

Preliminary Ecological Appraisal

Stoneyfield Park, Rochdale

A Report To: Labosports

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Quality Assurance

Date	Version	Author	Checked and Approved by
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Declaration of Compliance

This study has been undertaken in accordance with British Standard 42020:2013 “Biodiversity, Code of Practice for Planning and Development”. The information which we have prepared is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management’s Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide **opinions**.

Disclaimer

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Validity of Data

The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

Non-Technical Summary

Project Background

In November 2024, Labosport commissioned Middlemarch to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Stoneyfield Park, Rochdale. This assessment is required to inform a planning application associated with the removal of an existing tarmac multi-use sports pitch and replacing it with a larger modernised artificial multiuse play pitch.

Scope of Appraisal

To fulfil the above brief, an ecological desk study and a walkover survey (in accordance with Phase 1 Habitat Survey) were undertaken. The survey was carried out on 7th November by Amy Carter MSc (Ecological Project Officer). An initial review of the ecological data was subsequently carried out to determine the features of ecological importance on site as well as a preliminary assessment of the potential impacts the proposed development could have on these features.

Preliminary Evaluation and Impact Assessment

Key ecological features in proximity to the site include adjacent hedgerows in close proximity to the site, which are a habitat of Principal Importance in England and should therefore be protected from the works. The adjacent mature trees in close proximity to the site have intrinsic value and should therefore be protected from the works. These habitats have the potential to support a range of wildlife, including nesting birds, foraging/commuting bats and terrestrial mammals.

Potential impacts which could occur as a result of the proposals include the loss or fragmentation of adjacent habitats, and the killing, injury or disturbance of protected and notable species.

Whilst the proposed development has the potential to adversely impact ecological features, it also presents opportunities to deliver new or enhanced habitats and benefits to biodiversity, please refer to Section 5.6 for full details.

Recommendations

In order to ensure compliance with wildlife legislation and relevant planning policy and to secure a net gain for biodiversity overall, the following recommendations are made (full details are provided in Chapter 6):

Scheme Design and Biodiversity Net Gain	In the first instance the proposals should be designed to avoid/minimise losses of Mature trees and hedgerows and incorporate these habitats in the landscaping layout of the scheme accordingly. Where losses or impacts are unavoidable, compensation should be provided. In accordance with the principles of the Environment Act 2021 the development will need to secure an overall net gain for biodiversity. The Statutory Biodiversity Metric Calculation Tool should be used to help guide and quantify the baseline and proposed value of the scheme. A Biodiversity Statement and Metric Assessment should be produced to inform any planning application.
General Safeguarding Measures	Safeguards and appropriate working practices should be employed throughout the works to minimise adverse effects on biodiversity and ensure compliance with UK Wildlife Legislation. These include tree and hedgerow protection measures and working practices to safeguard nesting birds and foraging terrestrial mammals. Full details are given in Section 6.

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1. Introduction

1.1. Project Background

In November 2024, Labosport commissioned Middlemarch to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Stoneyfield Park, Rochdale. This assessment is required to inform a planning application associated with the replacement of an existing tarmac multi-use sports pitch with a new artificial multi-use play area.

Middlemarch has also been commissioned to undertake the following assessments:

- Preliminary Arboricultural Assessment (RT-MME-181893-01).
- Arboricultural Impact Assessment (RT-MME-181893-02)
- Arboricultural Method Statement (RT-MME-181893-03)
- Biodiversity Metric Assessment (RT-MME-181893-05)

1.2 Site Description and Context

Table 1.1 provides a brief summary of the site and its surroundings.

Attribute	Description
Location	Stoneyfield Park, Bolton Road, Rochdale
National Grid Reference	SD 89537 12227
Site Area (ha)	Approximately 0.07 ha
Topography	Flat
Land Cover (on site)	The site is dominated by a fenced hardstanding multi-use sports pitch, with associated access paths and surrounded by managed amenity grassland.
Land Cover (site surrounds)	The wider landscape is dominated by the urban area of Rochdale. The site is surrounded by an open amenity grassland field bordered by hedgerows with residential houses and gardens beyond and a vegetated railway embankment 35m to the north-west.

Table 1.1: Summary of Site and Surroundings

1.3 Documentation Provided

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1.2.

Document / Drawing Number	Author
LSUK.24-0572-01D_PROPOSED LAYOUT_V2.pdf	Labosports
LSUK.24-0572-01P_STONEYFIELD LOCATION PLAN.pdf	Labosports
LSUK.24-0572-02D_STONEYFIELD BNG PLAN.pdf	Labosports
HLS9404.pdf – Lighting Strategy	Halliday Lighting

Table 1.2: Documentation Provided by Client

2. Methods

2.1 Desk study

An ecological desk study was undertaken to determine the presence of any designated nature conservation sites and protected species in proximity to the site. This involved contacting appropriate statutory and non-statutory organisations which hold ecological data relating to the survey area. Middlemarch then assimilated and reviewed the desk study data provided by these organisations.

The consultees for the desk study were:

- Natural England - MAGIC website for statutory conservation sites;
- Rochdale Council Core Strategy <https://www.rochdale.gov.uk/local-planning-policy/core-strategy-local-plan>
- Greater Manchester Ecology Unit

The desk study included a search for:

- Relevant local planning policy/strategies with regard to biodiversity and nature conservation;
- European statutory nature conservation sites in the UK (collectively the 'National Site Network') within a 10 km radius of the site;
- UK statutory sites within a 2 km radius; and,
- Non-statutory sites and protected/notable habitats and species records within a 1 km radius.

The data collected from the consultees are discussed in Chapter 3. In compliance with the terms and conditions relating to its commercial use, the full desk study data are not provided within this report.

2.2 Phase 1 Habitat / UK Hab Survey

A field survey was conducted following the Phase 1 Habitat Survey methodology of the Joint Nature Conservation Committee¹ and the Institute of Environmental Assessment². Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are present on site.

During the survey, the presence or potential presence of protected species was noted where observed. This included a review of suitable habitat opportunities or field signs of notable species groups (amphibians, bats, birds, terrestrial and aquatic invertebrates, terrestrial and aquatic mammals, plants and reptiles). A full detailed assessment of any built structures and/or trees was not undertaken as part of the survey, however their potential to support roosting bats was considered.

¹ Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit (reprint)*. Joint Nature Conservation Committee, Peterborough.

² Institute of Environmental Assessment. (1995). *Guidelines for Baseline Ecological Assessment*, Institute of Environmental Assessment. E&FN Spon, An Imprint of Chapman and Hall. London.

