



Preliminary Ecological Appraisal and Preliminary Roost Assessment

Land at Whitworth Road, Rochdale, OL12 0JG

Cornerstone Place

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Cornerstone Place to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) at Land at Whitworth Road, Rochdale, OL12 0JG (hereafter referred to as “the site”). The survey was required to inform a planning application for the construction of new residential dwellings (hereafter referred to as “the proposed development”).

Habitats recorded on and adjacent to the site are considered common and widespread and are of low or negligible ecological value. Furthermore, all buildings and trees are assessed to provide negligible value to support roosting bats. However, please note that a separate biodiversity net gain assessment and ecological management plan have been produced alongside this report detailing measures to increase post-development biodiversity on site as well as other mitigation and enhancements measures.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Cornerstone Place to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) at Land at Whitworth Road, Rochdale, OL12 0JG (hereafter referred to as “the site”). The survey was required to inform a planning application for the construction of three new residential dwellings (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development. The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting.

No previous ecology reports have been produced for this site by Arbtech Consulting Ltd or, to the author’s knowledge, by any other consultancy.

1.2 Site Context

The site is located at National Grid Reference SD 89764 14317 and has an area of approximately 0.18ha comprising hard standing, amenity grass, scattered trees and wooden outbuildings. It is surrounded by roads and residential dwellings, with areas of grassland and small woodland copses.

A site location plan is provided in Appendix 2.

1.3 Scope of the Report

The PEA element of this report describes the baseline ecological conditions at the site, evaluates habitats within the survey area in the context of the wider environment and describes the suitability of those habitats for notable or protected species. It identifies possible ecological constraints as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

The PRA element of this report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken to record baseline information on the site and surrounding area including habitat types and their suitability for notable or protected species, including roosting bats.

- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act) have been identified.
- Potential impacts on features of value, as a result of the proposed development, have been identified.
- Recommendations for further surveys and mitigation have been made.
- Opportunities for the enhancement of the site for biodiversity have been set out.

2.0 Methodology

2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites and notable habitats as well as a 2km radius review of granted European Protected Species Licence (EPSL) and notable species records held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

2.2 Field Survey

The survey was undertaken by Mel Reid BSc (Hons) MRes, Consultant (Natural England Bat Licence Number: 2019-43774-CLS-CLS; Natural England GCN Licence Number: 2022-10198-CL08-GCN) on 21st February 2022.

Preliminary Ecological Appraisal

An extended habitat survey was undertaken, following the methodology set out in UK Habitat Classification User Manual (UK Habitat Classification Working Group, 2018). All land parcels are described and mapped and, where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management. The condition of each habitat type was assessed based upon the relevant condition assessments set out in The *Biodiversity Metric 3.0 Technical Supplement* (Panks et al, 2021).

During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species.

Preliminary Roost Assessment

The PRA focussed on four built structures and six trees which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the buildings for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows. An endoscope was used to complete a close-up inspection of any accessible features, where appropriate.

For any surveyed trees:

A visual inspection was undertaken from ground level using binoculars and, where accessible and safe to do so, an internal inspection of any features which bats could use for roosting was completed using an endoscope, torch and ladders.

Suitability Assessment

Built structures and trees were categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 for buildings and Table 2 for trees below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 1: Features of a building that are correlated with use by bats

Classification	Feature of building and its context
Moderate to high	Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data). Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Low	A small number of possible roost sites or features, used sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators. Habitat suitable for foraging in close proximity, but isolated in the landscape. Or an isolated site not connected by prominent linear features. Few features suitable for roosting, minor foraging or commuting.
Negligible	Unsuitable for use by bats.

Table 2: Features of a tree that are correlated with use by bats

Classification	Feature of tree and its context
Moderate to high	A tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. Trees with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Low	A tree of sufficient size and age to contain potential roosting features but with none seen from the ground or features seen with only very limited roosting potential to be used sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators.
Negligible	Unsuitable for use by bats.

2.3 Limitations

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site. This assessment provides a preliminary view of the likelihood of protected species being present. This is based on suitability of the habitats on the site and in the wider landscape, the ecology and biology of species as currently understood, and the known distribution of species as recovered during the searches of historical biological records.

