functions performed by the Countryside Agency and the Rural Development Service. This act also makes additional provisions with respect to pesticides harmful to wildlife, invasive non-native species, the protection of biodiversity and the protection of birds. Section 40 of this act introduced a new duty on public bodies to have regard to the purpose of conserving biodiversity in exercising their functions.
Planning Policy Statement (PPS) 9: Biodiversity and Geological Conservation	PPS9 sets out the Government's national policies on biodiversity and geological conservation in relation to spatial planning in England. It replaces Planning Policy Guidance (PPG) Note 9 on Nature Conservation. It outlines a number of key principles in relation to biodiversity. In addition, Government Circular ODPM 06/2005: "Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System" sets out further detail on how species and habitats should be considered during planning applications.
The UK Biodiversity Action Plan (UK BAP)	The UK BAP was launched in 1994 with the main aim 'To conserve and enhance biological diversity within the UK, and to contribute to the conservation of global biodiversity through all appropriate mechanisms'. The UK BAP comprises a series of Action Plans for 'priority' habitats and species, determined by the fact that they are either globally threatened or are rapidly declining in the UK. The Action Plans outline measures required to conserve these priority habitats and species. The national strategy for biodiversity is delivered at a local level via Local Biodiversity Action Plans (LBAPs). The site is covered by the Lancashire LBAP.

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2.2 The key legislation in relation to invasive plant species is given in Table 2.

Table 2 – Invasive Plant Species Legislation

Species	Key Legal Protection and Policy
Plant Species listed on Schedule 9 (of WCA 1981 as amended)	Due to the potential harm to native species that non-native species can pose, plant species listed on Schedule 9 are subject to Section 14 of the WCA 1981. This prohibits planting in the wild of these species or otherwise causing to them grow there, this can include allowing these species to spread from one area to an adjacent area.

Methodology

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3 Methodology

3.1 Ecological Desk Study

3.1.1 The following statutory and non-statutory organisations were contacted in August 2010, for any ecological records or data within 2km of the site:

- East Lancashire Biological Records Centre
- Environment Agency
- Lancashire and Cheshire Fauna Society
- Lancashire Badger Group
- Lancashire County Council Ecology Service
- Lancashire Environment Record Network
- Merseyside and West Lancashire Mammal Group
- Wildlife Trust for Lancashire, Manchester and North Merseyside

3.1.2 Additional information regarding habitat, species and designated sites was obtained from the following sources:

- The 'Multi-Agency Geographic Information for the Countryside' (MAGIC) website (www.magic.gov.uk) – locations of designated sites of nature conservation interest, as well as to identify areas listed on the habitat inventories.
- The National Biodiversity Network (NBN) website (<http://data.nbn.org.uk/>) – distribution maps of wildlife data.
- Google aerial mapping website (<http://maps.google.co.uk/maps?hl=en&tab=wl>) – gives an indication of surrounding habitat types and features such as ponds adjacent to the site.

3.2 Extended Phase 1 Habitat Survey

3.2.1 The Phase 1 Habitat Survey was undertaken on 16th August 2010. The methodology involved walking over the whole site and mapping the habitats by eye on an enlarged scale field map. The habitats were classified according to the Phase 1 Habitat nomenclature described in the Handbook for Phase 1 Habitat Survey (JNCC, 2007). Target Notes (TNs) describing the habitats and any notable features or suitable habitat for protected species were made.

3.2.2 The site was also assessed for its suitability to provide habitat for protected faunal species, this also involved assessing the adjacent Simonstone Brook.

3.3 Invasive Plant Species Survey

3.3.1 The site was also surveyed for the presence of invasive plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This involved walking over the whole site as part of the Phase 1 Habitat Survey, with particular attention paid to the watercourse and areas where evident waste dumping may have occurred.

Results

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4 Results

4.1 Ecological Desk Study

4.1.1 A summary of the responses from the statutory and non-statutory organisations contacted for the data search and information obtained from websites is provided in Table 3.