The survey was carried out on 7th November by Amy Carter MSc (Ecological Project Officer). Table 2.1 details the weather conditions at the time of the survey

Parameter	Condition
Temperature (°C)	7
Cloud (%)	100
Wind (Beaufort)	F1
Precipitation	Dry

Table 2.1: Weather Conditions During Field Survey

Field Survey Constraints and Limitations

No significant constraints or limitations were noted during the field survey.

2.3 Preliminary Evaluation and Impact Assessment

An initial review of the ecological data (desk study and Phase 1 Habitat Survey) has been undertaken to identify ecological features that by virtue of their legal status, their inclusion in any national policy or plan, or their rarity or contribution to local ecological networks, are worthy of further consideration in the planning system. This typically includes statutory or non-statutory nature conservation sites, species protected by law, Habitats and Species of Principal Importance in England as defined by the Natural Environment and Rural Communities (NERC) Act 2006 or other ecological corridors and Biodiversity Opportunity Areas outlined in local policy. A preliminary assessment of the potential impacts on these features that could occur as a result of the proposed development has been undertaken. This initial assessment of impacts is based on Middlemarch's current understanding of the project.

3. Desk Study

3.1 Local Planning Policies/Strategies

Local Planning Policies/Strategies of relevance to ecology in the context of the development are described in Table 3.1. Full details are provided in Appendix 1.

Policy Document/Strategy	Relevance to Ecology/Development
Rochdale Borough Council Core Strategy	Policy G5 Managing protected open land – describes how new developments will be expected to protect open land, greenbelt and biodiversity.
	Policy G6 Enhancing Green infrastructure – states within the policy that the council “ <i>will protect and improve green spaces and water bodies and ensure that their value to sustainable development and regeneration is maximised.</i> ”.
	Policy G7 Increasing the Value of Biodiversity and Geodiversity – Describes how developments should strive to increase biodiversity and geodiversity with the local area, with reference to protecting and enhancing existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows; benefiting protected species, and retaining and enhancing strategic wildlife corridors.
Local Nature Recovery Strategy	The Local Nature Recovery Strategy for Greater Manchester is currently in development and is due to be in place by Spring 2025.

Table 3.1: Summary of Relevant Local Planning Policies/Strategies

3.2 Nature Conservation Sites

Statutory and non-statutory nature conservation sites located in proximity to the survey area are summarised in Table 3.2.

Site Name	Designation	Proximity to the Survey Area	Description
European Statutory Sites			
South Pennine Moors Phase 1 and phase 2	SPA & SAC	5.8 km north-east	The South Pennine Moors is a nationally important site designated for its importance for breeding and wintering moorland and moorland fringe birds including species such as merlin <i>Falco columbarius</i> , golden plover <i>Pluvialis Apricaria</i> , lapwing <i>Vanellus vanellus</i> , whinchat <i>Saxicola Rubetra</i> , dunlin <i>Calidris Alpina</i> , curlew <i>Numenius Arquata</i> , redshank <i>Tringa Totanus</i> , common piper <i>Actitis Hypoleucos</i> , short eared owl <i>Asio Flammeus</i> , ring ouzel <i>Turdus Torquatus</i> and twite <i>Carduelis Flavirostris</i> .

Table 3.2: Summary of Nature Conservation Sites Continues

Site Name	Designation	Proximity to the Survey Area	Description
Rochdale Canal	SAC	440 m south	Rochdale Canal is noted for its floating, emergent and marginal flora is well developed along the canal. The canal supports colonies of unbranched bur-reed <i>Sparganium emersum</i> , arrowhead <i>Sagittaria sagittifolia</i> , water violet <i>Hottonia palustris</i> and water soldier <i>Stratiotes aloides</i> . Fringing marginal vegetation is dominated by reed sweet-grass <i>Glyceria maxima</i> although, stands of bulrush <i>Typha latifolia</i> and purple loosestrife <i>Lythrum salicaria</i> and soft rush <i>Juncus effusus</i> . Other marginal species include yellow flag iris <i>Iris pseudacorus</i> , water mint <i>Mentha aquatica</i> , gypsywort <i>Lycopus europaeus</i> , water forget-me-not <i>Myosotis scorpioides</i> , meadowsweet <i>Filipendula ulmaria</i> , watercress <i>Rorippa nasturtium-aquaticum</i> , bottle sedge <i>Carex rostrata</i> , brooklime <i>Veronica beccabunga</i> , marsh bedstraw <i>Galium palustre</i> and branched bur-reed <i>Sparganium erectum</i> . To the north of the site, marginal vegetation becomes more acidic in nature with species recorded including marsh pennywort <i>Hydrocotyle vulgaris</i> , marsh violet <i>Viola palustris</i> , bog pondweed <i>Potamogeton polygonifolius</i> , round-leaved water crowfoot <i>Ranunculus omiophyllus</i> and <i>Polytrichum</i> moss. Throughout the area the bankside habitat is suitable for water voles <i>Arvicola amphibius</i> and good populations of this species have been recorded in Rochdale in the past.
UK Statutory Sites			
Rochdale Canal	SSSI	440 m south	See Above
South Pennine Moors	SSSI	5.8 km north-east	See Above.
Key: SAC: Special Area of Conservation SPA: Special Protection Area SSSI: Site of Special Scientific Interest			

Table 3.2: Summary of Nature Conservation Sites Continued

The site falls within the impact risk zone for Rochdale Canal SSSI (and SAC). The SSSI risk zone tool lists development types that could pose a risk to the SSSI/SAC as infrastructure including pipelines and underground cables, pylons and overhead cables, new or extended footways, cycleways, roads/car parks, railways, waterways and Airports/ helipads. In addition, proposals for quarries, residential development of 100 units or more, residential development of 50 or more units outside existing settlements/urban areas, any development that could cause air pollution, all

general combustion processes, mechanical and biological waste treatment, any composting proposal, any development needing its own water supply are all risks noted to pose a threat to this SSSI.

3.3 Habitats

A review of aerial imagery identified one pond located approximately 400 m south-west.

3.4 Protected / Notable Species

Table 3.3 and the following text provide a summary of protected and notable species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Survey Area	Species of Principal Importance?	Legislation / Conservation Status
Mammals - Bats					
Common pipistrelle <i>Pipistrellus pipistrellus</i>	22	2023	480 m east	-	ECH 4, WCA 5, WCA 6
Unidentified bat <i>Chiroptera</i> sp.	1	2021	540 m north-east	#	ECH 2 #, ECH 4, WCA 5, WCA 6
Unidentified Pipistrellus <i>Pipistrellus</i> sp.	1	2004	750 m south-west	#	ECH 4, WCA 5, WCA 6
Mammals - Other					
Hedgehog <i>Erinaceus europaeus</i>	7	2022	40 m east	✓	WCA 6
Amphibians					
Great crested newt <i>Triturus cristatus</i>	1	2005	750 m north-west	✓	ECH 2, ECH 4, WCA 5
Birds					
Kingfisher <i>Alcedo atthis</i>	3	2012	310 m south	-	WCA 1i
Peregrine <i>Falco peregrinus</i>	5	2014	580 north	-	WCA 1i
Key: #: Dependent on species. ECH 2: Annex II of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest whose conservation requires the designation of Special Areas of Conservation.					

