

Greater Manchester Ecology Unit

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Principal Ecologist:
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VIA EMAIL

Dear Melanie

PLANNING APPLICATION NO: 24/01007/FUL

Thank you for consulting GMEU on this application at Trub Farm, Rochdale, for the construction of 162 affordable dwellings with associated infrastructure and soft landscaping.

The application is accompanied by a Preliminary Ecological Appraisal (PEA), Habitat Regulations Assessment (HRA) Screening Report and a Biodiversity Net Gain (BNG) metric spreadsheet (all authored by E3P in 2024). Based on the submitted information, I have the following comments to make:

Designated Sites

Rochdale Canal is located directly adjacent to the proposed development site and it is designated as a Special Area of Conservation (SAC), a Site of Special Scientific Interest (SSSI) and a Grade A Site of Biological Importance (SBI).

SACs are European statutory designated sites listed under the Conservation of Habitats and Species Regulations 2017 (as amended). The primary reason for selection of this site is the presence of floating water plantain.

SSSIs are nationally protected sites and SBIs are locally designated sites.

The NPPF (paragraph 186 b) states that when determining planning applications, local authorities should apply the following principles:

“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.”

In addition to the floating water plantain, reasons for the designation of the canal as a SSSI and SBI reflect the diverse assemblages of submerged aquatic plants and emergent vegetation as a result of the mesotrophic water quality.



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Your ref : 24/01007/FUL
Contact : Melissa Sullivan
Date : 26th November 2024

Due to these designations, Rochdale Canal is afforded strict protection, particularly from nearby proposed developments which may impact the site. The presence of and impact to the wider aquatic plant species of the canal must be considered within the ecological report, in addition to the floating water plantain.

Habitat Regulations Assessment (HRA)

- The HRA Screening Report incorporates both Screening (Stage 1) and Appropriate Assessment (Stage 2), however it is not clearly set out.
- As per HRA guidance, Stage 1 (Screening) must specify the Likely Significant Effects (LSE) by identifying the possible impact pathways which may potentially cause harm to qualifying features of the site. This stage of the assessment should not include any mitigation within the assessment.
- If LSE are identified, a Stage 2 (Appropriate Assessment) must be undertaken and adverse effects on the integrity of the European site are considered. Each impact pathway should be assessed for the effects it will have on the European site, without mitigation. Appropriate mitigation should then be identified, and any residual risk assessed.
- The conclusions of the report must ensure that there is no reasonable scientific doubt as to the effects of the proposed plan on the integrity of the European site.
- There is a brief section referring to 'Cumulative Impacts', however in combination effects with other plans or projects, which need to be considered at Stage 1 and Stage 2 of the appropriate assessment, have not been fully addressed. Two large residential planning applications are mentioned; however, this does not include Trows Farm (PfE allocation), located approximately 500m east of the Trub Farm site. The 'in combination' effect of multiple large residential developments nearby to Rochdale Canal SAC has not been fully addressed in the HRA.
- As per GMEU's scoping opinion (09.03.2022), LSEs included within the HRA should include but not be limited to:
 - Loss of habitat and direct impacts
 - Impacts from dust, water, sediments or other contaminants from construction and operation of the proposal
 - The impacts from the effects of shading from built development and/or proposed landscape over the water that would limit growth of the species the sites (SAC, SSSI and SBI) are designated for.
 - Indirect effects from recreational pressure, in particular any proposals such as moorings or activities which may increase waterborne activities such as boating.
 - Effects that may be considered damaging from Invasive Non-Native Species (INNS).
- The HRA report does not appear to have screened all the potential impact pathways listed above. These must be included within the HRA screening.
- The HRA states that the qualifying feature of the SAC is floating water plantain, however, there is no information regarding its distribution along the canal from either desktop records or surveys. This must be established to inform the HRA. Floating water plantain is also a European protected species, and therefore sufficient survey data for this species is required.
- It is stated that there will be 'no likely significant effects' on the Rochdale Canal SAC from disturbance of increased visitors and dogs, mainly due to packs given to homeowners for 'Suitable Alternative Green Spaces (SANGS)'. This would be considered mitigation and therefore cannot be screened out at Stage 1 of the HRA.
- Despite SANGS, the proposed development will likely result in increased footfall along the existing canal towpath, given that there will be a lot of people residing in the new dwellings and the towpath is very convenient to access from the proposed development. Residents are unlikely to always keep their dogs on leads and therefore there is potential for disturbance or impacts to the qualifying botanical species for the SAC (floating water plantain) from dogs. This should be captured in the HRA.

- It is advised that Natural England and the Environment Agency are consulted on the proposed development due to the close proximity of Rochdale Canal SAC / SSSI and the nature of the development.

Protected Species

The PEA report (April 2024) refers to further surveys for bats and white clawed crayfish, depending on the specifics of the development, plus mitigation for various other species.

Bats

The PEA report states:

'If the Rochdale Canal, railway line and the woodland to the north of the site cannot be retained as dark corridors then bat activity surveys will be required. One Bat Activity Survey per season (Spring – April/May, Summer – June/July/August and Autumn – September/October (inclusive)) and a static detector deployed at one location per season for five consecutive nights per season (Spring – April/May, Summer – June/July/August and Autumn – September/October (inclusive))'.

There appears to be no associated lighting plan submitted and therefore no evidence that the canal, railway line and woodland will remain as dark corridors. A lighting plan demonstrating that dark corridors can be maintained along the sensitive ecological habitats is therefore required. If a lighting plan is not provided or one is provided and the dark corridors cannot be retained, then further survey work for bats will be required and an assessment of the impacts that the development on bats undertaken. Further survey for otter may also be required if Rochdale Canal cannot be maintained as a dark corridor (see otter section below).