Table 3 – Summary of Ecological Desk Study

Consultee	Information
East Lancashire Biological Records Centre	Bat records within 2 km of site. Common pipistrelle (<i>Pipistrellus pipistrellus</i>) roost and Daubenton's (<i>Myotis daubentonii</i>) roost 100m from site. BLE (<i>Plecotus auritus</i>) hibernaculum approx. 1.4 km from site. 7 foraging records.
Environment Agency	Japanese knotweed on the River Calder at NGR SD 7572 3315 approx. 1.7 km from the site
Lancashire and Cheshire Fauna Society (LCFS)	Search area covers two tetrads - SD73R and SD73S. The records have been obtained from the LCFS/BTO Breeding Bird Atlas survey 1997-2000 and 2007-2011. The data sets consist of a number of commoner species typical of the area, along with typical summer migrants. One particular species of note is little ringed plover (<i>Charadrius dubius</i>) which is listed on Schedule 1 of the WCA 1981 (as amended) and has been recorded on both of the atlas surveys.
Lancashire Badger Group	Awaiting data report.
Lancashire County Council Ecology Service	No response to date.
Lancashire Environment Record Network (LERN)	Data provided - Phase 1 Habitat Map, provisional Lancashire BAP Species Plan, Ecology plan showing seven Biological Wildlife Sites (BWS), with descriptions and boundary plans. The Phase 1 Habitat Map displays the results of the 1991 survey. The site is shown to consist of wet dwarf shrub heath dominated by rush (<i>Juncus</i> sp). The provisional Lancashire BAP Species Plan shows a number of species within 2km of the site, but none within the site. The closest protected species record is of common pipistrelle (<i>Pipistrellus pipistrellus</i>) bat approximately 600m north east of the site, dated 1986. The type of record is not known (whether a roost site, or foraging). The BWS's primarily consist of woodland sites, the closest of which is Lower Dean Wood approximately 670m away from the site boundary.
Merseyside and West Lancashire Mammal Group	No response to date.
Wildlife Trust for Lancashire, Manchester and North Merseyside	Advised to contact LERN.

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Consultee	Information
Magic Map	There are no SPAs, SACs, SSSIs, or Local Nature Reserves (LNRs) within 2km of the site. There are four areas of ancient woodland within 2km of the site – the closest being the strip of woodland alongside Shorten Brook approximately 780m south east of the site. No ponds have been identified within 500m of the site.
National Biodiversity Network	The site is located within the 10km grid square SD73. There are three records of common pipistrelle within SD73S, part of which is within 2km of the site, dated from 1991 and 1993. There are six records of pipistrelle bat (<i>Pipistrellus</i> sp.) within SD73, dated between 1999 and 2002. There are two records of water vole within SD73, dated from 1999 and 2004. N.B. Any records over 20 years old have not been included.

4.2 Extended Phase 1 Habitat Survey

General Habitat Description

- 4.2.1 The site comprises predominantly unimproved grassland typified by acid flushes. Within the centre of the site are two hedgerows which have formed a self seeded woodland at the eastern end. The east of the site comprises an area of bare ground with ephemeral vegetation. Simonstone Brook runs alongside the north western edge of the site.
- 4.2.2 The site is bordered by improved grassland, arable farmland, and Calder Vale Park. The River Calder is approximately 150m to the south of the site. The villages of Simonstone, Altham, Padiham and Read surround the site.
- 4.2.3 The Target Notes below describe the habitats within the site in more detail, the Phase 1 Habitat Map is given as Figure 2 and a full botanical species list is given in Appendix B:

