



Elite Ecology

Passionate about Ecology

**Todmorden Road,
Littleborough**



Preliminary Ecological Appraisal

January 2025



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0. Executive Summary

This report has been prepared at the request of Corrosion Resistant Products Ltd (client). It relates to the proposed re-development works at Corrosion Resistant Products Ltd, Todmorden Road, Littleborough, Greater Manchester, OL15 9EG (OS Grid Reference: SD 94077 16734). This survey effort involved both a desktop study and field survey being undertaken.

The current proposals relate to a redevelopment of the existing site in three phases. The first and second phase includes the extension of the manufacturing plant, followed by the extension of storage units in phase 3.

Greater Manchester Ecology Unit (GMEU) was commissioned to carry out an ecological data search of all protected species and sites recorded within a 2km radius of the site. No records lay on the proposed re-development site itself, although a number of records are present in close proximity. Please see **Section 3** for a review of the records revealed.

The preliminary ecological appraisal survey revealed multiple habitats on site. The phase 1 habitat map, habitat codes and target notes for the site are located within **Appendix D**. The following habitats were recorded on site (in habitat code order):

- **g4 16 – Modified Grassland**
- **h2b – Non-native Ornamental Hedgerow**
- **h3d – Bramble Scrub**
- **u1b5 – Building**
- **u1b6 – Other Developed Land**
- **u1c – Artificial Unvegetated Unsealed Surface**
- **u1e 612 843 – Built Linear Features**
- **w1g 33 – Other Woodland**

- Off Site:**
- **r2b – Other Rivers and Streams**

Designated Sites:

No designated sites that were revealed by the ecological data search provided by GMEU fell on the proposed re-development site itself.

Habitats:

Priority Habitats: No habitats of conservation concern were located on the site itself. Therefore, the proposed scheme of works will not impact upon any rare or valuable habitats.

Species:

Amphibians: The site could be used by commuting amphibians as it is connected to the surrounding landscape and has one standing water body within a 500m radius. Therefore, a herptile method statement is required to ensure no harm to any specimens that may be using the site.

[REDACTED]

Bats: Due to the **low** potential of **B2-B5** one bat activity survey will be required on the buildings, this must be conducted during the optimal bat survey season of May to August. Eight surveyors will be required in total to cover all areas of the buildings that is likely for bats to emerge or enter from. If a bat is found to emerge from a building during the survey, a further two surveys will be required on that building, in line with the most recent bat survey guidelines provided by the bat conservation trust. Further compensation, mitigation, and enhancement measures will be outlined following the further survey effort.

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Birds: Due to there being suitable bird breeding habitat within the site all building works should be undertaken outside of the bird breeding season (March to August). If vegetation and/or structures are required to be removed during the bird breeding season, then a further inspection by a suitably qualified ecologist is required no more than twenty-four hours before these are to be removed. This is to ensure that no active nest site is illegally destroyed, due to the protection afforded to all active bird nests under the Wildlife and Countryside Act 1981.

If an active nest is found by a site inspection, an exclusion zone around the nest will be necessary, where no vegetation removal can take place, to preserve this feature until the chicks have fledged the nest.

Crustaceans: The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected crustacean species such as the white-clawed crayfish (*Austropotamobius pallipes*). These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon crustacean species utilising the brook.

Fish: The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected fish species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon fish species utilising the brook.

Hedgehogs (*Erinaceus europaeus*): If hedge or dense vegetation is cleared between the 1st of November and the 31st of March then an inspection by a suitably qualified ecologist is required to ensure no hibernating hedgehogs are present on site. It is recommended that precautionary measures are incorporated if construction is undertaken at other times of the year. This will be to create provisions for hedgehogs to escape from all trenches dug into the ground, by creating slopes or providing ramps at the end of each working day. Additionally, any pipework left on site that is greater than 150mm in diameter will need to be planked off. Should this information be strictly adhered to, then the development works will not negatively impact on the local mammal populations.

Invertebrates: The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected aquatic invertebrate species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon aquatic invertebrate species utilising the brook.

Molluscs: The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected mollusc species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon mollusc species utilising the brook.

Otter (*Lutra lutra*): There is suitable habitat for otters along the stream present immediately offsite. Therefore, otters could potentially use the site. Therefore, the following mitigation measures are recommended to minimise any impacts the proposed works may have on otters:

- An exclusion zone of at least 10m should be implemented around the perimeter adjacent to the stream.
- Avoid construction on otter habitat where possible and avoid creating any obstructions to established otter pathways or access to open water.
- An exclusion zone of at least 30m should be implemented around any holt or resting place.
- Avoid working in the vicinity of otter habitat during the hours of darkness and within two hours after sunrise and two hours before sunset. This can be reduced to one hour between November and February due to limited daylight.
- Cap any exposed pipe systems when contractors are not at site and provide exit ramps for any exposed trenches or holes (to prevent otters entering and becoming trapped).

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It is also recommended that a pre-construction survey and regular monitoring surveys are carried out throughout the construction works, to check for any new holts or resting places. If holts or resting places are identified, the following measures should be implemented:

- An exclusion zone of at least 30m should be employed around any holt or resting place.

In the event that a 30m buffer around otter holts and resting places cannot be obtained, a protected species licence must be sought from Natural England. **Please note:** At present no mitigation licence is required for otters, however if the proposed works fall under any of these three impacts, a licence will be required:

1. Capturing, killing, disturbing, or injuring them (on purpose or by not taking enough care).
2. Damaging or destroying their breeding or resting places (even accidentally).
3. Obstructing access to their resting or sheltering places (on purpose or by not taking enough care).

Water Vole (*Arvicola amphibius*): There is suitable habitat for water vole along the stream present immediately offsite. Additionally, there are records within the Ecological Data Search of the species being present within the area. Therefore, water voles could potentially use the site. Additionally, further survey effort for water voles is required. Water vole surveys can be undertaken between mid-April and September. Two survey visits should be undertaken: one from mid-April to June and one from July to September. These can be undertaken at the same time as an otter survey.

Site Enhancements:

For the proposed site enhancements, please see **Section 5.4** of this report.

Biodiversity Net Gain:

Biodiversity Net Gain needs to be ensured within the scheme of work, and this will be devised utilising the latest DEFRA metric.

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1. Introduction

1.1 Report Rationale

This report has been prepared at the request of Corrosion Resistant Products Ltd (client). It relates to the proposed re-development works at Corrosion Resistant Products Ltd, Todmorden Road, Littleborough, Greater Manchester, OL15 9EG (OS Grid Reference: SD 94077 16734). This survey effort involved both a desktop study and field survey being undertaken.

The main purpose of this assessment was to identify the broad habitats (as stated in the JNCC Phase 1 Handbook) and the flora species present within the survey area, with any further evidence of protected species usage and/or features of potential ecological interest also included. The field survey was carried out on the 31st of July 2024 by **Mr. Matthew Cotterill**: PG Dip, Ecologist and **Ms. Katherine Ward**: MSc, Assistant Ecologist.

1.2 Site Description and Works

The site is located in an urban area within Littleborough, a town in Greater Manchester approximately 5km to the north-east of Rochdale.

The site measures approximately 0.97ha and contains a number of habitats. These include buildings, fence, hard standing, hedgerow, lines of trees, modified grassland, scattered trees, scrub, tall forbs, unsealed surface, and wall. The habitats on site could have the potential to support a number of protected species. Photographs of the site are found within **Appendix E**.

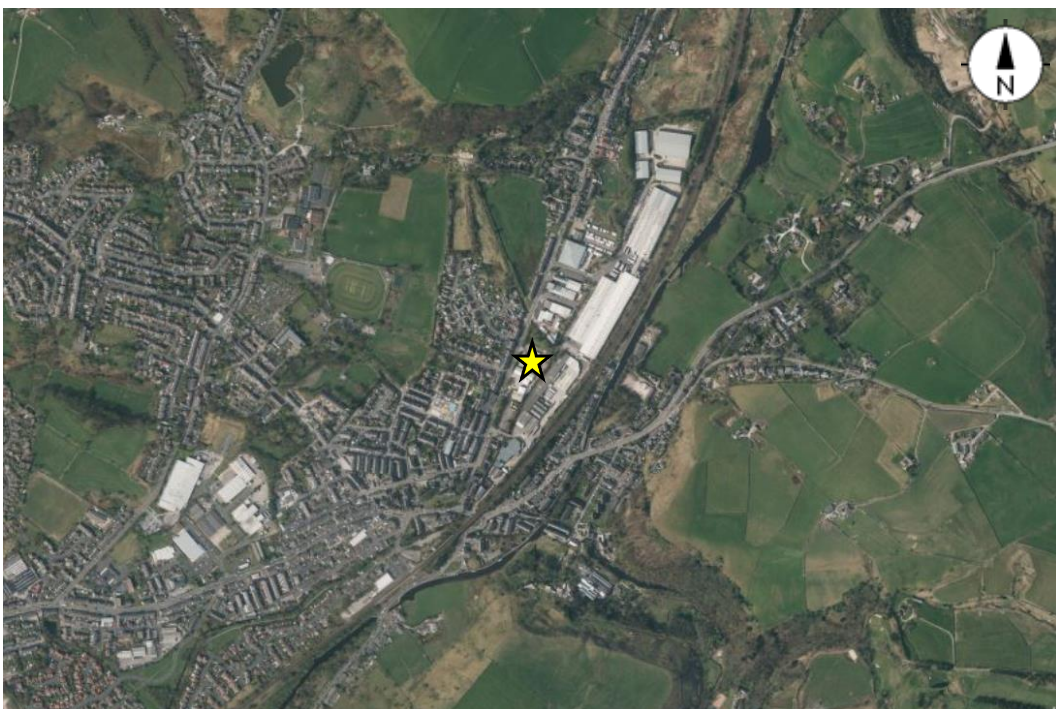
Within the wider landscape further habitats are present. These come in the form of amenity grass, hard standing ground, hedgerows, improved grassland, canal, industrial buildings, residential dwellings (and their associated gardens/yards), scattered trees, stream, and woodland. This shows that the habitats in the area surrounding the site have the potential to support protected species.