Table 3.3: Summary of Protected/Notable Species Records Continues

Key (Continued):

ECH 4: Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest in need of strict protection.

WCA 1i: Schedule 1 Part 1 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties at all times.

WCA 5: Schedule 5 of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds).

WCA 6: Schedule 6 of Wildlife and Countryside Act 1981 (as amended). Animals which may not be killed or taken by certain methods.

Species of Principal Importance: Species of Principal Importance for Nature Conservation in England.

Note. These tables do not include reference to the Berne Convention (Convention on the Conservation of European Wildlife and Natural Habitats), the Bonn Convention on the Conservation of Migratory Species of Wild Animals or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Table 3.3: Summary of Protected/Notable Species Records Continued

Birds

The desk study returned the following seven records of bird species of principal importance: Bullfinch, Dunnock *Prunella Modularis*, House Sparrow *Passer domesticus*, starling *Sturnus vulgaris*, song thrush *Turdus philomelos*, lesser redpoll *Acanthis cabaret* and herring gull *Larus argentatus*.

Invertebrates

Two species of invertebrate species of principle importance was also returned and included the cinnabar moth *Tyria jacobaeae* and the wall butterfly *Lasiommata megera*.

3.5 Invasive Species

Table 3.4 provides a summary of invasive species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Survey Area	Legislation / Conservation Status
Japanese knotweed <i>Fallopia japonica</i>	1	2011	440 m south	WCA 9
Himalayan balsam <i>Impatiens glandulifera</i>	1	2011	440 m south	WCA 9
Key: WCA 9: Schedule 9 of Wildlife and Countryside Act 1981 (as amended). Invasive, non-native, plants and animals.				

Table 3.4: Summary of Invasive Species Records

4. Survey Results

4.1 Habitats

The habitat types recorded on site during the field survey are described in Table 4.1. A Phase 1 Habitat Survey Drawing (Drawing C181393-01), illustrating the location and extent of all habitat types recorded on site, is provided in Chapter 7. Photographs taken during the field survey are presented in Chapter 8.

Polygon/ Line Ref.	Phase 1 Habitat Type	Habitat Description
Area Habitats		
TN1	Hardstanding	The site was dominated by hardstanding, including a hardstanding multi-use sports area that was contained within fencing. A hardstanding path joined the multi-use sports area to the north and south. The hardstanding had small areas of encroaching vegetation including herb robert <i>Geranium robertianum</i> and nettle <i>Urtica dioica</i> (Plate 8.1).
TN2	Amenity Grassland	Amenity grassland was noted on the west and east sides of the multi-use sports area. The grass was regularly mown and was noted to be between 2 and 5cm in height, occasionally reaching up to 7cm in height around path edges. Species comprised perennial rye grass <i>Lolium perenne</i> , annual meadow grass <i>Poa annua</i> , occasionally fescue <i>Fescue sp</i> , white clover <i>Trifolium repens</i> , ribwort plantain <i>Plantago lanceolata</i> and creeping buttercup <i>Ranunculus repens</i> (Plate 8.2).
Offsite notable habitats	Hedgerows	Offsite hedgerows delineated the adjacent park field and play areas. The hedgerows were managed to approximately 2 m in height and 1.5 m in width. The hedgerows comprised common beech with occasional elder and ivy (Plate 8.3).
Offsite notable habitats	Scattered Trees	Scattered semi-mature trees were noted along the boundaries of the playground area to the east and comprised of sycamore <i>Acer pseudoplatanus</i> and aspen <i>Populus tremula</i> (Plate 8.4).
Area Habitats Trees		
T1	Individual Trees	A small cherry <i>Prunus sp</i> , in healthy condition, was noted growing up against the northern fence line of the tarmac sports area (Plate 8.5).

Table 4.1: Summary of Habitats on Site

4.2 Protected/Notable Species

Table 4.2 summarises the suitability of the site for protected/notable species and any species/evidence of species that were recorded during the survey. The time of year at which the survey is undertaken will affect species or field signs directly recorded during the survey.

Species/Group	Description
Amphibians	The survey area is dominated by managed amenity grassland which provides sub-optimal terrestrial habitat for amphibians, though some suitable terrestrial habitat is present along hedgerows in the wider area with connectivity to the site via field boundaries.

Table 4.2: Summary of Species/Species Evidence Recorded on Site Continues

Species/Group	Description
Badger	The surrounding amenity grassland field surrounding the site is considered to provide sub-optimal habitat opportunities for badger. However, the network of hedgerows, field margins, scattered trees may provide suitable opportunities for foraging and commuting within the area. No evidence of the presence of badgers was recorded during the field survey.
Bats	The site itself does not contain any trees or structures suitable for roosting bats however the adjacent hedgerow network, scattered trees and wider park offers foraging and commuting opportunities for bats across the site and into the wider landscape and toward the vegetated railway embankment to the north.
Other terrestrial mammals Hedgehog	The site provides suitable habitat for terrestrial mammals such as hedgehog, with links to further suitable habitat in the surrounding landscape.
Birds	The site is likely to support a range of common/generalist species, which may nest in adjacent scrub, hedgerows and scattered trees. Birds recorded during the field survey included: carrion crow, magpie, wood pigeon and pied wagtail.

Table 4.2: Summary of Species/Species Evidence Recorded on Site

4.3 Invasive Species

No invasive species were identified during the field survey. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

5. Preliminary Evaluation and Impact Assessment

5.1 Summary of Proposals

The proposed works will involve the clearance of the existing tarmac multi-use sports pitch and small areas of amenity grassland to construct a new larger artificial multi-use sports pitch with associated paths and lighting.

The proposed development has the potential to adversely impact ecological features, but also presents opportunities to deliver new or enhanced habitats and benefits to biodiversity.

Activities likely to be associated with the proposed development during the construction and operational phases are outlined below.

Construction Phase

- Site clearance and ground preparation;
- Use and movement of machinery;
- Storage of plant, materials and waste;
- Creation of landscaping / delivery of new habitats.

