

Kingsway, Rochdale

Extended Phase 1 Habitat Survey

2023



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Executive Summary

Development Details

The client is proposing commercial development at Kingsway, Rochdale, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Ecological Interest

The site has a moderate level of ecological interest. Ecological features of interest include an area of marshy grassland and swamp. Some of the site boundaries offer commuting and foraging habitat for bats and suitable habitat for nesting birds.

Outcomes

No further survey work is required. Impacts on nesting birds should be avoided by carrying out site clearance and similar operations outside of the bird breeding season. Biodiversity enhancements could be provided by installing bat and bird boxes on to new buildings and wildlife friendly landscaping.



1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited was commissioned in 2023 by Euro Garages to carry out an Extended Phase 1 Habitat Survey of land at Kingsway in Rochdale (O.S. grid reference: SD 91246 12311 – see Figure 1).



Figure 1. Map showing the location of the site

- 1.1.2 The site comprises a small plot of semi-improved and marshy grassland with scattered scrub and immature trees. The site is in an urban location, surrounded by residential and commercial development.

Description of Development

- 1.1.3 The site will be the subject of a planning application for the construction of retail units with associated parking.

1.2 Scope of Work

- 1.2.1 The Client commissioned Rachel Hacking Ecology to carry out the following works:
- Desk-based study to obtain details of designated sites within 2km.
 - Record the extent, type, and condition of habitats within and next to the site.



- Search for signs of protected species and assessment of the potential of habitats and features to support protected and notable species.

1.3 Site Visit Information

Surveyor Details

- 1.3.1 Hollie Ainley BSc (Hons), PgCert visited the site on 14th April 2023. Hollie is an experienced ecologist with over 2 years of survey experience.

Weather

- 1.3.2 The weather at the time of the survey was heavy rain.



2. Methods

2.1 Desk Study

- 2.1.1 The Magic (Multi-Agency Geographical Information for the Countryside) was interrogated for the presence of any statutory designated sites (and European Protected Species licences) within 2km radius of the site.
- 2.1.2 The Impact Risk Zones for any SSSI within 5km of the site was checked to determine whether the Local Planning Authority will need to consult with Natural England.
- 2.1.3 The website of Rochdale Borough Council was interrogated to identify any non-statutory designated sites within 2km.

2.2 Field Survey

Extended Phase 1 Habitat Survey

- 2.2.1 In accordance with JNCC guidelines¹ the site was walked over, and the habitats and features of ecological interest were mapped and described. Habitats and features of particular interest were target noted.
- 2.2.2 During the walkover habitat and features were assessed for their suitability to support of protected and notable species in accordance with CIEEM guidelines². Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.
- 2.2.3 Any trees on the site that are to be affected by the proposals were given a ground-level assessment, searching for Potential Roosting Features (PRFs), such as flaking bark, woodpecker holes, knot holes and limb splits.

¹ JNCC (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Joint Nature Conservation Committee, Peterborough.

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



3. Results

3.1 Constraints

- 3.1.1 Field survey results are valid for a limited duration and no investigation can provide a complete description and characterisation of a site. The composition of habitats and species can change depending on environmental variables and the mobility of species, so the results of a study become less reliable over time. In some cases, surveys that are 3 years old may be acceptable for a project assuming that habitats have not significantly changed in the intervening period, but for protected species it is likely that survey data will need to be no more than 18 months old.

3.2 Designated Sites

- 3.2.1 The desk study provided information on the designated sites listed below in Table 1.

Table 1. Designated Sites			
Name	Status	Location/distance	Interest
Rochdale Canal	SAC, SSSI	120 metres west	Important habitats for submerged aquatic plants and emergent vegetation
Marsh near Turf Hill	SBI	320 metres south-east	Marsh
Stanney Brook	SBI	350 metres north-east	Marsh, acid grassland and flush communities

- 3.2.2 The desk study identified that the site is located within the Impact Risk Zone of Rochdale Canal Site of Special Scientific Interest (SSSI). However, the proposed development will not require the Local Planning Authority to consult with Natural England.

3.3 Habitats

- 3.3.1 The habitats survey plan is provided at Appendix 2.