Under the current proposals, the existing site will be redeveloped in three phases. The first and second phase includes the extension of the manufacturing plant, followed by the extension of storage units in phase 3. Overall, this will result in both the permanent and temporary loss and/or alteration of some of the habitats located on the proposed re-development site.

Figure 1: An aerial map showing the boundary of the site at Todmorden Road, Littleborough (as shown by the red outline).



Figure 2: An aerial map showing the site at Todmorden Road, Littleborough (as shown by the yellow star) in relation to some of the local landscape.



2. Survey Methodology

2.1 Desktop Survey

A variety of resources were independently consulted to assess the known local records within the nearby area and the importance of the site within the local landscape from an ecological perspective. The resources used were the Local Records Centre, www.naturalengland.org.uk, www.ordnancesurvey.co.uk, Google Maps, Google Earth, and Bing Maps. A search of other relevant nature conservation information was made through the use of the Multi-Agency Geographic Information for the Countryside (MAGIC) database.

The local records centre was contacted to provide data on all protected species and sites within 2km of the proposed development site. Greater Manchester Ecology Unit (GMEU) was the relevant local record centre for this project.

2.2 Field Survey

A Preliminary Ecological Appraisal (previously referred to as an Extended Phase 1 Habitat Survey) was carried out using the method outlined in the JNCC Handbook for *Phase 1 Habitat Survey: a technique for environmental audit (2010)*. This method aims to map and describe the broad habitat types and notable features present on the surveyed site.

The classification of the habitats themselves was done using the definitions outlined in UK Habitat Classification (UKHab) in The UK Habitat Classification Version 2.0 (2023).

As part of the field survey, the floral species will be identified and noted down. This will consider the dominant, abundant, frequent, occasional, and rare (DAFOR) species within each habitat on the survey site. The impacts of the proposed development scheme will be assessed by this report.

Each habitat will be assessed for the presence and/or the potential presence of protected species. The impacts of the proposed scheme of works on all potential protected species on site will be assessed. From this, either remedial action or recommended phase 2 presence/absence surveys will be devised.

Habitat Surveys can be carried out at any time of the year, with the optimal time period falling between the months of April through until September. This survey was carried out in July 2024, which is inside the optimal time period for flora surveys. Elite Ecology feels confident that this report reflects an accurate representation of the site's suitability for protected species to be present.

All sites surveyed by Elite Ecology will be run against the relevant Local Wildlife Site Criteria to assess whether or not they meet the required standards.

3. Desktop Survey Results

3.1 Statutory Sites

The ecological data received from GMEU revealed five statutory protected sites (e.g., LNR, SSSI, SPA, SAC or Ramsar) within the 2km radius of the site. This was in the form of Sites of Special Scientific Interest (SSSI) and was as follows:

Site Name	Designation	Approx. Distance (m)	Heading
Rochdale Canal	SSSI	750	SW
Rochdale Canal	SAC	750	SW
South Pennine Moors	SAC	1,330	SE
South Pennine Moors	SSSI	1,330	SE
South Pennine Moors Phase 2	SPA	1,330	SE

3.2 Non-statutory Sites

The ecological data received from GMEU confirmed the presence of five non-statutory protected sites within 2km of the site. These were in the form of Country Wildlife Sites (CWS). They are as follows:

Site Name	Designation	Approx. Distance (m)	Heading
Ealees Wood	SBI	395	S
Hollingworth Lake and Surrounds	SBI	1,480	S
Rochdale Canal (Scowcroft to Warland)	SBI	165	E
South Pennine Moors	SBI	1,580	SE
Summit Quarry	SBI	1,980	NE

3.3 Woodland Sites

The information provided by GMEU revealed no Ancient and Semi-natural Woodland (ASNW) sites within the 2km search radius.

3.4 Regionally Important Geological Sites (RIGS)

The information provided by GMEU revealed no RIGS within the 2km search radius.

3.5 Species Records

3.5.1 Amphibians

Within the ecological data search provided by GMEU, found one amphibian species has been revealed within 2km of the survey site. This was of common toad (*Bufo bufo*). The closest record to the site was recorded approximately 1,060m to the south of the site.

3.5.2 Birds

Within the ecological data set received by GMEU, thirty-three bird species were revealed. The closest record to the site was of dunnoek (*Prunella modularis*) recorded approximately 110m to the east of the site. A table with the collated bird species recorded can be found within **Appendix B**.

3.5.3 Flora

Within the ecological data search provided by GMEU, one floral species has been revealed, which was floating water-plantain (*Luronium natans*). The closest record to the site was located approximately 625m to the south-west of the site centroid.

3.5.4 Fungi

Within the ecological data search provided by GMEU, no fungi species have been revealed within 2km of the site.

3.5.5 Invertebrates

Within the ecological data search provided by GMEU, thirty-four invertebrate records have been identified within a 2km radius of the site. The closest record was of cinnabar (*Tyria jacobaceae*) which was recorded approximately 223m to the east of the site. A table with the collated invertebrate species recorded can be found within **Appendix B**.

3.5.6 Mammals

Bats

Within the ecological data search provided by GMEU, eight species of bat were revealed within the 2km search radius. The UKBAP species recorded in the search were noctule (*Nyctalus noctula*) and soprano pipistrelle (*Pipistrellus pygmaeus*) bats. The non-BAP species recorded in the search were common pipistrelle (*Pipistrellus pipistrellus*), Daubentons (*Myotis daubentonii*), whiskered (*Myotis mystacinus*) and whiskered/Brandt's (*Myotis mystacinus/brandtii*) bats. Also recorded were unidentified bats (Chiroptera) and unidentified pipistrelle (*Pipistrellus sp.*). The closest record to the survey site was of common pipistrelle bat found approximately 165m to the north-west of the site.

Other Mammals

The ecological data search provided by GMEU, revealed five other mammals within the 2km search radius. These come in the form of, brown hare (*Lepus europaeus*), [REDACTED], European otter (*Lutra lutra*), European water vole (*Arvicola amphibius*) and west European hedgehog (*Erinaceus europaeus*). The closest record to the proposed site is of European otter located approximately 57m to the north-east of the site.

3.5.7 Mollusc

Within the ecological data search provided by GMEU, no mollusc species were identified within 2km of the survey site.

3.5.8 **Reptiles**

Within the ecological data search provided by GMEU, no reptile species have been identified within 2km of the survey site.

4. Field Survey

4.1 Habitats

The preliminary ecological appraisal survey revealed multiple habitats on site. The phase 1 habitat map, habitat codes and target notes for the site are located within **Appendix D**. The following habitats were recorded on site and in the surrounding area (in habitat code order):

On Site:

4.1.1 g4 – Modified Grassland

UKHab Secondary Code(s)	Description
16	Tall Forbs

This habitat can be found at the north of the site in the form of a well-managed lawn. The sward height is very short, and uniform throughout this habitat. Common bent (*Agrostis capillaris*), was the grass found most abundantly throughout this habitat, with Yorkshire fog (*Holcus lanatus*) being found frequently and cocksfoot (*Dactylis glomerata*) also being found, although rarely. Other plant species found within this habitat include white clover (*Trifolium repens*) found frequently, and creeping buttercup (*Ranunculus repens*) found occasionally. In addition, several species were only found rarely within this habitat, including birds-foot trefoil (*Lotus corniculatus*), black medick (*Medicago lupulina*), broadleaf plantain (*Plantago major*), creeping thistle (*Cirsium arvense*), dandelion (*Taraxacum officinale*), herb Robert (*Geranium robertianum*), meadow buttercup (*Ranunculus acris*), ragwort (*Jacobaea vulgaris*), ribwort plantain (*Plantago lanceolata*), selfheal (*Prunella vulgaris*), and smooth cats-ear (*Hypochaeris glabra*). A strip of tall forbs can be found along the northern border of the site. Himalayan balsam (*Impatiens glandulifera*) is the dominant species here, but cleavers (*Galium aparine*), ragwort (*Jacobaea vulgaris*), small-flowered willowherb (*Epilobium parviflorum*), and tutsan (*Hypericum androsaemum*) are also found in rare instances. This habitat has limited potential to support protected species due to the short sward height.

4.1.2 h2b – Non-native Ornamental Hedgerow

A small section of non-native ornamental hedgerow can be found along the eastern border of the site, bordering Todmorden Road, with cherry laurel (*Prunus laurocerasus*) being the only species found within this habitat. This habitat has low potential to support protected species but has low potential to harbour common birds during the breeding season.

4.1.3 h3d – Bramble Scrub

This habitat can be found bordering the River Roch on the eastern boundary of the site. The principal species within this habitat was bramble (*Rubus fruticosus*) which was dominant, but other species were found rarely, including cleavers (*Galium aparine*), false oat-grass (*Arrhenatherum elatius*), hedge bindweed (*Calystegia sepium*), Himalayan balsam (*Impatiens glandulifera*), male fern (*Dryopteris filix-mas*), meadow cranesbill (*Geranium pratense*), montbretia (*Crocsmia x crocosmiflora*), purple loosestrife (*Lythrum salicaria*), ragwort (*Jacobaea vulgaris*), and Yorkshire fog (*Holcus lanatus*). This habitat has low potential to provide cover for several species' groups including amphibians as well as foraging habitat for birds and mammals.

4.1.4 u1b5 – Building

Several buildings are found throughout the site, of which both external and internal inspections were conducted. The buildings were given arbitrary building numbers (**B1** through to **B5**).

Figure 4: Aerial image showing the locations of B1-B5 on site.



Building 1 (B1):

External Inspection:

This building is a prefabricated office block. The walls of the structure are made of fibreglass and the flat roof of the building is assumed to be metal, although this could not be confirmed from a ground-level inspection. Many uPVC-framed windows are

found within the structure and one metal door can be found on the eastern elevation with all of the features being in good condition. These are all found to be in good condition. Metal flashing surrounds the building, although there are no suitable gaps underneath this. Artificial lights can be found on the northern and eastern elevations.