TN1 This area consists of unimproved grassland dominated by herbs. It is likely that the grassland has self seeded on this area of land which was previously used for water storage lagoons and was subsequently in filled. Typical species in this area include grasses such as Yorkshire fog (*Holcus lanatus*), false-oat grass (*Arrhenatherum elatius*), perennial ryegrass (*Lolium perenne*) and sheep's fescue (*Festuca ovina*), the latter giving an indication of acidic soil conditions. Bramble (*Rubus fruticosus* agg.), creeping thistle (*Cirsium arvense*), creeping buttercup (*Ranunculus repens*) and field horsetail (*Equisetum arvense*) are widespread. Herbs dominate the grassland including common mouse-ear (*Cerastium fontanum*), black medick (*Medicago lupulina*), yarrow (*Achillea millefolium*), red clover (*Trifolium pratense*), tufted vetch (*Vicia cracca*), red bartsia (*Odontites vernus*), ribbed melilot (*Melilotus officinalis*), mouse-ear-hawkweed (*Pilosella officinarum*), creeping cinquefoil (*Potentilla reptans*) and tormentil (*Potentilla erecta*), the latter species also indicating acidic conditions. See Plate 1.

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Plate 1

TN2 This area is a continuation of the grassland described in TN1, which has been used as a track. This area is dominated by creeping cinquefoil, red dead-nettle (*Lamium purpureum*), oxeye daisy (*Leucanthemum vulgare*), common bird's-foot-trefoil (*Lotus corniculatus*) and stinging nettle (*Urtica dioica*). See Plate 2.



Plate 2

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TN3 This is an area of young goat willows (*Salix caprea*), with self seeded oak (*Quercus robur*) saplings and a ground flora consisting of species including rosebay willowherb (*Chamerion angustifolium*), hogweed (*Heracleum sphondylium*), bittersweet (*Solanum dulcamara*), meadow vetchling (*Lathyrus pratensis*), common sorrel (*Rumex acetosa*) and tufted hair-grass (*Deschampsia cespitosa*). See Plate 3.



Plate 3

TN4 This is an area where two hedgerows within in the centre of the site, comprising silver birch (*Betula pendula*), goat willow and hawthorn (*Crataegus monogyna*), meet and have self seeded to form a small broadleaved woodland area approximately 5-10 years old. The woodland area comprises predominantly of silver birch, which is a typical pioneer tree species. The ground flora is sparse and limited to sheep's fescue, heath grass (*Danthonia decumbens*), crested dog's-tail (*Cynosurus cristatus*), common bent (*Agrostis capillaris*) and ribwort plantain (*Plantago lanceolata*). See Plate 4.

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Plate 4

TN5 The grassland area between the two hedgerows has a similar species composition to that in TN1. The ground is damper here and additional species include tufted hair-grass, selfheal (*Prunella vulgaris*), daisy (*Bellis perennis*) and fairy flax (*Linum catharticum*). There are patches of reed canary-grass (*Phalaris arundinacea*), hard rush (*Juncus inflexus*), pendulous sedge (*Carex pendula*), marsh cranesbill (*Geranium palustre*), silverweed (*Potentilla anserina*), mugwort (*Artemisia vulgaris*) and red campion (*Silene dioica*). See Plate 5.

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Plate 5

TN6 The grassland becomes denser in this area, with the grass species becoming more dominant over the herb species. The area consists predominantly of false-oat grass, with field horsetail, creeping thistle, great willowherb (*Epilobium hirsutum*), rosebay willowherb and meadow vetchling. See Plate 6.



Plate 6

TN7 Simonstone Beck runs adjacent to the north west of the site. It is approximately 2-3m wide, with a water depth of approximately 5-10cm, and a slow flow. It has a gravel substrate with larger pebbles overlaying. The only aquatic vegetation visible is brooklime (*Veronica beccabunga*). The banks are earth and are approximately 1-2m in height, with evidence of bank collapse and erosion creating vertical exposed earth cliffs. There is a hawthorn hedgerow on the southern bank of the watercourse which overhangs it in this section. The ground flora consists of typical shade species such as herb Robert (*Geranium robertianum*), wood avens (*Geum urbanum*), enchanter's nightshade (*Circaea lutetiana*) and ground ivy (*Glechoma hederacea*). See Plate 7.