Semi-Improved Grassland

- 3.3.2 Semi-improved grassland dominates the site (see Photograph 1). Grass species include Yorkshire Fog *Holcus lanatus*, Creeping Bent *Agrostis stolonifera*, a Fescue *Vulpia* sp. and Annual Meadow-grass *Poa annua*. Herbaceous species include Broad-leaved Dock *Rumex obtusifolius*, Common Ragwort *Jacobaea vulgaris*, Meadow Buttercup *Ranunculus acris* and a Willowherb *Epilobium* sp. The grassland is in poor condition as it fails Criteria 1 (6-8 species per m²).



Photograph 1 showing the semi-improved grassland

Marshy Grassland

- 3.3.3 A large area of marshy grassland is present to the south-east of the site (see Photograph 2). This is dominated by Rush species *Juncus* sp. Yorkshire Fog and bryophytes and does not comply with Maddock's Priority Habitat Descriptions³ (Purple Moor Grass and Rush Pasture). The marshy grassland is in good condition as it passed 5 of the 6 criteria (A, B, C, E and F).

³ Maddock (2008). *UK Biodiversity Action Plan Priority Habitat Descriptions. Purple Moor Grass and Rush Pastures*. Joint Nature Conservation Committee, Peterborough



Photograph 2 showing the marshy grassland

Swamp

- 3.3.4 A small area of swamp is located within the marshy grassland (see Photograph 3). This habitat is comprised of tall emergent vegetation dominated by Bulrush *Typha angustifolia*, Rush species and Mosses. The swamp is in good condition as it passed 5 of the 6 criteria (A, C, D, E and F).



Photograph 3 showing the swamp

Continuous and Scattered Scrub

- 3.3.5 Small pockets of continuous scrub are located to the west of the site and scattered scrub is located throughout the site (see Photograph 4). Dominant species comprises Silver Birch *Betula pendula*,

Willow *Salix* sp., and Dogwood *Cornus sanguinea*. The continuous scrub is in poor condition as it passes only two of the five criteria (C and D).



Photograph 4 showing some of the scrub

Introduced Shrub

- 3.3.6 A small pocket of introduced shrub is located on the western site boundary. A condition assessment is not applicable for this habitat.

Hard Standing

- 3.3.7 A surfaced path runs through the middle of the site (see Photograph 5). A condition assessment is not applicable for this habitat.



Photograph 5 showing the bare ground

Scattered Trees

- 3.3.8 Young, scattered Alder *Alnus glutinosa* trees are located on the northern site boundary (see Photograph 6). The trees are in moderate condition as they pass three of the six criteria (A, D and F).



Photograph 6 showing the trees

Hedgerows

- 3.3.9 A species-poor, intact Hawthorn *Crataegus monogyna* hedgerow is present along the eastern site boundary (see Photograph 7). The native hedgerow is in moderate condition because it fails both attributes in functional group C.



Photograph 7 showing the Hawthorn hedgerow

3.3.10 A small ornamental hedgerow is located to the north-east of the site (see Photograph 8).



Photograph 8 showing the ornamental hedgerow

3.4 Species

Bats

- 3.4.1 No buildings are located on site. The trees were assessed from the ground for Potential Roosting Features (PRFs), such as limb damage, cavities, and peeling bark. The trees on site are all young and had no such features.
- 3.4.2 Bats use linear landscape features, such as hedgerows and tree belts, for foraging and commuting. The Hawthorn hedgerow and scrub on site offers bat foraging and commuting habitat.

Badger

- 3.4.3 No Badger *Meles meles* sett was located on the site or immediately adjacent to the site. Mammal tracks were found in the south-east of the site, however, no evidence to suggest these were created by Badger, such as hairs, paw prints or latrines were found. Badgers are unlikely to be affected by the proposed development and are not considered further in this report.

Nesting Birds

- 3.4.4 The hedgerow, scrub, swamp and grassland provide suitable nesting habitats.

Great Crested Newt

- 3.4.5 Due to the lack of breeding habitat within the locality, GCN are unlikely to be affected by the proposed development and are not considered further in this report. The ephemeral pools and swamp on site do not offer suitable breeding habitat for GCN. No ponds are located within 250m of the site boundary. The terrestrial habitats on site offer commuting and foraging opportunities for amphibians but given the distance from suitable breeding habitat, the site is unlikely to be important in maintaining any local amphibian populations.

3.5 Invasive Species

- 3.5.1 No invasive, non-native species are present on site.

4. Assessment

4.1 Development Context

- 4.1.1 The following assessment assumes that the development proposals will involve the loss of all of the habitats on site.