Internal Inspection:

Internally the space is well lit by both artificial and natural light. No roof void is present due to the flat roof and no evidence of roosting bats or nesting birds was found internally.

Building 2 (B2):

External Inspection:

B2 is found directly to the south of **B1**. It has cavity brick walls and a gabled metal roof with the western gable end also clad with corrugated metal sheets. Several missing bricks are evident on the eastern gable end. The windows of the building are uPVC-framed, and the doors are also made from uPVC. All windows and doors are in good condition. A wooden fascia can be found running below the roof on the northern elevation, under which some small gaps can be found. The eastern gable end has a soffit made from uPVC, where the northern corner shows sign of damage. Metal flashing and guttering is found along the bottom of the roof.

Internal Inspection:

An internal inspection revealed that the interior of this building is used as an office space. The space is well lit by natural and artificial light and no signs of bats and birds are. There was no way to access the void space above the ground floor.

Building 3 (B3):

External Inspection:

Found to the south of **B1**, this industrial building has cavity walls made of brick, that extend roughly two metres upwards with corrugated metal sheeting being found above this. A small section of this cladding is damaged on the southern elevation. The gabled roof of this structure is made of corrugated metal tiles. A smaller single storey extension can be found on the eastern aspect of the building, which is constructed with the same materials as the main section of the building. Several uPVC-framed windows in good condition can be found on the ground floor as well as several skylights within the roof of the structure. There is a small lean-to extension on the eastern elevation of this building, where a metal roller shutter door can be found. The doors are made of metal and also are in good condition, with no gaps or damage present.

Internal inspection:

The internal inspection revealed no void within the interior. The corrugated tiles are supported by metal purlins and rafters. The space is well lit with artificial light and no potential bat or bird signs were identified within.

Building 4 (B4):

External Inspection:

This building has walls that are mainly corrugated metal sheets, although the section of the building that lies to the east has walls constructed of breezeblock. With regards to the roof, it is a large single-span pitched roof, with gable ends found both the eastern and western elevations. The metal bargeboard has a small gap underneath that has low potential to be facilitated by roosting bats. To the south an extension to the building can be found, constructed out of corrugated metal sheets. There are no windows within the structure, but skylights can be found within the roof. Two large metal roller shutters can be found on the southern aspect of the building. The guttering found on the northern and southern elevations of the main building is made of metal whereas the on the extension it is made of plastic. All drainpipes on the structure are also made of plastic.

Internal inspection:

The internal inspection revealed an interior well-lit by both natural and artificial lights. No void space is present within this building and the roof is seen to be supported by metal purlins and rafters. There are no features in within the interior of this building that would support roosting bats or nesting birds.

Building 5 (B5):

External Inspection:

This building has walls made of brick and metal cladding. On the northern elevation, there is an extension that has metal and plastic walls and a plastic pitched roof. The building has a large metal roller door on the northern elevation as well as several smaller metal doors. There are no windows in the walls of the structure, but plastic skylights can be found in the roof. All of the windows and doors within the structure are in good condition, with no gaps present. Plastic guttering can be found on the southern and southern elevations of the main building, and on the eastern and western elevations of the extension.

Internal Inspection:

The internal inspection of this building revealed that the roof is supported by metal beams. The space inside is brightly lit with artificial and natural light and no signs of bat or birds were identified during the internal inspection.

Summary of the building inspection:

Based on the potential roosting and nesting features identified, the buildings at Todmorden Road, Littleborough are identified as having the following bat and bird potentials:

Building Reference	Bat Potential	Bird Potential	Number of bat activity surveys required	Number of surveyors required
B1	Negligible	Negligible	N/A	N/A
B2	Low	Negligible	1	2
B3	Low	Negligible	1	2
B4	Low	Negligible	1	2
B5	Low	Negligible	1	2

4.1.5 u1b6 – Other Developed Land

The majority of the site consists of developed land in the form of tarmac or concrete. This habitat has negligible potential to support any protected species.

4.1.6 u1c – Artificial Unvegetated Unsealed Surface

There is a small section of this habitat located between the ornamental hedge, and **B4**. It has negligible potential to support protected species.

4.1.7 u1e – Built Linear Features

UKHab Secondary Code(s)	Description
612	Fence
853	Mortared Wall

A fence can be found around the perimeter of the site. A post and rail fence can be found along the northern half of the western boundary and a metal security fence can be found on both the southern half of the western boundary and the southern boundary. A mortared wall can be found along the southern section of the eastern boundary. The wall and security fence may dissuade animals from entering the site, although the post and rail would allow animals to access the north of the site.

4.1.8 w1g – Other Woodland

UKHab Secondary Code(s)	Description
33	Line of Trees

This habitat is found at the north of the site. species found within this habitat include poplar (*Populus sp.*), silver birch (*Betula pendula*), and sycamore (*Acer pseudoplatanus*) which were found frequently. Occurring occasionally are ash (*Fraxinus excelsior*), crack willow (*Salix fragilis*), and goat willow (*Salix caprea*). Several species are found rarely in this habitat, including bay willow (*Salix pendantra*), blackthorn (*Prunus spinosa*), cherry (*Prunus avium*), hawthorn (*Crataegus monogyna*), hazel (*Corylus avellana*), and rowan (*Sorbus aucuparia*). Within this habitat there is no established understorey, with this being managed like, and having similar species composition to the modified grassland. This habitat has potential to support several protected species including [REDACTED], bats and birds.

[REDACTED]

[REDACTED]

A line of trees can be found along the western boundary of the site, parallel to Todmorden Road. Species within this section include common lime (*Tilia x Europaea*) and poplar (*Populus sp.*), which were found frequently alongside sycamore (*Acer pseudoplatanus*) which was found occasionally. Several other species were only found rarely such as holly (*Ilex aquifolium*), Norway maple (*Acer platanoides*), silver birch (*Betula pendula*), weeping willow (*Salix babylonica*). This habitat has the potential to support nesting birds and foraging and commuting bats.

Offsite Habitats:

4.1.9 r2b – Other Rivers and Streams

Directly bordering the eastern boundary of the site is a small stream. This habitat has the potential to support a wide range of terrestrial and aquatic organisms such as, foraging bats, crustaceans, otter (*Lutra lutra*), and water vole (*Arvicola amphibius*), which have been recorded nearby.

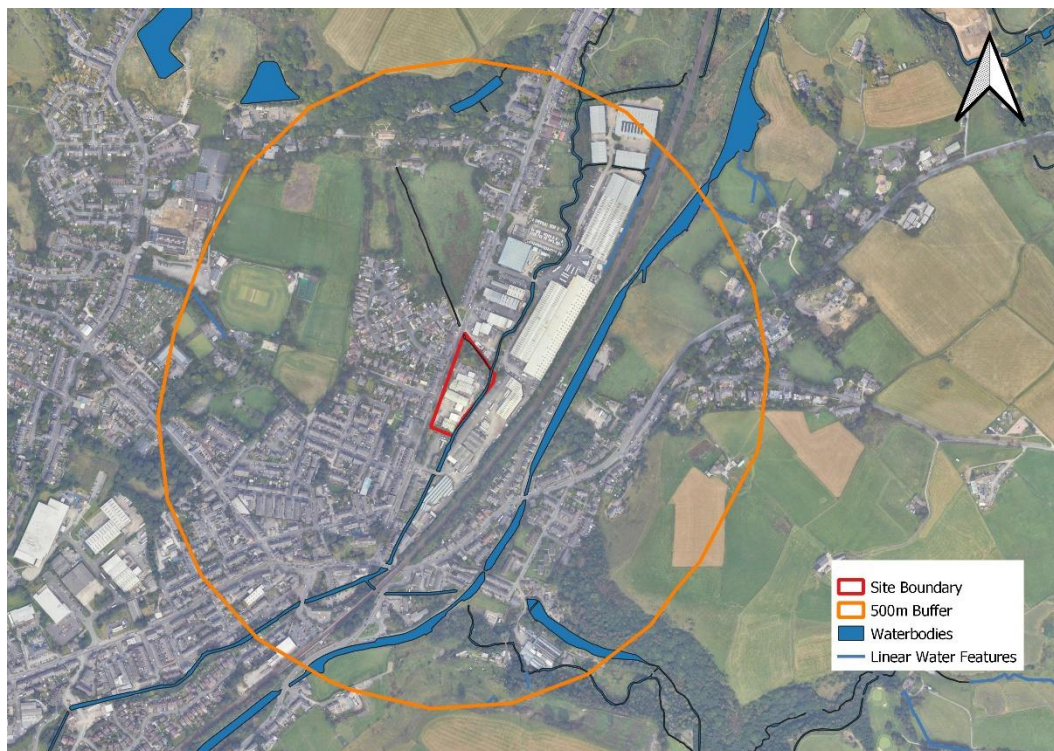
4.2 Species

The preliminary ecological appraisal survey revealed that the habitats that have been outlined for the proposed development area do contain protected species potential. The following assessment has also considered the adjacent habitats and connectivity to the wider landscape for all protected and rare species.

4.2.1 **Amphibians (including great crested newts)**

There is little habitat on site that would support amphibians as the vast majority of the site is made up of hard standing ground. The adjacent stream has water that is too fast flowing to support amphibians. There is one pond and ditch located to the north of the site that have potential to support amphibians (**Figure 5**), although it is unlikely that they would commute to the site as it is found within a relatively urban area. Therefore, possible impacts on amphibians are **low** and recommendations are required to prevent any harm to any amphibian present (please see **Section 5.3**).

Figure 5: A map showing waterbodies within 500m of the site boundary.



4.2.3 Bats

Although the site contains little features to support foraging bats, **B2** through to **B5** have a **low** potential to support roosting bats due to the features identified when surveyed. The line of trees and woodland have the potential to support common species of foraging and commuting bats. Therefore, additional recommendations are given in **Section 5.3**.

4.2.4 Birds

Due to the presence of the hedgerow and numerous trees on site, its potential to support breeding birds is **high**. Therefore, precautionary measures are required when developing (please see **Section 5.3**).