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Plate 7

TN8 This is an area of bare ground with rubble/gravel and ephemeral vegetation. Species here include common ragwort (*Senecio jacobaea*), Canadian fleabane (*Conyza canadensis*), creeping bent (*Agrostis stolonifera*), colt's-foot (*Tussilago farfara*) and scentless mayweed (*Tripleurospermum inodorum*). See Plate 8.



Plate 8

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4.3 Invasive Plant Species Survey

- 4.3.1 No invasive plant species were found on the site, or along the section of Simonstone Brook adjacent to the site.

4.4 Preliminary Faunal Investigations

- 4.4.1 The grassland has a good species diversity and structure, and therefore provides potential habitat for a range of species including invertebrates.
- 4.4.2 Simonstone Beck runs adjacent to the north west boundary of the site. The watercourse has potential to support otter and white-clawed crayfish. The habitat is considered unsuitable for water vole, due to the eroded banks.
- 4.4.3 Badger signs were noted during the Extended Phase 1 Habitat Survey, and an active badger sett was noted approximately 40m outside of the site boundary. .
- 4.4.4 The area of bare ground and gravel in the east of the site has potential to support ground nesting birds, particularly little ringed plover which are a Schedule 1 species of the WCA 1981 (as amended). Little ringed plover were also identified from the data search as having bred in the area.

Impacts

5 Impacts

- 5.1 Site clearance will lead to a loss of existing habitats on the site. The site is predominantly unimproved grassland, which is uncommon in the local area – as shown on the 1991 Phase 1 Habitat Map provided by LERN. The majority of the surrounding area is improved grassland and arable land.
- 5.2 There will be a loss of a small area of young broadleaved woodland and hedgerows. No mature trees will be lost and the hedgerows and woodland are species poor. They do however provide habitat and food for a range of species including breeding birds.
- 5.3 The banks of Simonstone Beck has potential to support otter and white clawed crayfish (refer to 4.4.2). The works are not anticipated to affect the banks of the watercourse, however without mitigation there is a risk of pollution such as silt or chemicals entering the beck during construction and operation.
- 5.4 An active badger sett was noted approximately 40m outside of the site boundary (refer to 4.4.3). Without mitigation, it is possible that the works may impact on the active badger sett.
- 5.5 The area of bare ground and gravel in the east of the site has potential to support ground nesting birds, particularly little ringed plover (refer to 4.4.4). To comply with legislation, it is essential that ground nesting birds, particularly little ringed plover if present, are protected from disturbance during nesting.
- 5.6 No invasive plants listed on Schedule 9 of the WCA 1981 (as amended) were identified during the invasive plant survey, and therefore there will be no impact of these species on the development.

Mitigation

6 Mitigation

6.1 General Good Practice Mitigation

- 6.1.1 Simonstone Beck is included within the Lancashire LBAP Rivers and Streams Habitat Action Plan (HAP), which lists objectives including 'prevent the loss of riparian habitat through inappropriate development' and 'maintain and where possible improve water quality in rivers'. It is not anticipated that the riparian habitat will be directly affected by the development and the mitigation measures detailed below will maintain existing water quality.
- 6.1.2 It should be ensured that no debris enters Simonstone Beck.
- 6.1.3 Pollution Prevention Guidelines (PPG), including the 'Agencies' PPG5 Works and Maintenance in or Near Water, should be followed to prevent and minimise the risk of pollution incidents during construction.
- 6.1.4 Stockpiling of materials should be kept to a bare minimum and restricted to specific areas. Waste materials should be removed from the site, disposed of at the earliest opportunity and should not be stockpiled.
- 6.1.5 Working areas in which vehicles, machinery and site staff operate should be fenced or marked in some way to prevent accidental encroachment on to adjacent habitat.
- 6.1.6 In order to prevent any adverse impacts of pollution to soils, vegetation and watercourses from machinery used during construction, all refuelling and servicing of vehicles should be carried out within a designated area with an impermeable base away from the river. To prevent spillages, refuelling should be carried out by pumping through a trigger delivery nozzle.
- 6.1.7 Fuel, oil and other potential contaminants should be stored within bunded tanks to 110% of the volume stored and only the minimum quantity required should be stored on site. The designated area should be maintained in a secure and clean manner. An adequate quantity of oil absorbent material should be stored on site and spillages cleared up immediately.
- 6.1.8 Any trees and wooded areas to be retained and which lie within or close to the working or site area should be protected by means of a post and wire fence with 'Netlon' fluorescent mesh. The fence should be placed at a minimum distance of the radius of the crown of the tree as this mirrors the potential extent of the root system. The protective fencing should be maintained during the period of site works and no machinery or materials should be stored within the fenced area. Retained woodland should be managed carefully, avoiding removal of or damage to the understorey. The British Standard document BS 5837:2005 Trees in Relation to Construction Recommendations should be utilised.