A biological records data search has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for protected or notable species, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

A specific limitation to the PEA survey was that the site visit completed during the sub-optimal survey period limiting the identification of ground flora species. However due to the urban nature of the site and surrounding areas it is not expected that species of note will be present on site.

A specific limitation to the PRA was a lack of internal access into the buildings present on site, however due to the lack of loft spaces within the buildings this is not considered a major limitation to the survey and conclusions.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation.

3.0 Results and Evaluation

3.1 Desk Study Results

A summary of desk study results is provided below.

Designated Sites

Details of any statutory designated sites within a 2km radius of the site, including their reasons for notification, are provided in Table 3 below.

The site lies within the impact risk zone for Rochdale Canal SSSI. All planning applications (except householder applications) are listed as a possible high risk with regard to this designation.

Table 3: Statutory designated sites within 2km radius of the site

Designated site name	Distance from site (approx.)	Reasons for notification from Natural England
Healey Dell Local Nature Reserve (LNR)	1680m north-west	Beauty spot and wildlife sanctuary rich in industrial archaeology, two miles from Rochdale town centre on the way to Whitworth and Bacup. The River Spodden has carved its way through the woodlands through thousands of years, creating delightful scenery and spectacular waterfalls which once powered ancient corn, wool and cotton mills. A disused 1800s railway line is now a nature trail with magnificent views from a 100-foot high viaduct.
Rochdale Canal Site of Special Scientific Interest (SSSI)	2000m east	The Rochdale Canal contains important habitats for submerged aquatic plants and emergent vegetation, including extensive colonies of the nationally scarce SAC species floating water-plantain <i>Luronium natans</i> . The site also supports a diverse assemblage of aquatic flora, notably its assemblage of pondweeds, <i>Potamogeton spp</i> ; the nine species of which found in the canal represent a balanced community which reflects the quality of water.

Landscape

A review of aerial photographs (Google Earth) the magic.gov.uk database and OS maps has been undertaken. Collated together, the value of the landscape in terms of biodiversity is described below:

The site is situated in an urban area of Rochdale. The immediate landscape is dominated by roads and residential dwellings. There are scattered areas of grassland and small woodland copses across the landscape, however this is highly fragmented and separated from the site by main roads, resulting in limited connectivity between the site and wider landscape for protected and/ or notable species groups

Notable Habitats

Notable habitats within 2km are listed in Table 4.

Table 4: Notable habitats within 2km of the site

Habitat	Closest distance from site
Deciduous woodland	~230m east
Wood pasture and parkland	~460m west

Lowland fens	~1150m north
Ancient woodland	~1430m north-east

3.2 Field Survey Results

The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of the survey are shown in Table 5.

Table 5: Weather conditions during the survey

Date: 21/02/2022	
Temperature	7°C
Humidity	71%
Cloud Cover	60%
Wind	15mph
Rain	None

Habitats and Flora

The following habitats are present within and adjacent to the site:

- Developed land; sealed surface (u1b)
- Modified grass (g4)
- Mixed scrub (h3h)
- Urban trees
- Buildings

A description, including condition and area covered, and photograph of each habitat is provided in Table 6.

Table 6: Description and photographs of habitats within and adjacent to the site

Habitat Type	Habitat area (ha) or length (m)	Habitat description, condition assessment and strategic significance	Photograph
Developed land; sealed surface	0.1438ha	The majority of the site consists of a hard standing car park. There is a further area of hard standing at the south-western site corner which is a disused playground surrounded by a metal fence. There is a further area of hard standing car park to the north of site which also lies within the redline boundary but is separated from the main site by a road. No condition assessment is required for hardstanding. This habitat is not allocated under any known local plans and is considered to be of low ecological value and therefore is considered to have low strategic significance.	 