White Clawed Crayfish

The PEA report has conflicting information about the size of the buffer zone required to not trigger the need for white clawed crayfish surveys. In some places the report states that surveys are not needed if there is a 5 m buffer from Rochdale Canal and in other places it says 10 m. The report and recommendations must be consistent so that the recommended buffer zone is clear.

In addition to potential risks to white clawed crayfish that the PEA has considered (such as pollution) the lighting of the canal corridor could potentially also impact this species. Therefore, as for bats, a lighting plan demonstrating that a dark corridor along the canal can be maintained needs to be provided. If a lighting plan is not provided or the dark corridors cannot be retained, then further consideration of white clawed cray fish will be required, including survey work for the species.

Water Vole and Otter

The PEA report describes how the Rochdale Canal is unsuitable for water vole but there is no mention of an assessment of the ditch present for its suitability to support water voles or for otter. As a minimum, a visual assessment to identify the habitat suitability of the ditch for water vole and otter is expected.

Rochdale Canal must be maintained as a dark corridor and no lighting associated with the development should be directed towards the canal, to prevent disturbance to otter. Although not as common as in rivers, otter are known to use canals and therefore cannot be ruled out of using Rochdale Canal as a commuting and foraging habitat and there are historic records (10 years old) of otter using the Rochdale Canal. In addition to lighting impacts, the impacts of increased recreational use, water quality and the new proposed road next to the canal must also be assessed for potential impacts on otter.

Overall, a more in-depth assessment of the impacts of the development on water vole and otter is required.

Floating Water Plantain

Floating water plantain is one of the nine European Protected Species (EPS) of plants listed under Section 5 of the Conservation of Habitats and Species Regulations 2017. GMEU hold both recent and historic records (10 years+) of the plant on the Rochdale Canal. Sufficient survey work is

required to establish the presence of floating water plantain along the Rochdale Canal and the impact the development could have on the species.

Reptiles and Amphibians

As per the PEA report, Precautionary Working Methods (PWM) must be implemented to safeguard any potential reptiles or amphibians present onsite.

Invasive Non-Native Species (INNS)

The presence of aquatic INNS needs to be considered in the ecology report, as per our comments on the HRA. Terrestrial INNS were identified on site. As recommended in the PEA, an INNS management plan to eradicate the species should be provided to prevent the spread of invasive plants, particularly offsite which is a breach of legislation.

Nesting birds

Nesting birds are likely to use any existing scrub, trees and vegetation on site. A condition should be secured to ensure any vegetation removal take place outside the main bird nesting period (March – August, inclusive) unless it can otherwise be demonstrated that no active bird nests are present.

An informative should be used so that the applicant is aware of the legal protection that certain species receive and that the granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately, and an ecologist/LPA should be contacted.

Biodiversity Net Gain (BNG)

- The BNG indicates the development is currently resulting in a significant net loss in biodiversity.
- There are no post-development habitats included within the metric currently and no accompanying BNG report or habitat condition assessment sheets for the baseline assessment. These need to be provided in order for GMEU to fully assess the BNG aspect of the proposal. A landscape plan has been submitted and therefore the post development BNG tab can be based on this plan.
- The habitat score is currently -100% loss and the watercourse score is -73.43% loss. There are no hedgerows included in the metric as they are not present within the baseline.
- The current scores do not meet the mandatory 10% net gain required and the trading rules in the BNG metric are not satisfied in either the habitat or watercourse calculations.
- The baseline states that the site is predominantly 'modified grassland', with smaller areas of 'other neutral grassland'. GMEU would like to arrange a site visit to assess the baseline habitat and will provide further comment with this regard. (Note that due to the time of year, our site visit will be outside the optimum time to record the ground flora so our view on the baseline habitats may need to take a precautionary approach at this stage, given that the PEA was undertaken in April 2024, which is very early in the season to assess grassland habitats).
- Rochdale Canal is located immediately adjacent to the site boundary and the site is within the riparian zone, which is 10 m from the bank of the canal as per BNG guidance. Therefore, the canal must be included within the BNG assessment. See guidance on pages 39-41 of the BNG User Guide here: <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- There are no user comments in the metric and no accompanying BNG baseline figure, therefore it is unclear which habitats are which in metric. Comments should be added so that it can be reviewed sufficiently.
- The Biodiversity Metric calculation will need updating, alongside a Biodiversity Gain Plan, to demonstrate that how the development will achieve a minimum 10% net gain in biodiversity. This may need to involve either amending the design or offsetting at a suitable

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The Unit is attached to Tameside as lead authority.

offsite location, e.g. a habitat bank. If off-site units are required, an indication of where they will be purchased from should be provided. This is in line with the current GM guidance for BNG (<https://www.greatermanchester-ca.gov.uk/what-we-do/environment/natural-environment/biodiversity-net-gain/biodiversity-net-gain-in-greater-manchester>).

In conclusion, there is currently insufficient information to determine this application with regards to ecology in relation to impacts on designated sites (Rochdale Canal SAC, SSSI, SBI), protected species (bats, otters, white clawed cray fish, floating water plantain and water vole) and Biodiversity Net Gain.

GMEU's comments regarding the HRA must be taken into account and the HRA requires a more robust assessment of the various impact pathways on Rochdale Canal SAC.

There is also insufficient information to demonstrate that the general BNG condition that will be applied to the application can be discharged and therefore further information is required.

Once the above comments have been addressed, GMEU would request to be re-consulted on the application to make further comment.

If you have queries relating to this advice, please do not hesitate to contact me again.

Yours sincerely

Melissa Sullivan
Ecologist