6.2 Habitat Replacement

- 6.2.1 As there will be a net loss of grassland on the site, opportunities for habitat replacement or improvement should be sought elsewhere on the site in line with guidance in PPS9: Biodiversity and Geological Conservation. The guidance states that a development should aim to maintain, and enhance biodiversity conservation interests. This could be achieved by the creation of species rich grassland habitat. Hedgerow will also be lost and new species diverse hedgerow planting, for example around the site boundary, would replace this habitat.

6.3 Protected Species

- 6.3.1 During the Extended Phase 1 Habitat Survey, signs of badger activity were noted on the site with an active badger sett seen adjacent to the site. A full badger survey should be undertaken of the site and up to 50m from the site boundary, this should ideally be undertaken in the autumn or winter months when vegetation is less dense. Active badger setts are protected under the Protection of Badgers Act 1992 from disturbance. Disturbance and the distances up to which an active sett can be affected are determined by factors such as the type of machinery being used, the method of working, and topography. Where active setts are to be disturbed, a licence would be required from Natural England, with disturbance under licence only permitted outside of the badger closed season (therefore works permitted between July and November).
- 6.3.2 An otter survey should also be undertaken as Simonstone Beck provides potential habitat for otter and their holts. This survey can be undertaken at any time of year but not following periods of heavy rain which will wash away otter signs. Otters and their habitat are fully protected under the WCA 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010. The works have potential to disturb otter and therefore avoidance measures should be put in place to prevent disturbance to otters should they be found to be present.

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6.3.3 A breeding bird survey should be undertaken in line with the British Trust for Ornithology (BTO) Common Bird Census methodology between March and July. The bare ground area will be observed from a suitable vantage point to survey for the presence of nesting little ringed plover, and avoid potential disturbance of this species. All wild birds are protected under the WCA 1981 (as amended), which affords protection to active nests and eggs of breeding birds. Species listed on Schedule 1 of the WCA 1981 (as amended) receive additional protection in relation to disturbance of breeding birds.

6.3.4 No records of white-clawed crayfish were obtained from the Ecological Desk Study, however Simonstone Beck does provide suitable habitat for this species. White-clawed crayfish are protected under the WCA 1981 (as amended) and there are a wide range of restrictions on works along watercourses in addition to those relating to crayfish. Therefore it is recommended that no works are undertaken that will impact upon the watercourse. Where impacts are expected, it is recommended that a white-clawed crayfish survey be conducted. These surveys are restricted to the months of April and July to October.

6.4 Enhancement

6.4.1 To provide habitat enhancement, it is recommended that bat and bird boxes are installed across the site. The Lancashire LBAP includes a HAP for New and Existing Built Structures and this guidance is therefore relevant to this site. The HAP details proposed actions to 'ensure that the planned built environment will be constructed to maximise the attractiveness to biodiversity' and 'encourage the incorporation of biodiversity measures such as bird and bat roosting/nesting sites into new/converted buildings'.

6.4.2 The Lancashire LBAP also has a HAP for Derelict, Underused or Neglected Land. This HAP is only part complete but describes habitat characteristics typical of this site, including:

- Rich diversity of plant species and forage resources;
- Structural vegetation mosaics;
- Bare and sparsely vegetated ground;
- Wet areas.