Modified grass	0.07ha	There is an area of modified grassland at the south-eastern corner of the site. The management of the grassland has resulted in a uniform sward length of 5mm. Species composition is poor with species associated with amenity grass dominant. Species present include perennial ryegrass, dandelion, creeping buttercup, daisy, white clover and ribwort plantain. There is an area of bare ground towards the southern end of the grassland. There are further smaller patches of modified grass along the eastern and western site boundaries which are all in a similar condition to the grassland described above. Grassland (low distinctiveness) condition assessment: 1. There must be 6-8 species per m2. FAIL 2. Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20 per cent is more than 7 cm) creating microclimates which provide opportunities for insects, birds and small mammals to live and breed. FAIL 3. Some scattered scrub (including bramble) may be present, but scrub accounts for less than 20% of total grassland area. Note - patches of shrubs with continuous (more than 90%) cover should be classified as the relevant scrub habitat type. PASS 4. Physical damage evident in less than 5% of total grassland area, such as excessive poaching, damage from machinery use or storage, damaging levels of access, or any other damaging management activities. FAIL 5. Cover of bare ground between 1% and 5%, including localised areas, for example, rabbit warrens. FAIL 6. Cover of bracken less than 20%. PASS 7. There is an absence of invasive non-native species (as listed on Schedule 9 of WCA, 1981) and undesirable species¹ make up less than 5% of ground cover. PASS Passes three of the criteria and therefore assigned poor condition. This habitat is not allocated under any known local plans and is considered to be of low ecological value and therefore is considered to have low strategic significance.	 
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Mixed scrub	0.0033ha	There is a small area of mixed scrub located to east of the outbuildings. Species present include ivy, dock, bramble and willow saplings. Scrub condition assessment: 1. Habitat is representative of UKHab description (where in its natural range). There are at least three woody species, with no one species comprising more than 75% of the cover (except common juniper, sea buckthorn or box, which can be up to 100% cover). FAIL 2. There is a good age range – all of the following are present: seedlings, young shrubs and mature shrubs. FAIL 3. There is an absence of invasive non-native species (as listed on Schedule 9 of WCA, 1981) and undesirable species make up less than 5% of ground cover. PASS 4. The scrub has a well-developed edge with scattered scrub and tall grassland and/or herbs present between the scrub and adjacent habitat(s). FAIL 5. There are clearings, glades or rides present within the scrub, providing sheltered edges. FAIL Passes one of the criteria and therefore assigned poor condition. This habitat is not allocated under any known local plans and it unlikely to offer value for foraging wildlife due to the size of the habitat and urban surroundings. It is therefore considered to low strategic significance.	
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Urban trees	0.0226ha	There are scattered trees present across the site including a silver birch at the southern end of the site, a sycamore along the western side of the site, an elder adjacent to the outbuildings and a cherry and apple trees located along the eastern side of the site. A further ash tree is located in the northern section of the site. A ground-based PRA was carried out on all trees (see PRA results below). Urban tree condition assessment: 1. More than 70% of trees are native species. PASS 2. Tree canopy is predominantly continuous with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide. FAIL 3. More than 50% of trees are mature or veteran. FAIL 4. There is little or no evidence of an adverse impact on tree health by anthropogenic activities such as vandalism or herbicide use. There is no current regular pruning regime so the trees retain >75% of expected canopy for their age range and height. FAIL 5. Management regime has encouraged micro habitat sites for birds, mammals and insects e.g. presence of deadwood, cavities or loose bark etc. FAIL 6. Trees are immediately adjacent to other vegetation, and tree canopies are oversailing vegetation beneath. FAIL Passes one of the criteria and therefore assigned poor condition. This habitat is not allocated under any known local plans and it unlikely to offer value for foraging wildlife due to the size of the habitat and urban surroundings. It is therefore considered to low strategic significance.	 
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Buildings	0.0065ha	There are four wooden outbuilding located along the western side of the site. A full PRA was carried out on the building (see PRA results below). No condition assessment is required for buildings. This habitat is not allocated under any known local plans and is considered to be of low ecological value and therefore is considered to have low strategic significance.	
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No protected or non-native invasive plant species were identified on the site.

Fauna

Bats

The results of the PRA are provided in Table 7. No evidence of roosting bats was identified during the survey.