4.2.5 Crustaceans

There are no suitable habitats on site that would support crustaceans although a freshwater stream can be found immediately offsite which has the potential to support freshwater crustaceans. Due to this, further recommendations are given in **Section 5.3**.

4.2.6 Fish

There are no suitable habitats on site that would support fish although a freshwater stream can be found immediately offsite which has the potential to support freshwater fish species. Due to this, further recommendations are given in **Section 5.3**.

4.2.7 Flora

The site contains no protected floral species, and the habitats are not considered likely to support any protected floral species meaning the potential for protected flora species to be affected is **negligible**. However further recommendations are given in **Section 5.3** regarding the presence of the invasive plant Himalayan balsam (*Impatiens glandulifera*).

4.2.8 Hedgehogs (*Erinaceus europaeus*)

Hedgehogs are likely to be present within the local landscape and will use the surveyed site to commute and forage. Therefore, further precautionary measures are required during the works (please see **Section 5.3**).

4.2.9 Invertebrates

The habitats on site have the potential to support a variety of common invertebrate species. However, there is no significant vegetation to support rare or protected species, therefore, no further survey effort is required. The stream offsite has potential to support aquatic invertebrates so precautionary measures must be undertaken to potential disturbance of the watercourse is negligible.

4.2.10 Molluscs

Due to the habitats on site the potential to support rare or protected molluscs is **negligible**, meaning no further survey effort is required. The stream offsite has potential to support molluscs, and precautionary measures regarding this are outlined in **Section 5.3**.

4.2.11 Otter (*Lutra lutra*)

Due to the presence of the stream adjacent to the site and the records of otter nearby, the proposed works have a low potential to cause disturbance to this species. Therefore, recommendations are given in **Section 5.3** to minimise the disturbance of the works on otters.

4.2.12 Reptiles

There are no suitable habitats on site that would support reptiles and the connectivity of the site with surrounding habitats is poor which means no further recommendations are given with regard to reptiles.

4.2.13 Water Vole (*Arvicola amphibius*)

Due to the presence of the stream adjacent to the site and the records of water voles nearby, the proposed works have a low potential to cause disturbance to this species. Therefore, recommendations are given in **Section 5.3** to minimise the disturbance of the works on water voles.

4.3 Potential Impacts of the Works

Based upon the results from the desktop survey, field survey and using a degree of academic supposition, the uncompensated development impacts have been summarised as follows:

- Amphibians – **Low**
- [REDACTED]
- Bats – **Low**
- Birds – **High**
- Crustaceans – **Low**
- Fish – **Low**
- Flora – **Negligible**
- Hedgehogs – **Low**
- Invertebrates – **Negligible**
- Molluscs – **Low**
- Otter – **Low**
- Reptiles – **Negligible**
- Water Vole – **Low**

5. Recommendations

5.1 Designated Sites

No designated sites that were revealed by the ecological data search provided by GMEU fell on the proposed re-development site itself. Therefore, the proposed re-development will have no impact upon any local designated sites as the works are due to remain within the site boundary.

5.2 Habitats

No habitats of conservation concern were located on the site itself. Therefore, the proposed scheme of works will not impact upon any rare or valuable habitats.

5.3 Species

The site was found to contain the potential to support protected and/or rare species. Therefore, the following recommendations are required for the site:

5.3.1 Amphibians

The site could be used by commuting amphibians as it is connected to the surrounding landscape and has one standing water body within a 500m radius. Therefore, a herptile method statement is required to ensure no harm to any specimens that may be using the site.



5.3.3 Bats

Due to the low potential of **B2-B5** one bat activity survey will be required on the buildings, this must be conducted during the optimal bat survey season of May to August. Eight surveyors will be required in total to cover all areas of the buildings that is likely for bats to emerge or enter from. If a bat is found to emerge from a building during the survey, a further two surveys will be required on that building, in line with the most recent bat survey guidelines provided by the bat conservation trust. Further compensation, mitigation, and enhancement measures will be outlined following the further survey effort.

5.3.4 Birds

Due to there being suitable bird breeding habitat within the site all building works should be undertaken outside of the bird breeding season (March to August). If vegetation and/or structures are required to be removed during the bird breeding season, then a further inspection by a suitably qualified ecologist is required no more than twenty-four hours before these are to be removed. This is to ensure that no active nest site is illegally destroyed, due to the protection afforded to all active bird nests under the Wildlife and Countryside Act 1981.

If an active nest is found by a site inspection, an exclusion zone around the nest will be necessary, where no vegetation removal can take place, to preserve this feature until the chicks have fledged the nest.

5.3.5 Crustaceans

The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected crustacean species such as the white-clawed crayfish (*Austropotamobius pallipes*). These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon crustacean species utilising the brook.

5.3.6 Fish

The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected fish species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon fish species utilising the brook.

5.3.7 Invertebrates

The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected aquatic invertebrate species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon aquatic invertebrate species utilising the brook.

5.3.8 Hedgehogs (*Erinaceus europaeus*)

If hedge or dense vegetation is cleared between the 1st of November and the 31st of March, then an inspection by a suitably qualified ecologist is required to ensure no hibernating hedgehogs are present on site. It is recommended that precautionary measures are incorporated if construction is undertaken at other times of the year.

This will be to create provisions for hedgehogs to escape from all trenches dug into the ground, by creating slopes or providing ramps at the end of each working day. Additionally, any pipework left on site that is greater than 150mm in diameter will need to be planked off. Should this information be strictly adhered to, then the development works will not negatively impact on the local mammal populations.

5.3.9 Molluscs

The close proximity of the site to the stream means that precautionary measures are required to reduce the impact of the development on protected mollusc species. These measures would include setting up a 10m buffer zone away from the river to prevent material run-off into the water. A dust management plan is required for the works during the construction phase of the project to ensure that no dust from the demolition of the buildings on site enters the brook, which could impact upon mollusc species utilising the brook.

5.3.10 Otter (*Lutra lutra*)

There is suitable habitat for otters along the stream present immediately offsite. Therefore, otters could potentially use the site. Therefore, the following mitigation measures are recommended to minimise any impacts the proposed works may have on otters:

- An exclusion zone of at least 10m should be implemented around the perimeter adjacent to the stream.
- Avoid construction on otter habitat where possible and avoid creating any obstructions to established otter pathways or access to open water.
- An exclusion zone of at least 30m should be implemented around any holt or resting place.
- Avoid working in the vicinity of otter habitat during the hours of darkness and within two hours after sunrise and two hours before sunset. This can be reduced to one hour between November and February due to limited daylight.
- Cap any exposed pipe systems when contractors are not at site and provide exit ramps for any exposed trenches or holes (to prevent otters entering and becoming trapped).

It is also recommended that a pre-construction survey and regular monitoring surveys are carried out throughout the construction works, to check for any new holts or resting places. If holts or resting places are identified, the following measures should be implemented:

- An exclusion zone of at least 30m should be employed around any holt or resting place.

In the event that a 30m buffer around otter holts and resting places cannot be obtained, a protected species licence must be sought from Natural England.

Please note: At present no mitigation licence is required for otters, however if the proposed works fall under any of these three impacts, a licence will be required:

1. Capturing, killing, disturbing, or injuring them (on purpose or by not taking enough care).
2. Damaging or destroying their breeding or resting places (even accidentally).
3. Obstructing access to their resting or sheltering places (on purpose or by not taking enough care).

5.3.11 **Water Vole (*Arvicola amphibius*)**

There is suitable habitat for water vole along the stream present immediately offsite. Additionally, there are records within the Ecological Data Search of the species being present within the area. Therefore, water voles could potentially use the site.

Additionally, further survey effort for water voles is required. Water vole surveys can be undertaken between mid-April and September. Two survey visits should be undertaken: one from mid-April to June and one from July to September. These can be undertaken at the same time as an otter survey.

5.4 **Site Enhancements**

For the proposed development works, the following site enhancement measures could be incorporated into the site post-development. These measures are optional but are bespoke to the site surveyed for the enhancement of biodiversity. Once the options have been finalised, the locations of these features should be placed on a master plan.

5.4.1 **Birds**

The site could be enhanced for birds by installing a variety of bird boxes on site, such as an Apex Bird Box and an Apex Robin Box. Boxes can be ordered by contacting Elite Ecology at: admin@eliteecology.co.uk.

5.4.2 **Hedgehogs (*Erinaceus europaeus*)**

The site could be enhanced for the local hedgehog population by installing at least one Eco Hedgehog Nest Box around the site. This can be ordered by contacting Elite Ecology at: admin@eliteecology.co.uk. This will create more opportunities for hedgehogs within the local landscape.

5.5 **Biodiversity Net Gain**

Biodiversity Net Gain needs to be ensured within the scheme of work, and this will be devised utilising the latest DEFRA metric.

6. References

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7. Appendices

Appendix A: Site Plans

Appendix B: Desktop Study Table

Appendix C: Desktop Study Maps

Appendix D: Phase 1 Habitat Map

Appendix E: Site Photographs

Appendix F: Biodiversity Legislation and Policy

Appendix G: Bat and Artificial Light

Appendix A: Site Plans



Appendix B: Desktop Study Tables

The results within the following table are a collation of the species identified within the desktop search, undertaken by Greater Manchester Ecology Unit (GMEU).