Operational Phase

- Permanent siting of artificial sports pitch and paths;
- Use of lighting associated with sports pitches;
- Presence of and movement of site personnel and the general public; and
- Establishment of new habitats

5.2 Nature Conservation Sites

An initial review of the proposals (see Section 5.1) has been undertaken to determine whether the project has the potential to affect any nature conservation sites. The identified sites are listed in Table 5.1, and justification for scoping them in or out of further assessment is provided.

Nature Conservation Site	Evaluation of Importance and Potential Impacts	Further Action Required?
European Statutory Sites		
Rochdale Canal SAC	Rochdale Canal SAC is located 430m south of the survey area and supports flora populations of international importance. Due to the built-up nature of intervening land between the sites, and since the proposed development is not residential or commercial/industrial and small in scale, it is considered unlikely that the construction or operational phases of the development will impact this conservation site.	No further recommendations are made.

Table 5.1: Summary of Potential Impacts on Nature Conservation Sites Continues

Nature Conservation Site	Evaluation of Importance and Potential Impacts	Further Action Required?
UK Statutory Sites		
Rochdale Canal SSSI	The site is within the impact risk zones for Rochdale Canal SSSI. Reference to Natural England's SSSI Impact Risk Tool indicates that development proposals relating to aviation and transport, minerals/oil/gas, livestock and poultry units, residential builds, pylons and pipes, discharges of water, industrial scale composting and waste removal pose a potential risk to this designated site. Due to the proposals being small in nature and related to the upgrading of a sports pitch it does not fall within these categories. Given the type of development and distance from the SSSI, the risk of recreational impacts on the site can be scoped out.	No scoped out, no further recommendations are made.

Table 5.1: Summary of Potential Impacts on Nature Conservation Sites Continued

5.3 Habitats

The ecological importance of the habitats present on site is determined by their presence on the list of Habitats of Principal Importance in England and on the Local BAP (if relevant). Also taken into account is the intrinsic value of the habitat, its rarity and contribution to local ecological networks.

Table 5.2 below summarises the potential adverse impacts on habitats that may occur as a result of the construction and operational activities of the proposed development (see Section 5.1), in the absence of mitigation. A separate discussion of the value of the habitats on site to protected or notable species is provided in Section 5.4.

Habitats	Evaluation of Importance and Potential Impacts	Further Action Required?
Priority Habitats		
Hedgerows (Offsite)	The hedgerows located along the amenity grassland areas to the north-and north-east boundary fence in close proximity to the site boundary meet the habitat of principle importance criteria. The current site masterplan indicates that the off-site boundary hedgerows will be retained as part of the development, however there is potential for habitat damage or degradation during construction works or as a result of inappropriate post-construction landscape management.	Appropriate Scheme Design (Recommendation R1) and Protection Measures (Recommendation R2)

Table 5.2: Summary of Potential Impacts on Habitats Continues

Habitats	Evaluation of Importance and Potential Impacts	Further Action Required?
Non-Priority Habitats		
Scattered trees (off-site)	The scattered mature trees located along the amenity grassland area to the south and south-west boundary fence in close proximity to the site boundary have intrinsic ecological value and cannot be easily replaced in the short to medium term. The current site masterplan indicates that the off-site boundary trees will be retained as part of the development, however there is potential for habitat damage or degradation during construction works or as a result of inappropriate post-construction landscape management.	Appropriate Scheme Design (Recommendation R1) and Protection Measures (Recommendation R2)
Other Habitats		
Other habitats (amenity grassland, Immature scattered tree)	Although these habitats are not considered to be important and do not require further detailed consideration in the context of assessing impacts, they do hold some value and contribute to overall site biodiversity, which is recognised through the use of a biodiversity metric tool.	Appropriate Scheme Design (refer to Recommendation R1)

Table 5.2: Summary of Potential Impacts on Habitats Continued

5.4 Protected / Notable Species

Table 5.3 below summarises the potential adverse impacts on species/species groups that may occur as a result of the construction and operational activities of the proposed development (see Section 5.1), in the absence of mitigation.

Species/species groups discussed are based on those species highlighted in the desk study exercise and other species for which potentially suitable habitat occurs within or adjacent to the survey area. This includes species protected by law under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife and Countryside Act 1981 (as amended), as well as those listed as Species of Principal Importance in England.

Species / Species Group	Evaluation of Importance and Potential Impacts	Further Action Required?
Bats	There are records of at least two bat species within a 1 km radius. Common pipistrelle were recorded 480 m east of the site. Although the site does not provide potential roosting habitat for bats it does provide suitable foraging and commuting habitat with connectivity to a vegetated railway embankment to the north. The development of the site has the potential to impact suitable foraging habitat for bats. Impacts include disturbance through increases in lighting (during both construction and operational phases), particularly if floodlighting is used to illuminate the pitch. Lighting of bat commuting routes around the boundaries of the site is a particular risk and should be avoided.	Scheme Design (Recommendation R1)

Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continues

Species / Species Group	Evaluation of Importance and Potential Impacts	Further Action Required?
Birds	The desk study identified records of 2 bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) within the search radius, as well as numerous other bird species of principle importance. The site is not considered to provide suitable habitat for the Schedule 1 species listed (kingfisher and peregrine falcon) However, the habitats adjacent to site including hedgerows and scattered trees provide suitable nesting and foraging habitat for common/generalist bird species, notable species may forage on site. There is potential for the killing or injury of nesting birds or damage/destruction of a bird's nest in adjacent trees and hedgerows as a result of inappropriate post construction landscape management.	Safeguarding measures to be implemented (Recommendation R2)
Badger	No records of badger were identified during the desk study and no evidence of badger was recorded during the field survey. However, some of the surrounding habitats including connectivity to the railway embankment to the north is suitable for foraging/commuting purposes. As such there is potential for the construction phase of works to result in the or the killing or injury of badgers.	Safeguarding measures to be implemented (Recommendation R2)
Terrestrial mammals (hedgehog)	There are seven records of hedgehog within a 1 km radius of the site, the closest of which are located 40 m east. The habitat on site offers these species opportunities for refuge, foraging and commuting, however abundant alternative habitat is present in the surroundings. The construction phase of the development has the potential to result in the killing or injury of terrestrial mammals if excavations are left uncovered.	Safeguarding measures to be implemented (Recommendation R2)
Reptiles	Due to the lack of desk study records and as the site is dominated by managed amenity grassland and hardstanding, the site is considered to be sub-optimal habitat for reptiles and are therefore deemed to be unlikely on site.	No, species group scoped out
Amphibians	There is one record of great crested newt within a 1 km radius of the site, the closest of which is located 750 m north-west. Reference to Ordnance Survey data and mapped aerial imagery indicates the presence of one pond within 400 m of the survey area. No suitable habitat was noted within the site boundary as the site is predominantly mown amenity grassland and hard standing and given the distance to the pond identified during the desk study, and the built-up nature of the intervening habitat, it is unlikely great crested newt or common amphibians are utilising the site.	No, scoped out.

Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continues

Species / Species Group	Evaluation of Importance and Potential Impacts	Further Action Required?
Reptiles	Due to the lack of desk study records and that the site is dominated by managed amenity grassland and hardstanding, the site is considered to offer sub-optimal habitat for reptiles and they are therefore deemed unlikely to be present.	No, species group scoped out
Invertebrates	The desk study provided several records of the cinnabar moth and wall butterfly, which are both listed as a Species of Principal Importance, however, the main larval food plant, ragwort <i>Jacobaea vulgaris</i> and habitat of unmanaged grasses for the wall butterfly was not recorded on site. The site is dominated by managed amenity grassland and therefore it is not considered likely to support a notable assemblage of invertebrates.	No, species group scoped out
Other species	Other species, including dormouse <i>Muscardinus avellanarius</i> , red squirrel <i>Sciurus vulgaris</i> and stag beetle <i>Lucanus cervus</i> , Water voles <i>Arvicola amphibius</i> , otter <i>Lutra lutra</i> , white clawed crayfish <i>Austropotamobius pallipes</i> have been scoped out of further assessment due to a lack of desk study records and absence of suitable habitats within the development site and its surroundings.	No, species/species group scoped out

Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continued

5.5 Invasive Plant Species

No invasive non-native plant species were identified within the search radius, and none were identified on site during the field survey. It should be noted that the absence of field survey observations should not be taken as confirmation that a species is absent from the search area.

5.6 Biodiversity Opportunities

The development presents the following opportunities to enhance the site for biodiversity and work towards the target of 10% net gain:

- Wildflower grassland margins to provide larval food for caterpillars and to attract butterfly and moth species.

6. Recommendations

All recommendations provided in this section are based on Middlemarch's current understanding of the site proposals, correct at the time the report was compiled. Should the proposals alter, the conclusions and recommendations made in the report should be reviewed to ensure that they remain appropriate.

R1 Scheme Design and Biodiversity Net Gain: The proposed development should be designed in accordance with the ecological mitigation hierarchy as set out in the National Planning Policy Framework (NPPF), and Planning Practice Guidance (PPG). In the first instance the proposals should be designed to avoid loss or damage (including to canopy and roots) to the off-site trees in proximity to the site and minimise the loss of grassland area and incorporate these habitats in the landscaping layout of the scheme accordingly.

Additionally, the proposed floodlighting should be designed in accordance with best practice guidance relating to lighting and biodiversity (Miles et al, 2018; Gunnell et al, 2012), any new lighting should be carefully designed to minimise potential disturbance and fragmentation impacts on sensitive receptors, such as bat species. Examples of good practice include:

- Avoiding the installation of new lighting in proximity to key ecological features, such as semi-mature to mature trees.
- Using modern LED fittings rather than metal halide or sodium fittings, as modern LEDs emit negligible UV radiation.
- The use of directional lighting to reduce light spill, e.g. by installing bespoke fittings or using hoods, baffles, or shields. For example, downlighting can be used to illuminate features such as footpaths and playfields whilst reducing the horizontal and vertical spill of light.
- Implementing controls to ensure lighting is only active when needed, e.g. the use of timers.

Following these guidelines will help to further avoid and minimise impacts to protected and notable species.

Where losses or impacts are unavoidable, compensation should be provided. This could include the replacement of lost habitats and/or connectivity and the creation of new habitats of ecological value.

In accordance with the principles of the Environment Act 2021 the development will need to secure an overall net gain for biodiversity. The Statutory Biodiversity Metric Calculation Tool should be used to help guide and quantify the baseline and proposed value of the scheme. A Biodiversity Statement and Metric Assessment should be produced to inform any planning application.

R2 General Safeguarding Measures: The following safeguards and appropriate working practices should be employed to minimise adverse effects on biodiversity and ensure compliance with UK Wildlife Legislation:

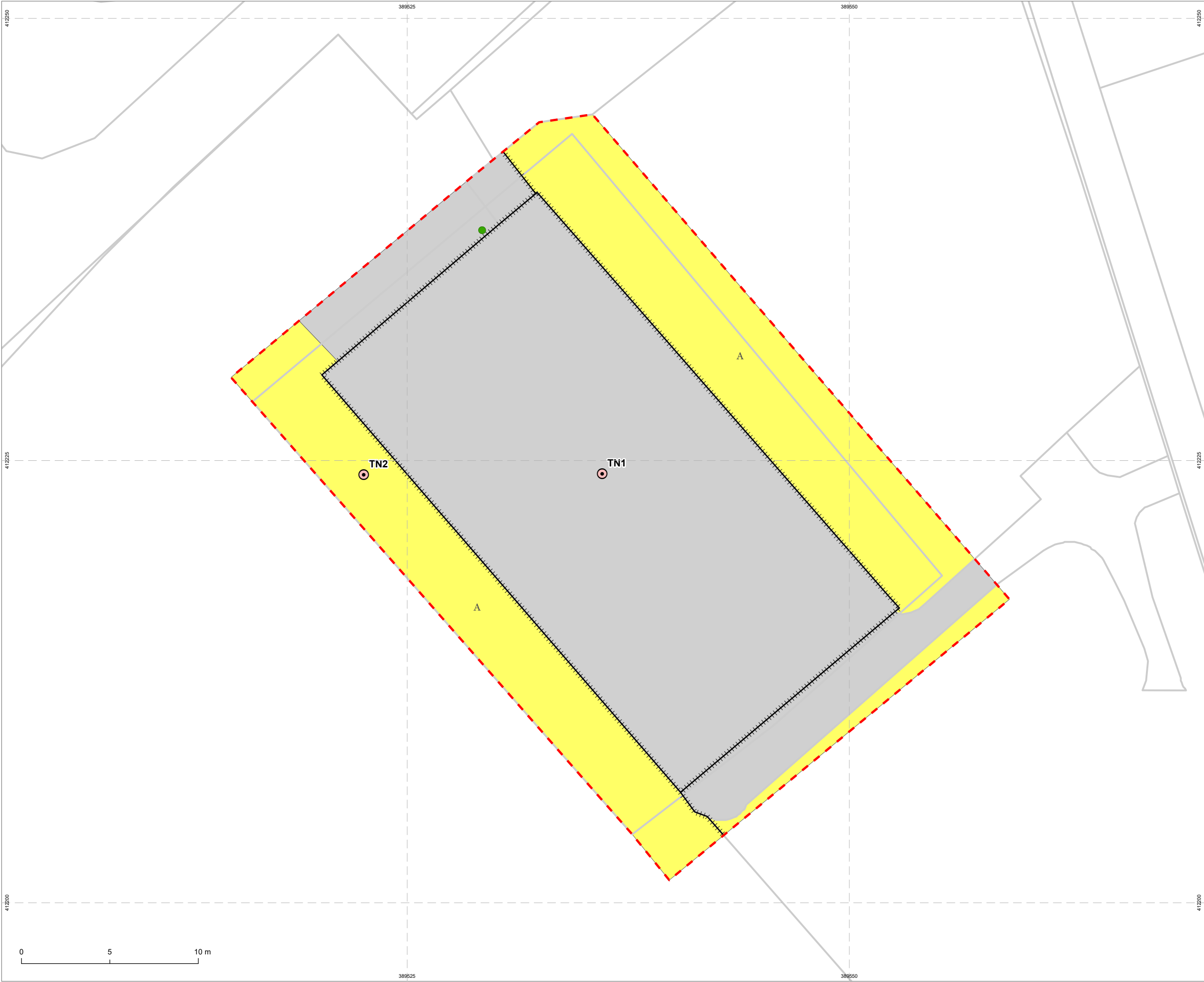
- Off-site trees and hedgerows: To avoid accidental encroachment of the works activities, the off-site trees along the playfield fence in proximity to the site, which are retained as a part of the proposed works, should be protected in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and