Table 7: Assessment of the suitability of the site for bats

B1 – B4 Description
B1 – B4 are all wooden-built shed buildings with pitched roof structures constructed from corrugated panels. The wooden cladding around the buildings offers no gaps suitable for crevice-dwelling bats. The roof structures similarly do not offer any gaps suitable for crevice-dwelling bats. There was no internal access into the buildings however they are not anticipated to offer any suitable habitat for void-dwelling bats and as such this is not considered a major limitation to the survey effort.

Photographs	
	
	
	
	



Trees Description	
There are scattered trees present across the site including a silver birch at the southern end of the site, a sycamore along the western side of the site, an elder adjacent to the outbuildings and a cherry and apple trees located along the eastern side of the site. There is an ash tree located in the separate northern section of the site which was also surveyed. The trees ranged in ages from semi-mature to mature. All trees were assessed from ground level for any suitable bat roosting features, and none were found. Pruning wounds were present on the trees however these were either fully occluded or did not provide gaps deep enough for roosting bats. As such all trees are classified as having negligible habitat value for supporting roosting bats.	
Photographs	
	



Other Species

An assessment of the suitability of the site for protected or notable species is provided in Table 8.

Table 8: Assessment of the suitability of the site for protected or notable species

Species	Assessment of suitability
Amphibians	There are no ponds within a 500m radius of the site. There are no ponds on site and there is no suitable terrestrial habitat on site. There is no connectivity to the wider landscape due to the urban nature of the surrounding habitats.
Reptiles	There is no suitable habitat on site for reptiles. There is no connectivity to the wider landscape due to the urban nature of the surrounding habitats.
Bats	The buildings on site offer no suitable bat roosting habitat and as such are considered to have negligible habitat value for supporting roosting bats. The trees on site do not possess any suitable bat roosting features and as such have negligible habitat value for supporting roosting bats. The site is unlikely to offer bat foraging or commuting habitat due to the urban nature of the surrounding habitat and high levels of artificial light due to adjacent street lighting.
Badgers	No badger setts were found on site. There is no suitable badger foraging habitat on site and no suitable sett excavation habitat. There is no connectivity to the wider landscape due to the urban nature of the surrounding habitats.
Hazel Dormouse <i>Muscardinus avellanarius</i>	No suitable habitat on site for hazel dormice.
Hedgehog <i>Erinaceus europaeus</i>	There is no suitable hedgehog habitat on site. There is no connectivity to the wider landscape due to the urban nature of the surrounding habitats.
Otter <i>Lutra lutra</i>	There is no connectivity to water courses or riparian habitats.
Water Vole <i>Arvicola amphibius</i>	There is no connectivity to water courses or riparian habitats.
Birds	The scattered trees on site may offer suitable bird nesting habitat. However, due to the urban location and limited extent of trees on site, the trees are not suitable to support a protected and/ or notable assemblage of birds.
Invertebrates	Habitats recorded on site are not considered suitable to support a protected and/ or notable assemblage of invertebrates. There is no connectivity to the wider landscape due to the urban nature of the surrounding habitats.

4.0 Conclusions, Impacts and Recommendations

4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in Appendix 4.

Likelihood of the Presence of Protected Species

Where physical evidence of the presence of protected species is indeterminate during the survey, the habitats on site are evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Where this report supports a planning application, the ecological interest of the study area (i.e. the area covered by the desk study and field survey) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity.

4.2 Evaluation

Taking the desk study and field survey results into account, Table 9 presents an evaluation of the ecological value of the site and also details any ecological constraints identified in relation to the proposed development which will comprise the construction of new residential dwellings.