The HAP focuses on the suitability of this habitat type for invertebrates. It is recommended that the Local Council Ecologist is consulted to determine whether they require an invertebrate survey to be undertaken on the site. Replacement habitat and invertebrate boxes could be created and installed on or around the site.

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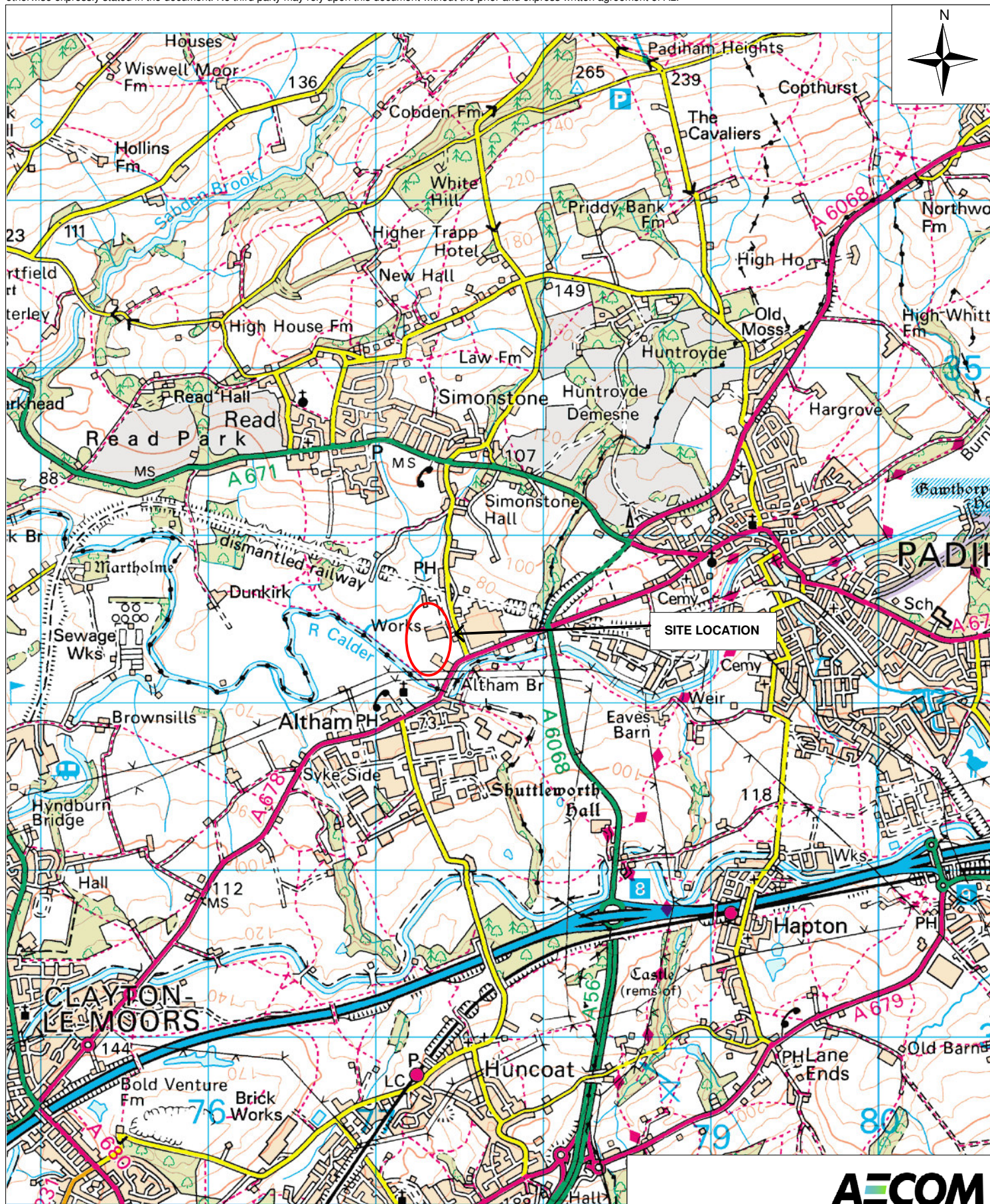
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Capabilities on project:
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Figures

Figure 1 – Site Location Plan

Figure 2 – Phase 1 Habitat Map



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Client: FORT VALE ENGINEERING LTD

Title:

SITE LOCATION MAP

Project: CALDER VALE PARK

Design: MSH

Drawn: MSH

Chk'd: EC

App'd: LMK

Date: AUG'10

Scale: 1:30,000 @ A4

No.