4.2 Impacts on Designated Sites

- 4.2.1 Commercial and residential development lies between the site and Rochdale Canal SAC/SSSI, and an adverse impact is not anticipated.
- 4.2.2 The Local Authority will not need to consult with Natural England about impacts to nearby SSSIs.
- 4.2.3 The SBIs are geographically separated from the site and an adverse impact is not anticipated.

4.3 Impacts on Habitats

- 4.3.1 This section evaluates and describes potential impacts and assesses ecological effects on habitats that are within the study area.

Semi-Improved Grassland

- 4.3.2 This habitat is common and widespread and the impact will be significant at the site level only.

Marshy Grassland and Swamp

- 4.3.3 The marshy grassland and swamp do not comply with Maddock's Priority Habitat Descriptions, however without mitigation, the loss these habitats will be adverse.

Scattered Trees and Scrub

- 4.3.4 Although these habitats are locally common, they provide structure and resources to invertebrates, birds and small mammals.

Hedgerows

- 4.3.5 The species-poor native hedgerow with trees on the eastern boundary qualifies as a Habitat of Principal Importance under S41 of the NERC Act 2006.
- 4.3.6 The other hedgerows comprise non-native ornamental species and their loss would not require any specific mitigation.

4.4 Impacts on Species

Bats

- 4.4.1 No impacts to roosting bats are likely to result from the proposed development.
- 4.4.2 Any increased lighting could potentially reduce the sites suitability for foraging or commuting bats.

Birds

- 4.4.3 Vegetation removal (hedgerows and trees) could result in impacts to nesting birds, should these be present.



5. Recommendations

5.1 Mitigation Measures

- 5.1.1 Protection of ecological features (habitats and species) during the construction phase will be described in a Construction Environmental Management Plan (CEMP). Mitigation measures to protect, maintain and enhance ecological features during the operational phase of development will be described in a Biodiversity Management Plan (BMP). Management Plans will contain Operational Aims and Objectives, Rationale for management, Prescriptions and schedules detailing the timing and responsibility for delivering the prescriptions. It is anticipated that the CEMP and BMP will be provided as a planning condition in advance of the commencement of the proposed development.

Habitats

- 5.1.2 If the hedgerow is to be retained, it should be managed to enhance its ecological interest. Winter trimming and increased height and width will be of benefit to birds and invertebrates.
- 5.1.3 If the proposed development requires hedgerow loss, replacement hedgerow planting should be undertaken elsewhere on site using appropriate native shrubs and trees and at least seven species of local provenance should be selected for planting.
- 5.1.4 Appropriate mitigation will be required to offset the loss of grassland and wetland habitats. Mitigation could include the creation of species-rich grassland and a Sustainable Urban Drainage System (SUDS) that includes features of ecological interest such as species-rich wetlands, permanent open water and marsh may be required to offset loss of the existing wetland.

Bats

- 5.1.5 The new buildings should incorporate integral bat boxes to provide roosting opportunities on the site. Bat boxes should be installed at eaves level, on southeast to southwest facing elevations, but not directly above windows or doorways.
- 5.1.6 Any external lighting should avoid illuminating the hedgerows or bat boxes.

Mammals

- 5.1.7 To ensure that Badger and any other mammals are not trapped or harmed during the construction work, smaller excavations should be covered if left overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.

Nesting Birds

- 5.1.8 Impacts on nesting birds should be avoided by carrying out any works to the hedgerows outside of the bird breeding season (March - August). If vegetation has to be cleared during the bird breeding



season checks immediately before clearance by a suitably qualified ecologist will be required. Any active nests would need to be protected by a suitable buffer until nesting activity is finished.

- 5.1.9 The new buildings should incorporate nesting features for species of conservation concern such as House Sparrow *Passer domesticus*. These should be installed at eaves level, on northeast to northwest facing elevations.

5.2 Biodiversity Net Gain

- 5.2.1 The NPPF (2021) requires developments to deliver gains in biodiversity, although currently there is no minimum level of net gain. To quantify predicted changes in the biodiversity units on site a Biodiversity Net Gain assessment would be required. This uses a metric to assess changes due to the proposals.



Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2021) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 174 and 180, shown below:

- 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; etc...

- 180. When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and



- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;
- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury.



Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

Appendix 2: Habitat Map