Table 9: Evaluation of the site and any ecological constraints

Ref	Summary of Survey Findings	Foreseen Impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>	Biodiversity Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021) and Rochdale Core Strategy 2016</i>
Designated sites	The site is not subject to any statutory or non-statutory designation. There are two statutory sites within 2km of the site, the closest being Healey Dell LNR. The site lies within the impact risk zone for Rochdale Canal SSSI and all planning applications are listed as a possible high risk for this designation. The presence of non-statutory designated sites within 2km of the site cannot be established without data from Greater Manchester Local Record Centre (GMLRC). However, given the built up nature of the area it is considered highly unlikely that any non-statutory designated sites would be present in the immediate vicinity of the site.	No impacts to designated sites are anticipated due to the small scale and distance of the proposed development from such sites (where known) as well as the urban location of the site with surrounding physical barriers.	The Local Planning Authority (LPA) may be required to consult with Natural England with regards to potential impacts to the nearby SSSI. This is due to the sites location within the impact zone and the proposed development type being listed as a potential high risk.	None.
Habitats and flora	There are no notable habitats within the site but deciduous woodland, lowland fens and ancient woodland habitats are present within 2km of the site, the closest being deciduous woodland located 230m from the site. Habitats within the site are common and widespread and have low ecological value. No protected or notable plant species were recorded during the survey.	No impacts to any notable habitats are anticipated due to the small scale and distance of the proposed development from such habitats as well as the urban location of the site with surrounding physical barriers. The loss of common and widespread habitats of low ecological value from the site are considered to be inconsequential.	A Biodiversity Net Gain (BNG) Assessment as well as an Ecological Management Plan (EMP) has been commissioned along side this report.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.

Amphibians	There is no suitable habitat present on site and as such amphibians are considered likely absent from the site.	No impacts are anticipated on amphibians as a result of the proposed development.	None.	None.
Reptiles	There is no suitable habitat present on site and as such reptiles are considered likely absent from the site.	No impacts are anticipated on reptiles as a result of the proposed development.	None.	None.
Roosting bats (B1 – B4 and trees)	The building and trees on site have negligible value for roosting bats due to a lack of potential roost features.	Bats are very unlikely to be roosting within the buildings and trees on site and as such, there are not anticipated to be any impacts on bats in this location as a result of the proposed development.	In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.
Foraging and commuting bats	There are no habitats on the or adjacent to the site which could be used by bats for foraging or commuting.	The proposed development will not result in the removal of any habitats which could be used by bats.	None.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.
Badger	No setts on or within 30m of the site and no suitable foraging habitat.	No impacts are anticipated on badgers as a result of the proposed development.	None.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.
Hedgehog	No suitable habitat on site.	No impacts are anticipated on hedgehogs as a result of the proposed development.	None.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.
Otter	There is no connectivity to water courses or riparian and as such otters are considered absent from site.	No impacts are anticipated on otters as a result of the proposed development.	None.	None.
Water vole	There is no connectivity to water courses or riparian and as such water vole are considered absent from site.	No impacts are anticipated on water vole as a result of the proposed development.	None.	None.

Birds	The scattered trees on site may provide suitable bird nesting habitat.	If any trees will be removed during construction the loss of such habitats is likely to be inconsequential to local bird populations owing to the presence of more extensive habitat locally. However, the proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	If any trees are to be removed then works should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the trees should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.
Invertebrates	No suitable habitat present on site.	No impacts are anticipated on notable species or populations of invertebrates as a result of the proposed development.	None.	Habitat creation and enhancement opportunities will be detailed within the BNG assessment and EMP.