60161156

Rev:



Client: FORT VALE ENGINEERING LTD	Title: <
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Capabilities on project:
Environment

Appendices

Appendix A – Ribble Valley Borough Council Planning Objection

Appendix B – Botanical Species List

Ribble Valley Borough Council
Development Control
Council Offices Church Walk
Clitheroe
Lancashire
BB7 2RA

Our ref: CE/2010/103862/01-L01
Your ref: 3/2010/0564
Date: 27 July 2010

Dear Sir/Madam

**ERECTION OF NEW INVESTMENT CASTING FOUNDRY AT REAT OF
OPERATIONAL SITE, INCLUDING PARKING AND SERVICES AREA
CALDER VALE PARK, SIMONSTONE LANE, SIMONSTONE**

Thank you for referring the above application which was received on 7 July 2010.

We **OBJECT** to the proposed development as submitted on the following grounds:-

The proposed development is adjacent to Simonstone Brook. There has been no assessment of the nature conservation value associated with the site. Planning Policy Statement 9 (PPS9) requires that planning decisions should prevent harm to nature conservation interests and that planning decisions should be based on up-to-date information about the relevant biodiversity interests of the area.

Prior to the determination of the application, it must be demonstrated that any risks posed by the development can be satisfactorily avoided, mitigated or compensated for. An Extended Phase 1 Habitat survey and surveys for protected and invasive species should be undertaken and it must be demonstrated how any protected species or habitats are to be protected and where possible, enhanced.

If you are minded to approve this application despite the above objection, we request that any subsequent approval is conditioned as follows:-

Flood Risk

Surface water run off from this site should be restricted to existing rates in order that the proposed development does not contribute to an increased risk of flooding.

Environment Agency
PO Box 519, South Preston, Lancashire, PR5 8GD.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

Cont/d..

CONDITION No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

CONDITION No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON To reduce the increased risk of flooding.

The River Calder adjoining the site is a designated Main River and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written Consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to us for consideration.

The Environment Agency has a right of entry to the River Calder by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact Colin Worswick at 01772 714259 to discuss our access requirements.

Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

Land Contamination

The application is accompanied by the following reports:-

- Phase 1 Desk Study prepared by Bullen Consultants reference 104B101/001/A dated September 2004
- Ground Investigation and Risk Assessment prepared by Bullen Consultants reference 104B101/01/A dated June 2005

We have reviewed these in terms of the risk to controlled waters.

The site proposed for redevelopment is not the same as the area detailed in the above reports. There is a small area of overlap (towards the east of the proposed redevelopment site) and a number of window samples are located in this area (WS1, 2, 3, 4 and 6). However, the main part of the site proposed for re-development site has not been investigated and for this reason we recommend the following condition:

CONDITION No development approved by this planning permission shall be commenced until:

- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and

other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site.

c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.

d) A Method Statement and remediation strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the local planning authority: unless otherwise agreed in writing by the local planning authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON

a) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.

b) To enable:

- A risk assessment to be undertaken,
- Refinement of the conceptual model, and
- The development of a Method Statement and Remediation Strategy.

c) & d) To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

A copy of this letter has been sent to the applicant/agent.