construction - recommendations". Protection should be installed on site prior to the commencement of any works on site.

- Nesting Birds: If work activities are undertaken during nesting bird season (weather depended but generally extends March to September inclusive), the scattered trees adjacent to the works area should be protected from accidental encroachment of plant and machinery in accordance with measures detailed above.
- Terrestrial Mammals: Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each workday to prevent animals entering/becoming trapped.

7. Drawings

Drawing C181393-04-01 – Phase 1 Habitat Map



C181393-02-01

Legend

Site boundary

Scattered broad-leaved tree

Fence

Amenity grassland

Hardstanding

Target note - habitat parcel

Project

Stoneyfield Park, Rochdale

Drawing

Phase 1 Habitat Map

Client

Labosports

Drawing Number

C181393-02-01

Revision

00

Scale @ A3

1:200

Date

December 2024

Approved By

AC

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8. Photographs



Plate 8.1: Hardstanding Multi Use Sports Pitch.



Plate 8.2: Areas of Amenity Grassland Surrounding the Sports Area.



Plate 8.3: Example Of Adjacent Hedgerows



Plate 8.4: Example of Scattered Trees Withing Close Proximity To The Works.



Plate 8.5: Cherry Tree Growing Adjacent to Sports Area Fenceline.

Appendix 1

General Biodiversity Legislation and Policy

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (the Habitats Regulations 2019)

The Habitats Regulations 2017 (as amended) transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into English and Welsh law. Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1 January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

The Habitats Regulations 2019 have created a 'National Site Network' on land and at sea, including both the inshore and offshore marine areas in the UK. The National Site Network includes:

- Existing Special Areas of Conservation (SACs), which are designated due to their importance to the habitats and species listed in Annexes I and II of the Habitats Directive;
- Existing Special Protection Areas (SPAs), which are designated due to their importance for wild birds in accordance with the Wild Birds Directive; and,
- New SACs and SPAs designated under these Regulations.

SACs and SPAs in the UK no longer form part of the European Union's Natura 2000 ecological network. Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new National Site Network. However, guidance provided by Freeths (2020)³ recommends that SACs and SPAs can continue to be referred to as "European sites" / "European marine sites".

Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the National Site Network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats. All Ramsar sites remain protected in the same way as SACs and SPAs.

The 2019 Regulations establish management objectives for the National Site Network. The network objectives are to:

- Maintain or, where appropriate, restore habitats and species listed in Annexes I and II of the Habitats Directive to a favourable conservation status; and,

³ Freeths (2020). *The Habitats Regulations Assessment regime after 31 December 2020 – how will it look?*
Available: <https://www.freeths.co.uk/2020/10/22/the-habitats-regulations-assessment-regime-after-31-december-2020-how-will-it-look/?cmpredirect>

- Contribute to ensuring, in their area of distribution, the survival and reproduction of wild birds and securing compliance with the overarching aims of the Wild Birds Directive.

The appropriate authorities must also have regard to the:

- Importance of protected sites;
- Coherence of the National Site Network; and,
- Threats of degradation or destruction (including deterioration and disturbance of protected features) on SPAs and SACs.

The network objectives contribute to the conservation of UK habitats and species that are also of pan-European importance, and to the achievement of their favourable conservation status within the UK.

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

The WCA, as amended, consolidates and amends pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitat Regulations 2017 and the Habitats Regulations 2019, offering protection to a wider range of species. The Act also provides for the designation and protection of national conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSIs).

Schedules of the act provide lists of protected species, both flora and fauna, and detail the possible offences that apply to these species.

The Environment Act 2021

The Environment Bill completed its passage through parliament on 13th October 2021 and received Royal Assent on 9th November 2021. The Environment Act introduces a new framework for setting long-term, legally binding targets for environmental improvement, including nature and biodiversity (Part 6 & 7).

The Town and Country Planning Act 1990

Schedule 7A (Biodiversity Gain in England) and regulations made under Schedule 7A contain most of the statutory framework for mandatory biodiversity gain (referred to as 'biodiversity net gain'). With some exceptions every grant of planning permission is subject to the condition that development may not begin until a biodiversity gain plan has been approved by demonstrating how the objective of delivering at least a 10% gain in biodiversity will be achieved. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The Countryside and Rights of Way (CROW) Act 2000

The CROW Act, introduced in England and Wales in 2000, amends and strengthens existing wildlife legislation detailed in the WCA. It places a duty on government departments and the National Assembly for Wales to have regard for biodiversity, and provides increased powers for the protection and maintenance of SSSIs. The Act also contains lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The Natural Environment and Rural Communities (NERC) Act 2006

Section 40 of the NERC Act places a duty upon all local authorities and public bodies in England and Wales to promote and enhance biodiversity in all of their functions.

Section 40, as amended by the Environment Act 2021, places a 'biodiversity duty' on all public authorities who operate in England to consider how they can conserve and enhance biodiversity, agree policies and specific objectives based on that consideration and deliver policies to achieve their objectives. Local Authorities (excluding parish councils) and Local Planning Authorities have a duty under Section 40A to report on the performance of this duty.

Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These habitats and species are a material consideration in the planning process.