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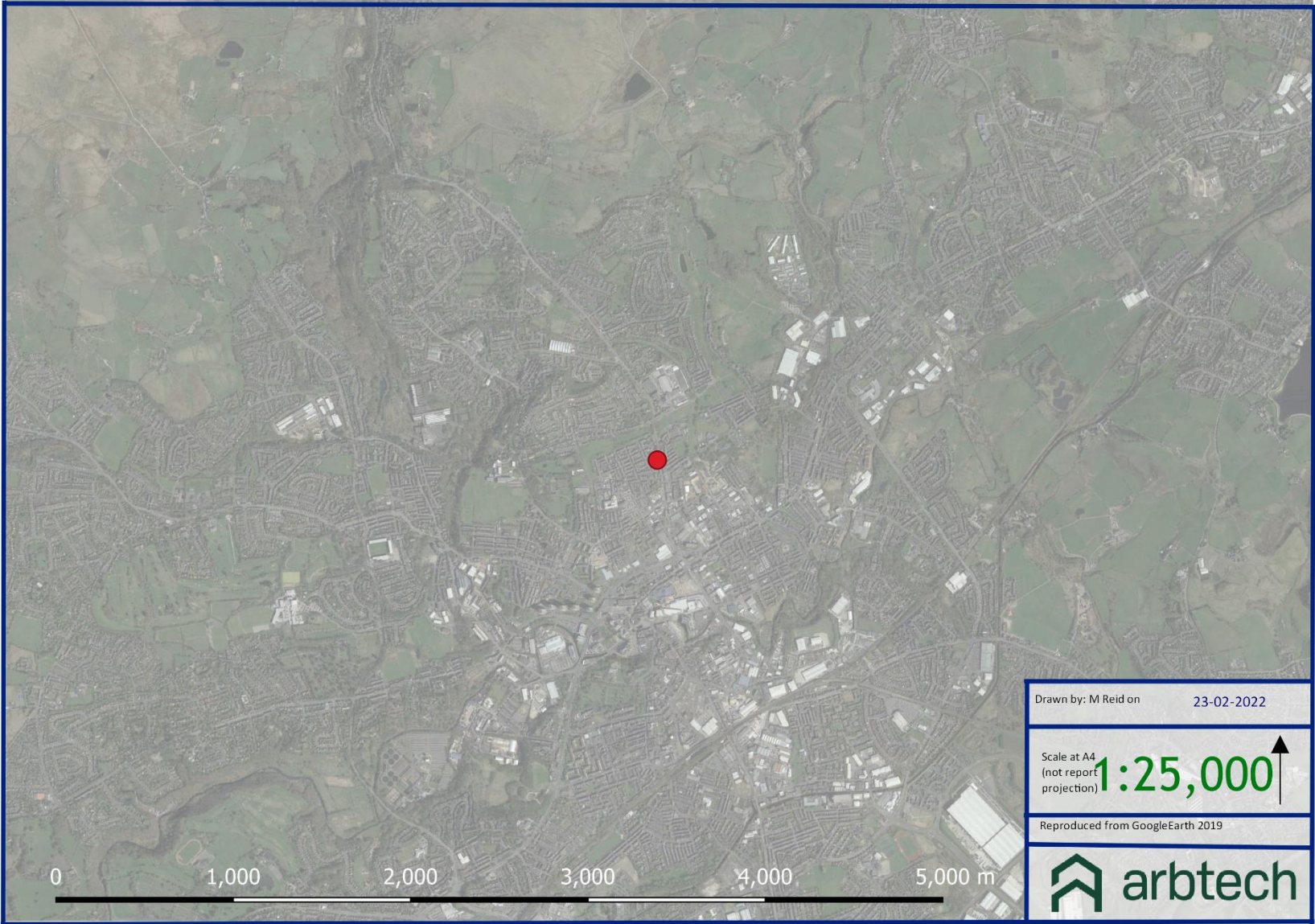
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Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan



Appendix 3a: Habitat Survey Plan



Appendix 4: Legislation and Planning Policy

LEGAL PROTECTION

The ***Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*** came into force when Britain left the European Union on 31st January 2020. It covered amendments relevant to this survey to:

Wildlife and Countryside Act 1981: England and Wales (x1 amendment)

Conservation of Habitats and Species Regulations 2017 (x29 amendments)

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1,000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

Annex II species (about 900): core areas of their habitat are designated as sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

Annex IV species (over 400, including many annex II species): a strict protection regime must be applied across their entire natural range within the EU, both within and outside Natura 2000 sites.

Annex V species (over 90): Member States must ensure that their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status. SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

SACs and SPAs up to 12 nautical miles from the coast (i.e. 'territorial waters') are afforded protection in the UK under the Conservation of Habitats and Species Regulations 2017 which consolidate all amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994.