Yours faithfully

Philip Carter
Planning Liaison Officer

Direct dial 01772 714219

Direct fax 01772 697032

Direct e-mail philip.carter@environment-agency.gov.uk

cc JWPC Limited

End

Capabilities on project:
Environment

Appendix B – Botanical Species List

Latin Name	English Name
<i>Achillea millefolium</i>	Yarrow
<i>Agrostis capillaries</i>	Common bent
<i>Agrostis stolonifera</i>	Creeping bent
<i>Arrhenatherum elatius</i>	False-oat grass
<i>Artemisia vulgaris</i>	Mugwort
<i>Bellis perennis</i>	Daisy
<i>Betula pendula</i>	Silver birch
<i>Calystegia sepium</i>	Hedge bindweed
<i>Carex pendula</i>	Pendulous sedge
<i>Cerastium fontanum</i>	Common mouse-ear
<i>Chamerion angustifolium</i>	Rosebay willowherb
<i>Circaea lutetiana</i>	Enchanter's-nightshade
<i>Cirsium arvense</i>	Creeping thistle
<i>Conyza Canadensis</i>	Canadian fleabane
<i>Crataegus monogyna</i>	Hawthorn
<i>Cynosurus cristatus</i>	Crested dog's-tail
<i>Danthonia decumbens</i>	Heath grass
<i>Deschampsia cespitosa</i>	Tufted hair-grass
<i>Epilobium hirsutum</i>	Great willowherb
<i>Epilobium parviflorum</i>	Hoary willowherb
<i>Equisetum arvense</i>	Field horsetail
<i>Festuca ovina</i>	Sheep's fescue
<i>Geranium palustre</i>	Marsh cranesbill
<i>Geranium robertianum</i>	Herb Robert
<i>Geum urbanum</i>	Wood avens
<i>Glechoma hederacea</i>	Ground-ivy
<i>Heracleum sphondylium</i>	Hogweed
<i>Holcus lanatus</i>	Yorkshire fog
<i>Hypochaeris radicata</i>	Cat's-ear
<i>Juncus inflexus</i>	Hard rush
<i>Lamium purpureum</i>	Red dead-nettle
<i>Lathyrus pratensis</i>	Meadow vetchling
<i>Leucanthemum vulgare</i>	Oxeye daisy
<i>Linum catharticum</i>	Fairy flax
<i>Lolium perenne</i>	Perennial rye-grass

Capabilities on project:
Environment

<i>Lotus corniculatus</i>	Common bird's-foot-trefoil
<i>Medicago lupulina</i>	Black medick
<i>Melilotus officinalis</i>	Ribbed mellilot
<i>Odontites vernus</i>	Red bartsia
<i>Phalaris arundinacea</i>	Reed canary-grass
<i>Picris echioides</i>	Bristly oxtongue
<i>Pilosella officinarum</i>	Mouse-ear-hawkweed
<i>Plantago lanceolata</i>	Ribwort plantain
<i>Potentilla anserine</i>	Silverweed
<i>Potentilla erecta</i>	Tormentil
<i>Potentilla reptans</i>	Creeping cinquefoil
<i>Prunella vulgaris</i>	Selfheal
<i>Quercus robur</i>	Pedunculate oak
<i>Ranunculus repens</i>	Creeping buttercup
<i>Rosa arvensis</i>	Field rose
<i>Rubus fruticosus</i> agg.	Bramble
<i>Rubus idaeus</i>	Raspberry
<i>Rumex acetosa</i>	Common sorrel
<i>Rumex crispus</i>	Curled dock
<i>Rumex obtusifolius</i>	Broad-leaved dock
<i>Salix caprea</i>	Goat willow
<i>Sambucus nigra</i>	Elder
<i>Senecio jacobaea</i>	Common ragwort
<i>Silene dioica</i>	Red campion
<i>Solanum dulcamara</i>	Bittersweet
<i>Taraxacum</i> agg.	Dandelion
<i>Trifolium pratense</i>	Red clover
<i>Tripleurospermum inodorum</i>	Scentless mayweed
<i>Tussilago farfara</i>	Colt's-foot
<i>Urtica dioica</i>	Stinging nettle
<i>Veronica beccabunga</i>	Brooklime
<i>Vicia cracca</i>	Tufted vetch