Amphibians	
Common Name	Latin Name
Common Toad	<i>Bufo bufo</i>
Birds	
Common Name	Latin Name
Barn Owl	<i>Tyto alba</i>
Bittern	<i>Botaurus stellaris</i>
Black-throated Diver	<i>Gavia arctica</i>
Common Scoter	<i>Melanitta nigra</i>
Grey Heron	<i>Ardea cinerea</i>
Hobby	<i>Falco subbuteo</i>
Kingfisher	<i>Alcedo atthis</i>
Little Ringed Plover	<i>Charadrius dubius</i>
Peregrine	<i>Falco peregrinus</i>
Scaup	<i>Aythya marila</i>
Black-tailed Godwit	<i>Limosa limosa</i>
Bullfinch	<i>Pyrrhula pyrrhula</i>
Cuckoo	<i>Cuculus canorus</i>
Curlew	<i>Numenius arquata</i>
Dark-bellied Brent Goose	<i>Branta bernicla</i>
Dunnock	<i>Prunella modularis</i>
Grasshopper Warbler	<i>Locustella naevia</i>
Grey Partridge	<i>Perdix perdix</i>
Herring Gull	<i>Larus argentatus</i>
House Sparrow	<i>Passer domesticus</i>
Lapwing	<i>Vanellus vanellus</i>
Lesser Redpoll	<i>Acanthis cabaret</i>
Linnet	<i>Linaria cannabina</i>
Reed Bunting	<i>Emberiza schoeniclus</i>
Ring Ouzel	<i>Turdus torquatus</i>
Skylark	<i>Alauda arvensis</i>
Song Thrush	<i>Turdus philomelos</i>
Spotted Flycatcher	<i>Muscicapa striata</i>
Starling	<i>Sturnus vulgaris</i>
Tree Pipit	<i>Anthus trivialis</i>
Twite	<i>Linaria flavirostris</i>

Preliminary Ecological Appraisal

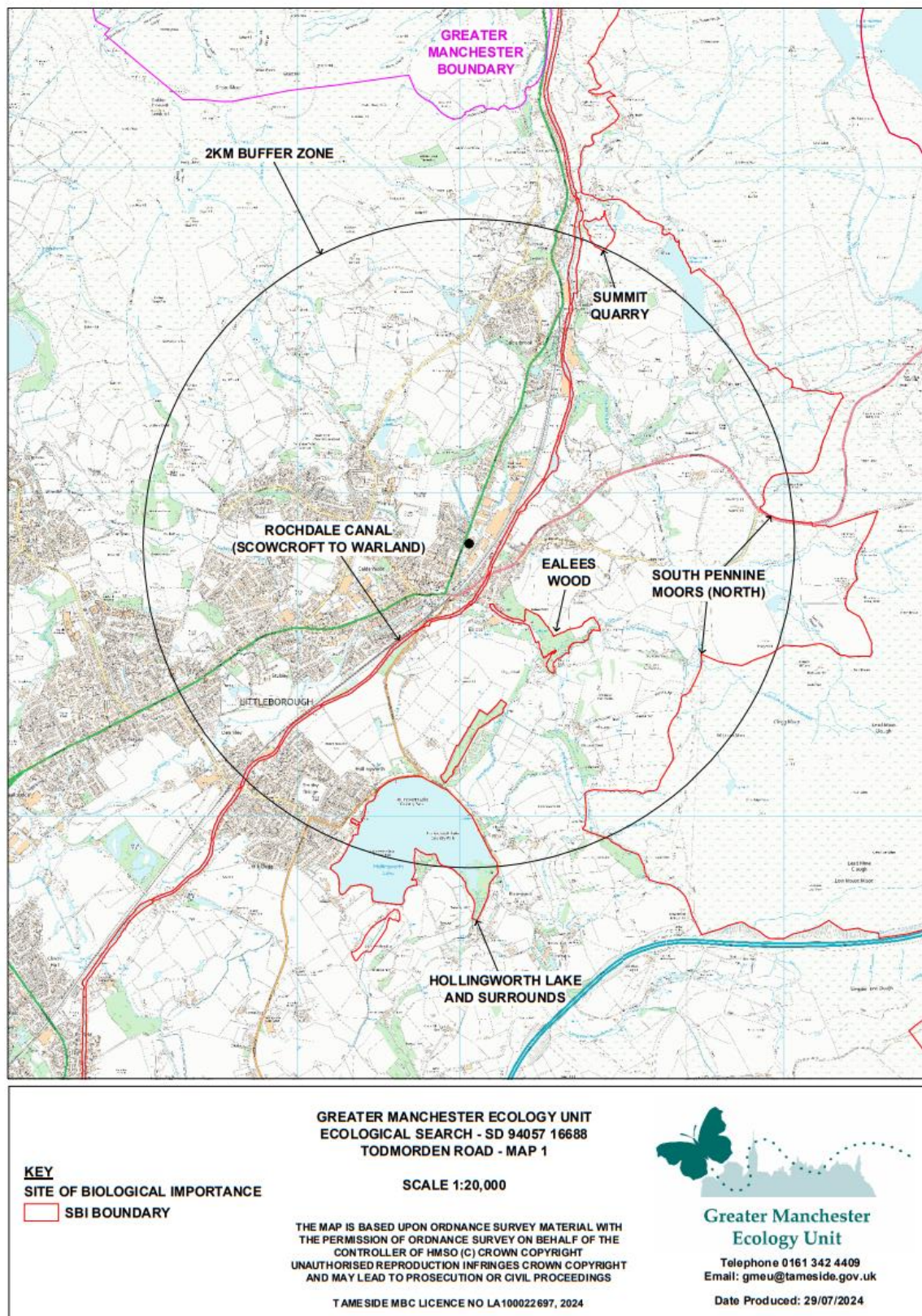
Willow Tit	<i>Poecile montanus</i>
Yellow Wagtail	<i>Motacilla flava</i>
Flora	
Common Name	Latin Name
Floating Water Plantain	<i>Luronium natans</i>
Invertebrates	
Common Name	Latin Name
Anomalous	<i>Stilbia anomala</i>
Autumnal Rustic	<i>Eugnorisma glareosa</i>
Blood-vein	<i>Timandra comae</i>
Broom Moth	<i>Ceramica pisi</i>
Buff Ermine	<i>Spilarctia luteum</i>
Cinnabar	<i>Tyria jacobaeae</i>
Dark Brocade	<i>Mniotype adusta</i>
Dark-barred Twin-spot Carpet	<i>Xanthorhoe ferrugata</i>
Dot Moth	<i>Melanchra persicariae</i>
Dusky Brocade	<i>Apamea remissa</i>
Dusky Thorn	<i>Ennomos fuscantaria</i>
Ear Moth	<i>Amphipoea oculea</i>
Ghost Moth	<i>Hepialus humuli</i>
Grey Dagger	<i>Acronicta psi</i>
Haworth's Minor	<i>Celaena haworthii</i>
Heath Rustic	<i>Xestia agathina</i>
Knot Grass	<i>Acronicta rumicis</i>
Large Wainscot	<i>Rhizedra lutosa</i>
Latticed Heath	<i>Chiasmia clathrata</i>
Mouse Moth	<i>Amphipyra tragopoginis</i>
Neglected Rustic	<i>Xestia castanea</i>
Powdered Quaker	<i>Orthosia gracilis</i>
Rosy Rustic	<i>Hydraecia micacea</i>
Sallow	<i>Xanthia ictertia</i>
Shoulder-striped Wainscot	<i>Leucania comma</i>
Small Emerald	<i>Hemistola chrysoprasaria</i>
Small Heath	<i>Coenonympha pamphilus</i>
Small Phoenix	<i>Ecliptopera silaceata</i>
Small Square-spot	<i>Diarsia rubi</i>
Spinach	<i>Eulithis mellinata</i>
Streak	<i>Chesias legatella</i>