The Conservation of Offshore Marine Habitats and Species Regulations 2017 consolidate and update the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007. The 2017 Regulations introduce amendments which transfer responsibility for European nature conservation in the Welsh offshore region to Welsh Ministers. This gives Welsh Ministers similar powers in Welsh offshore waters to those currently exercised by Scottish Ministers in Scottish offshore waters. These regulations transpose into national law Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive), and elements of Council Directive

2009/147/EC on the conservation of wild birds (Wild Birds Directive) in the UK offshore area. They came into force on 30th November 2017. These regulations apply to the UK's offshore marine area which covers waters beyond 12 nautical miles, within British Fishery Limits and the seabed within the UK Continental Shelf Designated Area. The Conservation of Habitats and Species Regulations 2017 form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12nm in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*”. However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species

The Habitats Directive

The EC Habitats Directive aims to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those species of European importance. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2017 (the Conservation Regulations) and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). This has been amended by the ***Conservation of Habitats and Species Regulations (amendment) (EU Exit) Regulations (2019)*** which continue the same provision for European protected species, licensing requirements and protected sites after the UK leaves the EU.

The following notes are relevant for all species protected under the EC Habitats Directive:

In the Directive, the term 'deliberate' is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.

The Habitats Regulations do not define the act of 'migration' and, therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.

In order to obtain a European Protected Species Licence (EPSL), the application must demonstrate that it meets all of the following three 'tests':

- The action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment;

- There is no satisfactory alternative; and
- The action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CRoW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

Badgers

Badgers *Meles meles* are protected under The Protection of Badgers Act 1992 which makes it an offence to:

- Wilfully kill, injure, take, or attempt to kill, injure or take a badger
- Cruelly ill-treat a badger, including use of tongs and digging
- Possess or control a dead badger or any part thereof
- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when it is occupying a badger sett
- Intentionally or recklessly cause a dog to enter a badger sett
- Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works:

A development licence will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for any development works likely to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agencies to define what would constitute a licensable activity. It is no possible to obtain a licence to translocate badgers.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC) and are commonly referred to as “Schedule 1” birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Amphibians and Reptiles

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of reptiles are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

Water Voles

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

- Intentionally kill, injure or take (capture) water voles
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection
- Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works:

If development works are likely to affect habitats known to support water voles, the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and translocation of water voles may be issued by the relevant countryside agency for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted

to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

Otters

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

Bats

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works are likely to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Hazel Dormice

Hazel dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a dormice habitat or an operation which are likely to result in an illegal level of disturbance to the species will require a European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales (NB: Hazel Dormouse are entirely absent from Scotland)). The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

White Clawed Crayfish

There is a considerable amount of legislation in place in an attempt to protect the White-clawed crayfish *Austropotamobius pallipes*. This species is listed under the European Union's (EU) Habitat and Species Directive and is listed under Schedule 5 of the Wildlife and Countryside Act (1981). This makes it an offence to:

- Protected against intentional or reckless taking
- Protected against selling, offering or advertising for sale, possessing or transporting for the purpose of sale

It is also classified as Endangered in the IUCN Red List of Endangered Species. As a result of this and other relevant crayfish legislation such as the Prohibition of Keeping of Live Fish (Crayfish) Order 1996, a series of licences are needed for working with White-clawed and non-native crayfish. These are:

- A licence to handle crayfish (therefore survey work) in England
- A licence for the keeping of crayfish in England and Wales with an exemption for Signal crayfish (England).
- People in the post-code areas listed with crayfish present prior to 1996 do not need to apply for consent for crayfish already established. It does not, however, allow any new stocking of non-native crayfish into waterbodies. Consent for trapping of non-native crayfish for control or consumption is most likely to be granted in Thames and Anglian regions in the areas with "go area" postcodes.
- Harvesting of crayfish is prohibited in much of England and in any part of Scotland and Wales.

Effects on development works:

The relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will need to be consulted about development which could impact on a watercourse or wetland known to support white clawed crayfish. Conservation licences for the capture and translocation of crayfish can be issued if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of the works.

Wild Mammals (Protection Act) 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

Legislation Afforded to Plants

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof

- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
- Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
- Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

A European Protected Species Licence (EPSL) will be required from the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) for works which are likely to affect species of plants listed on Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Invasive Species

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*
- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site, however, it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

Injurious weeds

Under the Weeds Act 1959 any landowner or occupier may be required prevent the spread of certain 'injurious weeds' including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

Effects on development works:

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

NATIONAL PLANNING POLICY (ENGLAND)

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

LOCAL PLANNING POLICY

Rochdale Core Strategy 2016

Accessed via: <http://www.rochdale.gov.uk/pdf/2018-04-05-rochdale-core-strategy-v1.pdf>

G7 - Increasing the value of biodiversity and geodiversity

We will ensure that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection. Opportunities for enhancing biodiversity and geodiversity, creating new sites and features of interest and improving opportunities for public enjoyment will be supported. No development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in a net gain.