The Hedgerow Regulations 1997

The Hedgerow Regulations make provision for the identification of important hedgerows which may not be removed without permission from the Local Planning Authority.

National Planning Policy Framework

In December 2023, the National Planning Policy Framework (NPPF) was updated, replacing the previous framework published in 2012 and revised in 2018, 2019 and 2021. A presumption towards sustainable development is at the heart of the NPPF. This presumption does not apply however where developments require appropriate assessment under the Birds or Habitats Directives.

Chapter 15, on conserving and enhancing the natural environment, sets out how the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing existing sites of biodiversity value;
- minimising impacts on and providing net gains for biodiversity; and,
- establishing coherent ecological networks.

If a proposed development would result in significant harm to the natural environment which cannot be avoided (through the use of an alternative site with less harmful impacts), mitigated or compensated for (as a last resort) then planning permission should be refused. With respect to development on land within or outside of a Site of Special Scientific Interest (SSSI) which is likely to have an adverse effect (either alone or in-combination with other developments) would only be permitted where the benefits of the proposed development clearly outweigh the impacts on the SSSI itself, and the wider network of SSSIs. Development resulting in the loss of deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons for the development, and a suitable compensation strategy is provided.

Chapter 15 identifies that development whose primary objective is to conserve or enhance biodiversity should be supported and 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.

Chapter 11, making effective use of the land, sets out how the planning system should promote use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Opportunities for achieving net environmental gains, including new habitat creation, are encouraged.

Planning Practice Guidance

In March 2014 the Department for Communities and Local Government released guidance to support the National Planning Policy Framework (NPPF), known as the Planning Practice Guidance (PPG). This has been produced to provide guidance for planners and communities which will help deliver high quality development and sustainable growth in England.

The guidance includes a section entitled '*Natural Environment*', which was updated in February 2024. This document sets out information with respect to the following:

- the statutory basis for seeking to conserve and enhance biodiversity;
- the local planning authority's requirements for planning for biodiversity;
- what local ecological networks are and how to identify and map them;
- how plan-making bodies identify and safeguard Local Wildlife Sites, including Standard Criteria for Local Wildlife Sites;
- the sources of ecological evidence;
- the legal obligations on local planning authorities and developers regarding statutory designated sites and protected species;
- definition of green infrastructure;
- where biodiversity should be taken into account in preparing a planning application;
- how policy should be applied to avoid, mitigate or compensate for significant harm to biodiversity and how mitigation and compensation measures can be ensured;
- definitions of environmental net gain including information on how it can be achieved and assessed; and,
- the consideration of ancient woodlands and veteran trees in planning decisions and how potential impacts can be assessed.

Other relevant PPG sections include:

- '*Appropriate assessment: Guidance on the use of Habitats Regulations Assessment*' (updated July 2019) which provides information in relation to Habitats Regulations Assessment processes, contents and approaches in light of case law. This guidance will be relevant to those projects and plans which have the potential to impact on European Sites and European Offshore Marine Sites identified under the Conservation of Habitats and Species Regulations 2017 (as amended).
- '*Biodiversity Net Gain*' (updated May 2024) which provides information on the statutory framework referred to as 'biodiversity net gain' and how it is applied through the planning process, from submission of a planning application through to determination of the Biodiversity Gain Plan. Guidance is also provided on exemptions, the Biodiversity Gain Hierarchy and phased developments.

Local Planning Policy - Rochdale Core Strategy (2016-2028)

The Core Strategy for Rochdale borough was adopted on 19 October 2016. It's the lead document in the Local Plan and is relevant until 2028. The relevant policies are listed below:

G5 - Managing protected open land

1. Protecting open land outside the urban area and not in the green belt. We will continue to protect from development open land outside the urban area and not in the green belt in the following broad areas:

- Land west and south of Middleton;
- Land north of Langley/Hollins, Middleton;
- Land adjoining the Rochdale Canal and Whit Brook, Middleton;
- Roch river valley, Heywood to Rochdale Town Centre;
- Roch river valley, Rochdale to Littleborough; and
- Land straddling the A627M corridor between Castleton and Kirkholt.

2. Development in Protected Open Land

- a. Development on open land outside the urban area and not in the green belt will be resisted unless: it is limited development that would be acceptable were it in the green belt; or
- b. it is small scale development which is consistent with other detailed policies and site allocations in the Local Development Plan; or
- c. it satisfies 3 below.

3. Release of Protected Open Land

Protected Open Land will not be released for development unless all the following apply:

- a. there is evidence that the development is needed and that 'urban' brownfield and greenfield sites are not available to meet those needs;
- b. the location of the site is sustainable and is in accordance with the overall Spatial Strategy;
- c. the development does not undermine the delivery of other currently allocated sites or key regeneration priorities and can help to deliver wider regeneration;
- d. development could be accommodated without an unacceptable impact on the area's landscape, biodiversity or wider green infrastructure value;
- e. there is evidence that the land is physically suitable for the scale and type of development proposed; and
- f. the development and supporting infrastructure is capable of being delivered. Where the release of protected open land can be justified, the Council will seek to identify it as an allocation in a future DPD. Any proposals that come forward would need to:
 - g. involve a comprehensive scheme for the delivery of the development, transport and other necessary infrastructure to serve the development; and
 - h. identify measures to address environmental impacts and where possible provide local benefits

G6 - Enhancing green infrastructure

We will sustain and enhance a green network to support growth and regeneration in the borough and provide a high quality environment that meets the needs of our community and visitors to the borough. We will protect and improve green spaces and water bodies and ensure that their value to sustainable development and regeneration is maximised. Our priorities are to improve opportunities for recreation in urban areas and the countryside, improve opportunities for healthy lifestyles, and to help manage and respond to environmental risks such as flooding and the impacts of climate change. We will also ensure that the network supports the sustainable growth of the Greater Manchester city region and links with a wider Greater Manchester strategic green infrastructure network. We will protect, improve and create green infrastructure to help deliver strategic sustainable development priorities and meet local needs in the following locations:

1. The South Pennine uplands where the focus will be on the protection and enhancement of its natural beauty, cultural and ecological value, encouraging sustainable tourism and wider access

from urban areas, key countryside gateways and improvements along key rural routes (e.g. the Pennine Way and Pennine Bridleway) and protecting and enhancing land management to support water management and carbon storage.

2. The Roch Valley corridor where the focus will be on establishing a Roch Valley Trail between Heywood and Littleborough, opening up visibility, creating and enhancing recreation destinations and improving access to and from urban communities. The valley will be enhanced as a key landscape feature forming a part of Greater Manchester's strategic green infrastructure network providing high quality recreational and tourism opportunities, an ecological corridor, stimulus and support for regeneration and growth along the river valley corridor in Heywood, Rochdale and Littleborough and key flood risk management assets e.g. for flood storage and sustainable drainage. Opportunities to create a recreational link between the Roch Valley, Rochdale town centre and Healey Dell Local Nature Reserve along the Spodden Valley will also be supported.