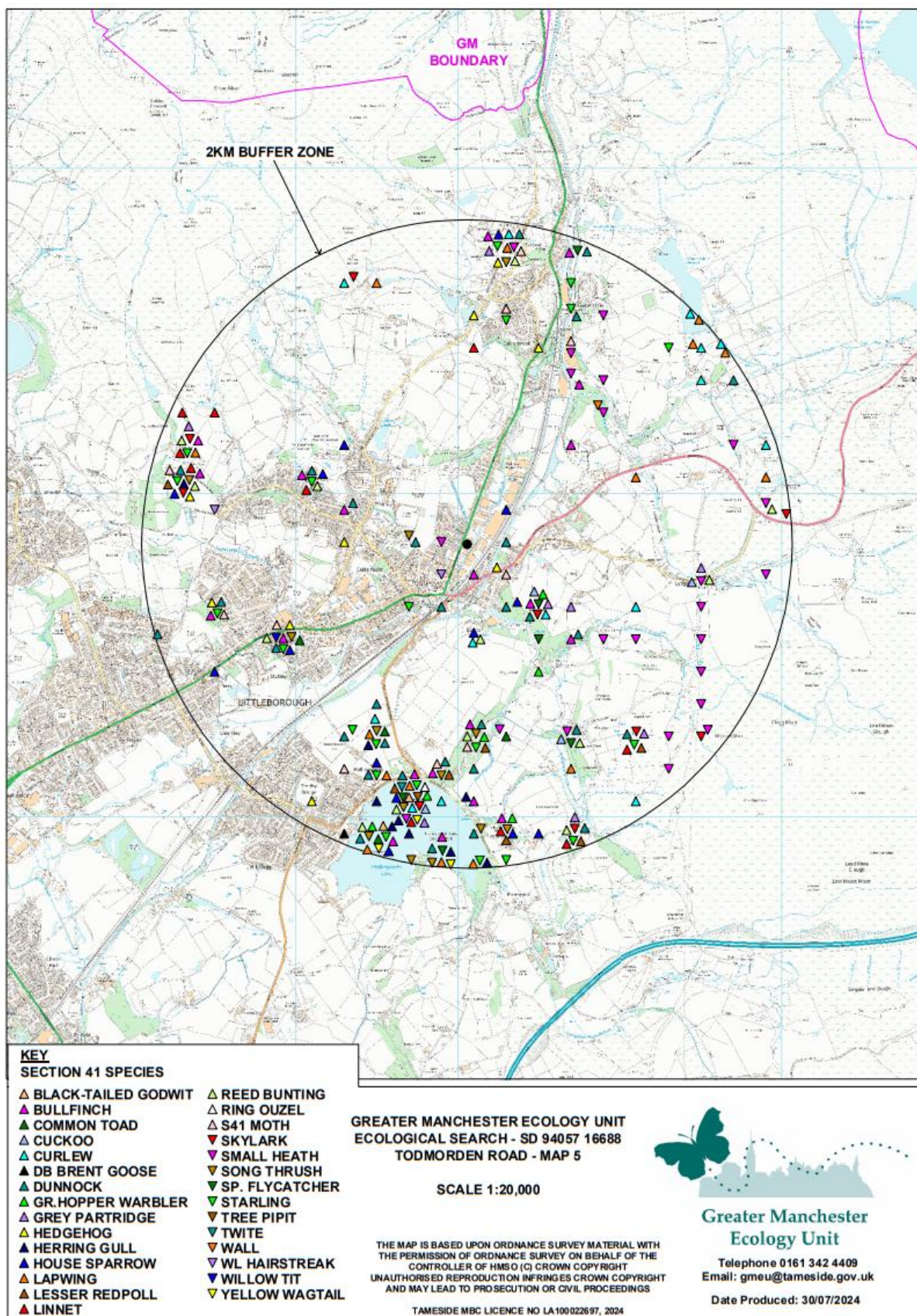
Preliminary Ecological Appraisal

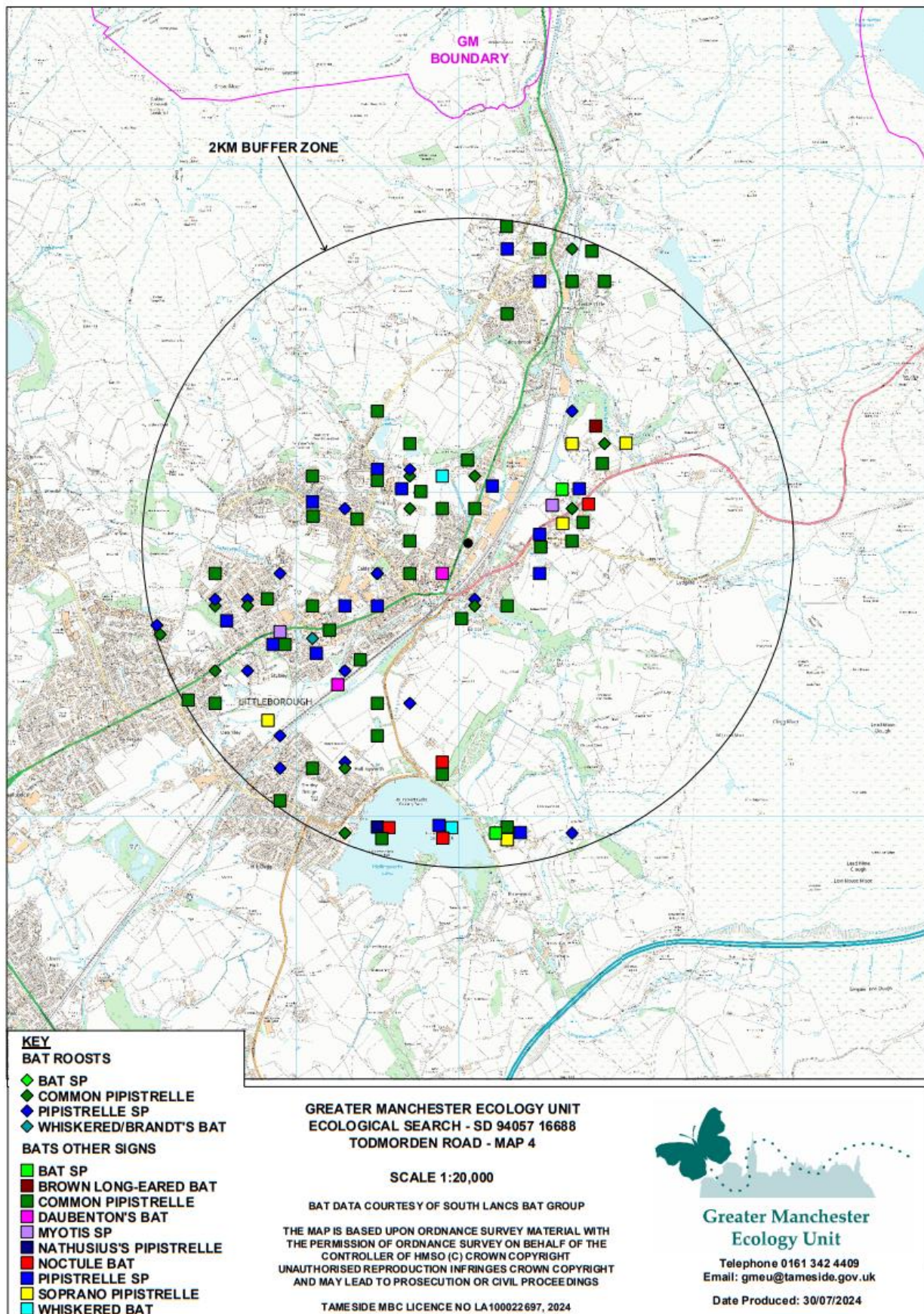
Mammals	
Common Name	Latin Name
Bat sp	<i>Chiroptera</i>
Brown Hare	<i>Lepus europaeus</i>
Brown Long-eared Bat	<i>Plecotus auritus</i>
Common Pipistrelle	<i>Pipistrellus pipistrellus</i>
Daubenton's Bat	<i>Myotis daubentonii</i>
Hedgehog	<i>Erinaceus europaeus</i>
Myotis sp	<i>Myotis sp.</i>
Nathusius's Pipistrelle	<i>Pipistrellus nathusii</i>
Noctule Bat	<i>Nyctalus noctula</i>
Otter	<i>Lutra lutra</i>
Pipistrelle sp	<i>Pipistrellus sp.</i>
Soprano Pipistrelle	<i>Pipistrellus pygmaeus</i>
Water Vole	<i>Arvicola amphibius</i>
Whiskered Bat	<i>Myotis mystacinus</i>
Whiskered/ Brandt's Bat	<i>Myotis mystacinus/brandtii</i>

Appendix C: Desktop Study Maps

These maps have been produced by GMEU. All rights regarding the maps belong to them.







Elite Ecology
Passionate about Ecology

01792 204143
info@eliteecology.co.uk
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The Ilex Barn, Toller 2/5, Dalloway Lane,
Glastonbury, Glos., GL17 2JQ

Job title
Todmorden Road, Littleborough

Client
Corrosion Resistant Products Ltd

Map title
Phase 1 Habitat Map

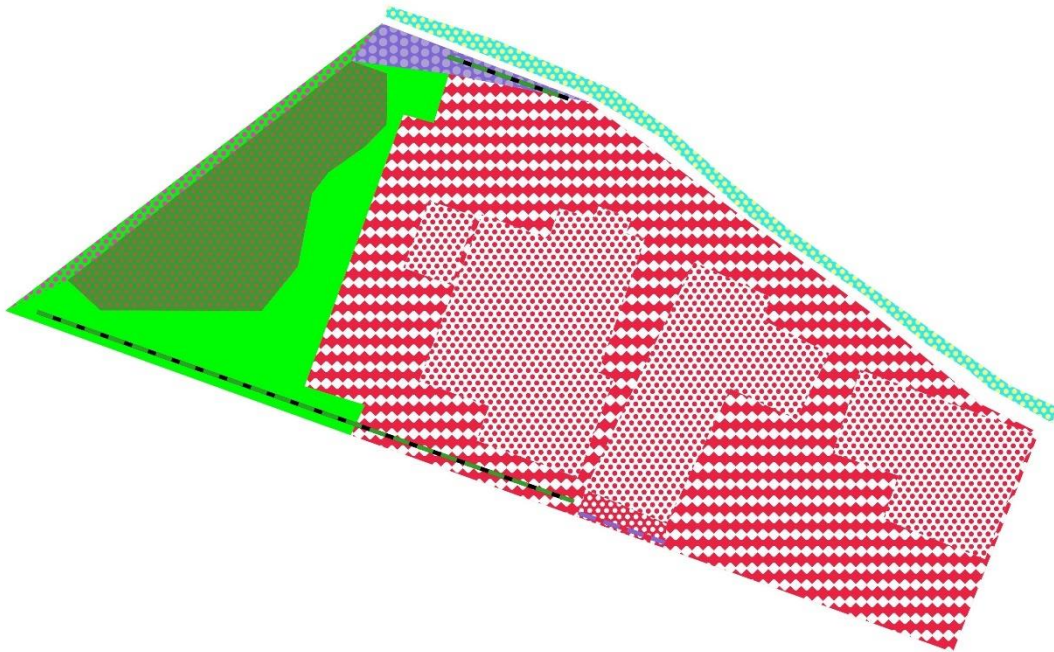
Date
10/09/2024

Legend

- g4 - Modified Grassland
- g4 1c - Tall Forbs
- h3d - Bramble Scrub
- r2b - Other River or Stream (Offsite)
- u1b5 - Building
- u1b6 - Other Developed Land
- u1c - Artificial Unvegetated Unsealed Surface
- w1g - Other Woodland
- w1g 33 - Line of Trees
- h2b - Non-Native Ornamental Hedgerow

Scale:
1:250 @ A3

0 10 20 30 m



Appendix E: Site Photographs

Plate 1: Image showing the damaged soffit on **B2**.



Plate 2: Image showing the damaged cladding on **B3**.



Plate 3: Image showing the interior of **B3**.



Plate 4: Image showing the exterior of **B4**.



Plate 5: Image showing the interior of **B4**.