Particular priorities for biodiversity and geodiversity are:

- 1.The South Pennine Moors -our focus is to maintain and enhance the peatland habitats of the moorland and to support development, land and water management activities which provide an opportunity to conserve and enhance the value of moorland for upland breeding birds of conservation significance and the habitats on which they depend and which do not harm biodiversity value. Our focus is the designated Special Protection Area and Special Area of Conservation but also the wider moorland where such interest is present or could be supported through appropriate development or land management. We will also protect and support enhancement measures for areas of geodiversity value.
- 2.The Rochdale Canal -our focus is to ensure that the Rochdale Canal Special Area of Conservation and the wider biodiversity interest of the canal is given full and appropriate protection and ensure that development which delivers the economic and recreational value of the Rochdale Canal and its wider corridor supports and does not harm its biodiversity value.
- 3.Upland farmland -our focus is to ensure that the biodiversity interest of upland farmland including its value for birds, woodland and grassland is protected and opportunities for enhancement and the creation of new interest maximised through land management improvements and appropriate development activities.
- 4.Countryside around towns -our focus is to protect and enhance the biodiversity interest of river valleys, woodland, water and farmland including the reclamation of derelict and neglected land and flood risk management measures. We will also support actions which enhance public access and enjoyment of countryside close to urban areas including Local Nature Reserves and the wider countryside.
- 5.Urban Areas -our priority is to protect and enhance existing urban biodiversity and to support opportunities for new urban biodiversity corridors, sites and features including sustainable urban drainage schemes, new public realm provision, street trees and urban woodlands, ponds and lodges, green roofs and natural play areas.
- 6.Designated sites of ecological importance -will be given appropriate protection according to their European, national or local status and in accordance with policies in other development plan documents, supporting Supplementary Planning Documents and Biodiversity Action Plans.
- 7.Protected Species: Development proposals which would affect a species protected by law or its habitat will not be permitted unless it can be demonstrated that:
 - a. there is no adverse impact on the species concerned;
 - b. damage to habitats is minimal and alternative habitat provision is effective in maintaining those species

Opportunities to protect, enhance and create features of biodiversity or geodiversity interest should be informed by the detail of any formal designation of a site or area and supporting plans and guidance such as Local Biodiversity Action Plans, Green Infrastructure Strategies and Action Plans and the Council's Biodiversity and Development SPD. We will expect development proposals and improvements to:

- a. Protect and include existing biodiversity (including established biodiversity interest on brownfield land) within new developments, public realm and open spaces and meet the requirements of the Biodiversity and Development SPD, Greater Manchester and Local Biodiversity Action Plans;
- b. Protect and enhance existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows, flora and fauna;

- c. Take opportunities to promote biodiversity and create new habitats through new development using landscaping and building and construction features wherever possible (e.g. ponds, species of vegetation, green roofs and walls, bat boxes, roof space, appropriate nest boxes and landscaping);
- d. Enhance strategic wildlife corridors and the most natural areas and ensure that habitats and corridors are not fragmented by development;
- e. Improve access where appropriate to new or existing biodiversity interest for public enjoyment; and
- f. Protect important geology and take opportunities to increase interest and accessibility

Greater Manchester Biodiversity Action Plan

The Greater Manchester Biodiversity Action Plan (adopted in 2009) can be viewed here: https://gmlrc.org/projects/gm_bap/

The following habitats are listed under the Biodiversity Action Plan:

Grasslands

Hedgerows

Lowland mosslands

Reedbeds and bittern

Ponds and lodges

Canals

Native woodlands

Uplands (currently no action plan available to download)

Urban managed greenspace

The following species are listed under the Biodiversity Action Plan:

Bats

Black redstart

Farmland birds (currently no action plan available to download)

Great crested newts

Brown hares

Native black popular

Twite

Water vole

Willow tit

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.