3. The Irk and Beal Valleys where the focus will be on taking opportunities to use the Irk corridor as a key feature to support regeneration in East Middleton and in developing its recreational and biodiversity potential in south west Middleton. Opportunities will be taken to enhance the Beal Valley to support growth and regeneration opportunities in Milnrow and Newhey and to enhance the Beal Valley Way as a recreational route.

4. Other river valleys and green corridors where the focus will be on enhancing recreational links between urban areas and open countryside to allow passage of wildlife, provide local opportunities for recreation, improving visual amenity, and contribution to local and wider environmental management e.g. reducing air pollution and managing flood risk.

5. Other water bodies (lakes, streams, reservoirs, ponds etc) where the focus will be on celebrating water and promoting water features as a key characteristic of the local landscape, to improve their recreational and biodiversity value, maximise their potential for flood risk management and to incorporate water features (existing and new) as part of new developments, public realm initiatives, town centre design and neighbourhood regeneration initiatives where practicable.

6. Rochdale Canal corridor where the focus will be on promoting the use of the canal for navigation, protecting and conserving its nature conservation value, improving linkages to the National Cycle Route 66 (Connect 2) cycle route with visitor, employment and neighbourhood destinations and securing environmental improvements as part of canalside development.

7. Countryside around towns where the focus will be on reclaiming derelict land, woodland planting and improvement, creating and improving paths and cycle networks to link town and country, promoting access to nature, improving flood risk management and maintaining a strong green belt.

8. Local urban open spaces where the focus will be on improvements to the quality of accessible greenspace close to where people live and work (prioritising those areas with the greatest deficiency or need e.g. poor health or lack of private gardens), securing tree planting and other urban greening in new areas of public open space in town centres and housing growth areas, protecting allotments and supporting local food growing, enhancing flood risk management and protecting and improving urban wildlife value and natural areas.)

9. Urban areas and new development where the focus will be on incorporating green infrastructure into new development, sustainable urban drainage, increasing the number of street trees, greening housing areas and main roads, developing new green spaces, and incorporating

green roofs and walls in new development. We shall take into account local and national planning policy requirements when considering the appropriateness of development proposals that may affect sports, recreation and open space provision. A Green Infrastructure Strategy for the borough and Green Infrastructure Action Plans for each Township will inform and support area based masterplans and initiatives, development proposals and associated developer contributions, regeneration programmes and environmental management schemes.

We will expect development proposals and other proposals affecting green infrastructure to:

- a. be consistent with the above focus for green infrastructure and the wider than local value that green infrastructure can have;
- b. have regard to local landscape character and contribute to its conservation or enhancement;
- c. avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives;
- d. in the case of residential development, provide or contribute financially towards recreational open space, including maintenance, in accordance with the standards set out in the Provision of Recreational Open Space in New Housing Supplementary Planning Document (SPD);
- e. take opportunities to improve access to, and the provision of, natural greenspace in accordance with local strategies and standards
- f. take opportunities to secure innovative solutions to the design of urban open space to widen its potential functions e.g. flood risk management, promoting urban wildlife or climate change adaptation;
- g. not sever, or impede the key functions of designated greenspace corridors or river valleys, or detract from their natural, visual or recreational quality, but enhance their value and accessibility;
- h. protect ancient woodlands and hedgerows, support new woodland and tree planting in new developments, and replace removed trees from a site at a ratio of 2:1; and
- i. take opportunities, where feasible, to improve the water quality and biodiversity of water bodies and their environs in compliance with the Water Framework Directive or equivalent.

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

Appendix 2

Relevant Species Legislation

Bats

Bats and the places they use for shelter or protection (i.e. roosts) receive legal protection under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (Habitats Regulations 2019). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that bats, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats; or
- damage or destroy a bat roost (breeding site or resting place).

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead bats, part of a bat or anything derived from bats, which has been unlawfully taken from the wild.

Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1st January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly** damage or destroy, or *obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

*Reckless offences were added by the Countryside and Rights of Way (CROW) Act 2000.

As bats re-use the same roosts (breeding site or resting place) after periods of vacancy, legal opinion is that roosts are protected whether or not bats are present.

The reader should refer to the original legislation for the definitive interpretation.

The following bat species are Species of Principal Importance for Nature Conservation in England: barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared bat *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum* and lesser horseshoe bat *Rhinolophus hipposideros*. Species of Principal Importance for Nature Conservation in England are material considerations in the planning process. The list of species is derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006.

Badger

Badgers and their setts are protected under the Protection of Badgers Act 1992. The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury, badgers are not protected for conservation reasons. The following are criminal offences:

- To intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it.
- To wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so.

A badger sett is defined in the legislation as:

- 'Any structure or place that displays signs indicating current use by a badger'.

'Current use' is not synonymous with current occupation and a sett is defined as such (and thus protected) as long as signs of current usage are present. Therefore, a sett is protected until such a time as the field signs deteriorate to such an extent that they no longer indicate 'current usage'.

Badger sett interference can result from a multitude of operations including excavation and coring, even if there is no direct damage to the sett, such as through the disturbance of badgers whilst occupying the sett. Any intentional or reckless work that results in the interference of badger setts is illegal without a licence from Natural England. In England a licence must be obtained from Natural England before any interference with a badger sett occurs.

The reader should refer to the original legislation for the definitive interpretation.

Hedgehog

Hedgehogs receive some protection under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended); this section of the Act lists animals which may not be killed or taken by certain methods, namely traps and nets, poisons, automatic weapons, electrical devices, smokes/gases and various others. Humane trapping for research purposes requires a licence.

Hedgehogs are a Species of Principal Importance for Nature Conservation in England and are thus capable of being material considerations in the planning process.

Nesting Birds

The Conservation of Habitats and Species Regulations 2017, (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019

(Habitats Regulations 2019) places a duty on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds.

Nesting and nest building birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended).

Subject to the provisions of the act, if any person intentionally:

- kills, injures or takes any wild bird;
- takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- takes or destroys an egg of any wild bird, he shall be guilty of an offence.

Some species (listed in Schedule 1 of the WCA) are protected by special penalties. Subject to the provisions of the act, if any person intentionally or recklessly:

- disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird, he shall be guilty of an offence.

Several bird species are Species of Principal Importance for Nature Conservation in England, making them capable of being material considerations in the planning process.