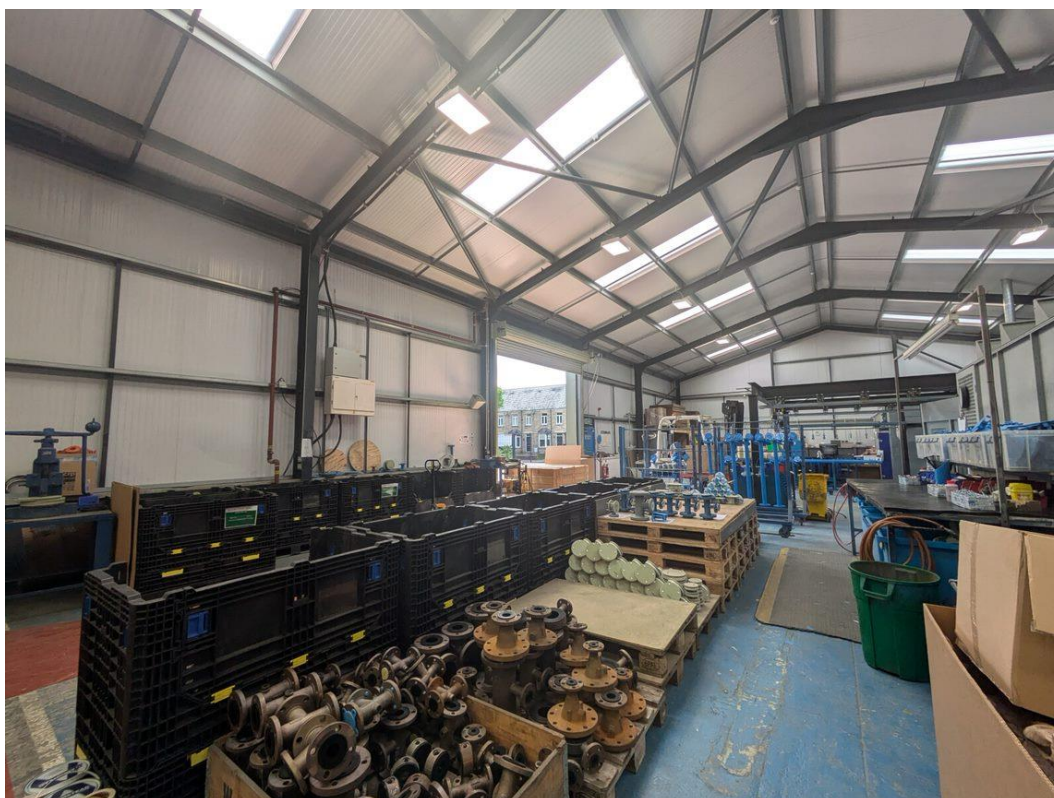


Plate 6: Image showing the lifted bargeboard on the gable end of **B4**.

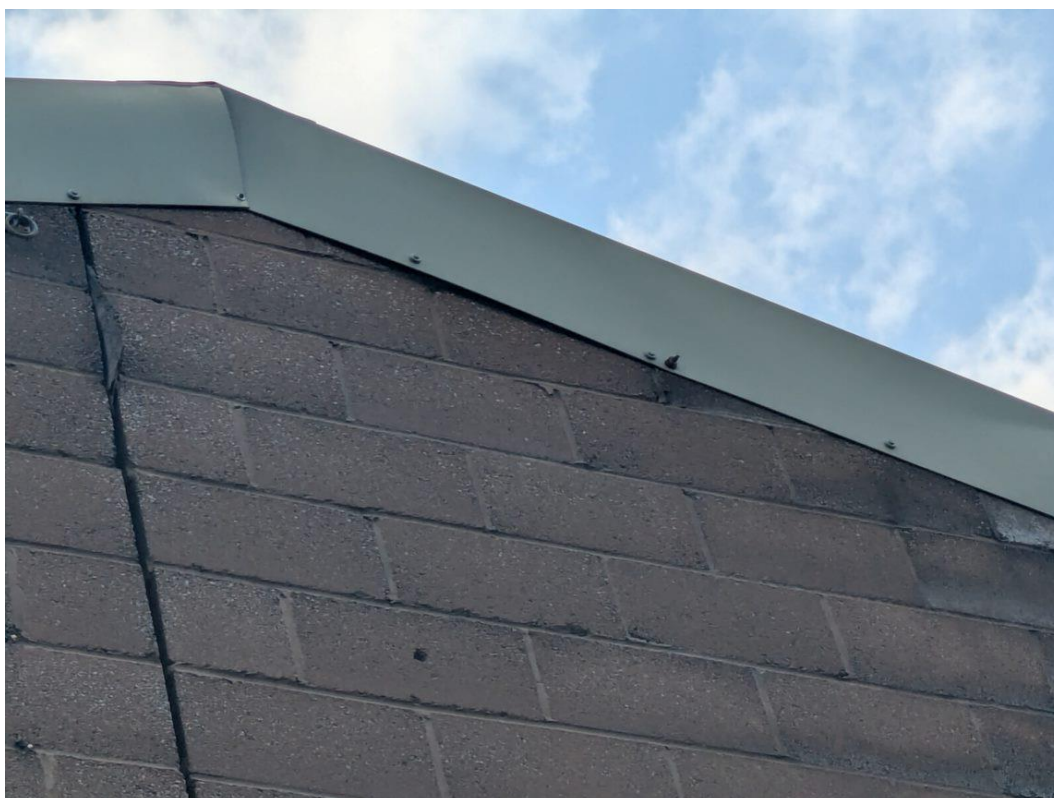


Plate 7: Image showing the exterior of **B5**.



Plate 8: Image showing the interior of **B5**.

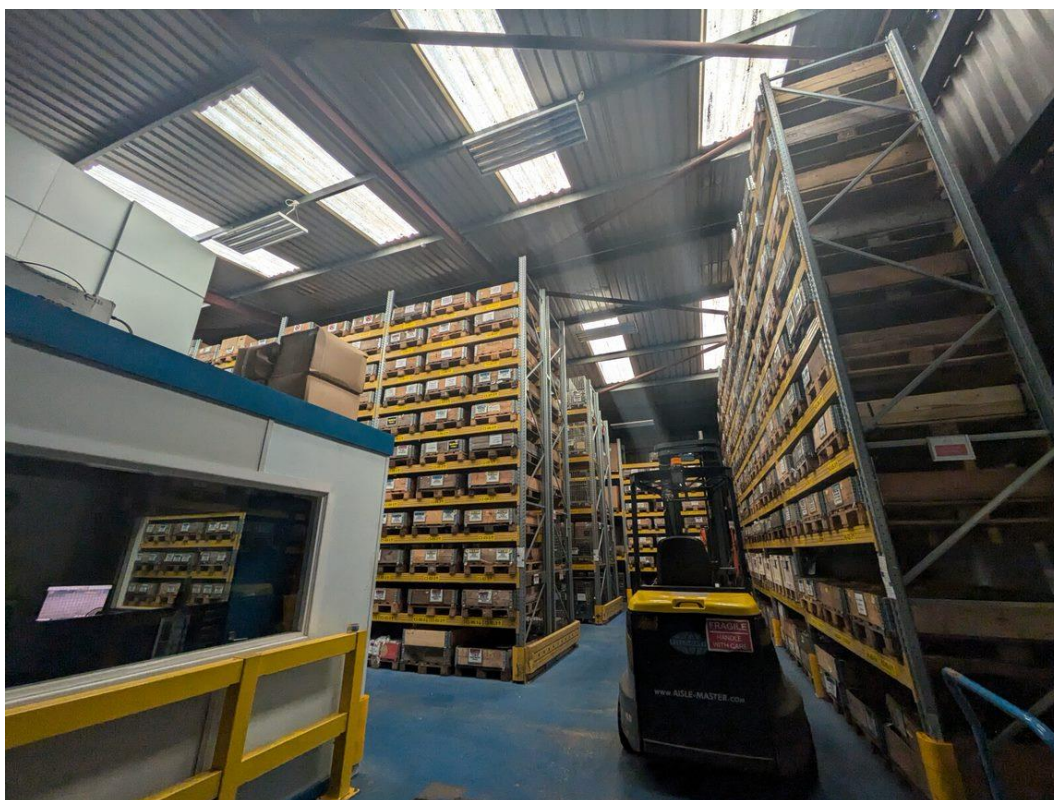


Plate 9: Image showing the modified grassland at the north of the site.



Plate 10: Image showing the other broadleaved woodland at the north of the site.



Plate 11: Image showing the tall forbs, including Himalayan balsam growing at the north of the site.



Plate 12: Image showing the stream that runs to the east of the site.



Plate 13: Image showing the bramble scrub growing in the north-east of the site.



Plate 14: Image showing the line of trees that runs down the western boundary of the site.



Appendix F: Biodiversity Legislation and Policy

General Legislation and Policy:

The framework of legislation and policy which underpins nature conservation in England. This is a material consideration in the planning process in England.

Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2010 as amended)

The Conservation of Habitats and Species Regulations 2017 consolidate and update the Conservation Regulations 1994 and the conservation of habitats and species regulations 2010 (and all their amendments). The Conservation of Habitats and Species Regulations 2017 are the principal means by which the EEC Council Directive 92/43 (The Habitats Directive) as amended is transposed into English and Welsh law.

The Conservation of Habitats and Species Regulations 2017 place duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria are, in conjunction with the European Commission, designated as Sites of Community Importance, which are subsequently identified as Special Areas of Conservation (SAC) by the European Union member states. The regulations also place a duty upon the government to maintain a register of European protected sites designated as a result of EC Directive 79/409/EEC on the Conservation of Wild Birds (The Birds Directive). These sites are termed Special Protection Areas (SPA) and, in conjunction with SACs, form a network of sites known as Natura 2000. The Habitats Directive introduces for the first time for protected areas, the precautionary principle; that is that projects can only be permitted having ascertained no adverse effect on the integrity of the site. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest.

The Conservation of Habitats and Species Regulations 2017 also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively. Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations.

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 Conservation (Natural Habitats. & c.) Regulations 1994 (as amended), 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 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. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These lists supersede Section 74 of the CRoW Act 2000. These species and habitats 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.

UK Biodiversity Action Plan

The United Kingdom Biodiversity Action Plan (UKBAP), first published in 1994 and updated in 2007, is a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species and habitats. The UKBAP contains a list of priority habitats and species of conservation concern in the UK, and outlines biodiversity initiatives designed to enhance their conservation status. Lists of Broad and Local habitats are also included. The priority habitats and species correlate with those listed on Section 41 and 42 of the NERC Act.

The UKBAP requires that conservation of biodiversity is addressed at a County level through the production of Local BAPs. These are complementary to the UKBAP, however are targeted towards species of conservation concern characteristic of each area. In addition, a number of local authorities and large organisations have produced their own BAPs. UKBAP and Local BAP targets with regard to species and habitats are a material consideration in the planning process.

Planning Policy (England) and National Planning Policy Framework

In early 2012, the National Planning Policy Framework (NPPF) replaced much previous planning policy guidance, including Planning Policy Statement 9: Biological and Geological Conservation. The government circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System, which accompanied PPS9, still remains valid. 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. The latest National Planning Policy Framework was updated in December 2024, with the section in relation to conserving the natural environment being located within section 15.

Section 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 minimising impacts on biodiversity and, where possible, provide net gains in biodiversity. Opportunities to incorporate biodiversity gains into a development should be encouraged.

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.

Species Specific Legislation

This section contains a summary of legislation with relation to the species present or potentially present in the survey area. The reader should refer to the original legislation for definitive interpretation.

Nesting and Nest Building Birds

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

- 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.

'Reckless' offences with regard to the disturbance of nesting wild birds included in Schedule 1 of the Wildlife and Countryside Act were added by the Countryside and Rights of Way Act 2000.

The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on Government Departments to have regard for the conservation of biodiversity and maintains lists of species and habitats which are of principal importance for the purposes of conserving biodiversity in England and Wales. These lists include a number of bird species.

The reader is referred to the original legislation for the definitive interpretation.

[REDACTED]	
[REDACTED]	
[REDACTED]	
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[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	
[REDACTED]	

Bats

All species of bat are fully protected under a variety of domestic, European and international legislation and conventions. These include:

- Bern Convention (Appendix II)
- Bonn Convention (Appendix II)
- Conservation Regulations (Northern Ireland) 1995
- Conservation of Habitats and Species Regulations 2017
- Countryside Rights of Way Act 2000
- Eurobats Agreement
- Habitats Directive (Annexes IV and II)
- Habitats Regulations 1994 (as amended) Scotland
- NERC Act 2006
- Wildlife and Countryside Act 1981 (as amended)
- Wild Mammals Protection Act

In addition to this, some species have additional protection by being listed on the UK Biodiversity Action Plan (UKBAP).

The legislation afforded to bats makes it illegal to possess or control any live or dead specimens, to damage, destroy or obstruct access to any structure or place used for shelter, protection or breeding, and to intentionally disturb a bat while it is occupying a structure or place which it uses for that purpose.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended), which protects birds, nests, eggs and nestlings from harm. In addition to this, some rarer species, such as barn owls are afforded extra protection.

National Planning Policy Framework, Section 15:

The published framework in 2018 replaces the previous Planning Policy Statement 9 and National Planning Policy (dated 2012).

Section 15: Conserving and enhancing the natural environment reaffirms the government's commitment to maintaining green belt protections and preventing urban sprawl, retains the protection of designated sites and preserves wildlife. It also aims to improve the quality of the natural environment and halt declines in species and habitats, protects and enhances biodiversity and promotes wildlife corridors.

Biodiversity 2020:

This sets out to halt overall biodiversity loss and support healthy well-functioning ecosystems by establishing coherent ecological networks, with more and better places for nature, to the benefit of wildlife and people. The government's policy is aimed at individuals, communities, local authorities, charities, business and government, which all have a role to play in delivering Biodiversity 2020.

Freshwater White-clawed Crayfish

The white-clawed crayfish is partially protected under Wildlife and Countryside Act 1981 (as amended). It is listed on schedule 5 and therefore afforded protection under Section 9 (1 and 5). Therefore, it is an offence to take white-clawed crayfish and to sell, or attempt to sell, any part of the species, alive or dead, or intend to buy or sell.

Great Crested Newt

The great crested newt (*Triturus cristatus*) is fully protected under a variety of legislation and conventions. These include:

- Bern Convention (Appendix II)
- Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)
- Conservation of Habitats and Species Regulations 2017
- EU Habitats Directive (Annex II and IV)
- Nature Conservation (Scotland) Act 2004
- NERC Act 2006 (Section 41 England; Section 42 Wales)
- Wildlife and Countryside Act 1981 (as amended)

In addition to this, the great crested newt has been listed as a priority species on the UK Biodiversity Action Plan (UKBAP).

This legislation covers all aspects of newt life stages (eggs, efts and adult newts) and makes it illegal to damage, destroy or obstruct access to any structure or place used for shelter, protection or breeding, and to intentionally disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.

Licenses can be obtained from Natural England (DEFRA) under the Conservation (Natural Habitats etc.) Regulations 1994, to permit activities for the purposes of:

- Regulation 44(2)(e): Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment, or
 - Regulation 44(2)(f): Preventing the spread of disease
 - Regulation 44(2)(g): Preventing serious damage to any form of property or fisheries
- Or
- If there is no satisfactory alternative.

The above regulations allow people to carry out activities which would otherwise be illegal.

Hazel Dormouse

Hazel Dormouse and their habitats are protected by:

- Wildlife and Countryside Act 1981 (as amended)
- Countryside Rights of Way (CROW) 2000
- The Natural Environment and Rural Communities Act 2006
- Conservation of Habitat and Species Regulations 2017

These make it an offence to:

- Capture, injure or kill a Hazel Dormouse
- Disturb a Hazel Dormouse
- Damage or destroy breeding or nesting sites in use by Hazel Dormice
- Disturb a Dormouse whilst it is occupying a structure or place that they use for shelter or protection
- Obstruct access to any structure or place that the Dormouse uses for shelter and protection.
- To possess or control any live or dead specimens.

Otter

Otters are fully protected by the European Habitats Directive (92/43/EEC) by being incorporated in annex II of the legislation. In addition to this, otters are listed on schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- To intentionally kill, injure or take an otter.
- To possess or control any live or dead specimens.
- To intentionally or recklessly damage, destroy or obstruct access to any structure, feature or place of shelter in use by otters.
- To intentionally or recklessly disturb an otter whilst it is in occupation of a feature or structure.
- To sell, possess or transport for the purpose of sale or publicly declare the desire to buy or sell otters.

Reptiles

All six native reptiles within Great Britain are legally protected, with the extent of protection varying dependent upon their rarity and conservation importance.

Those that receive full protection under the Wildlife and Countryside Act 1981 (as amended) are the rare sand lizard and smooth snake. These species also receive protection under the Conservation (Natural Habitats &c.) Regulations 1994 (also referred to as the Habitats Directive). This means that they are protected from deliberate disturbance, killing, injury or capture and the habitat in which they live is also fully protected against damage or destruction. Any activity involving disturbance or damage to habitats utilised by sand lizards or smooth snakes would require a licence issued by the Department of the Environment, Food and Rural Affairs (DEFRA) following consultation with the statutory nature conservation organisation (Natural England).

The remaining four reptile species are 'partially protected' under the Wildlife and Countryside Act 1981 (as amended), with these species being slow-worm, common lizard, grass snake and adder. This means that these species are protected against intentional killing, injuring and against sale, but their habitat is not protected. In planning terms this means that the presence of these species is a material consideration and there is a requirement to ensure that any reptile interest is safeguarded. If a proposed development is likely to have an impact on these reptiles, then the statutory nature conservation organisation must be notified, particularly if capture and translocation is being proposed. In some parts of the UK, sites that support common reptile species such as common lizards and slow-worms can qualify as County Wildlife Sites. Sites of this designation may receive protection in planning policy.

Water Voles

Water Voles are fully protected under the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to:

- To intentionally kill, injure or take a water vole.
- To possess or control any live or dead specimens.
- To intentionally or recklessly damage, destroy or obstruct access to any structure, feature or place of shelter in use by water voles.
- To intentionally or recklessly disturb a water vole whilst it is in occupation of a feature or structure.
- To sell, possess or transport for the purpose of sale or publicly declare the desire to buy or sell water voles.

Non-Native Floral Species

It is an offence under schedule 9 of the Wildlife and Countryside Act 1981 (as amended) to plant or otherwise cause non-native flora to grow in the wild. This includes the transportation of earth that has previously had non-native species growing and includes the spread of the species.

All stands of non-native floral species need to be disposed of safely at a licenced landfill site according to the Environmental Protection Act (Duty of Care) Regulations 1991.

Appendix G: Bats and Artificial Light

Artificial lighting is known to affect bat's roosting and foraging behaviour, with lighting resulting in a range of impacts that includes roost desertion (BCT, 2009), delayed emergence of roosting bats (Downs et al., 2003), increased activity of some bat species and decreased activity by others (Stone et al., 2012).

An experimental approach using LED units, demonstrated that relatively fast-flying bat species, including the common pipistrelle, showed no significant impacts as a result of new artificial lighting, even when lighting was set at relatively high levels close to 50 lux.

In contrast, slow flying bats such as the myotis bats (*Myotis* spp.) showed sharp reductions in presence, even at low light levels of 3.6 lux (Stone et al., 2012).

Current recommendations for all bat species specify that no bat roost should be directly illuminated.

Due to the impacts of lighting, mitigation and sensitive lighting design schemes are required for projects where bats are present. These should include bat friendly lighting plans that should aim to avoid lighting wherever possible. If this is not possible, then the minimisation of any lighting impacts is required by adopting the following measures:

➤ **To introduce lighting curfews or use of PIR sensors.**

Lighting curfews can be an effective way of avoiding impacts on bats. These curfews may involve either turning off lighting or dimming light units at specific times of the night, dimming units at key times of the year, providing the luminaire allows for this option via a control unit. Lighting to be triggered by PIR sensors can be expected to be illuminated only when required and for a low proportion of time.

➤ **To consider no lighting solutions where possible.**

Options such as white lining, good signage and LED cat's eyes should be considered as preferable. Reflective fittings may help make use of headlights to provide any necessary illumination in some areas.

➤ **To use only high pressure sodium or warm white LED lamps where possible.**

High pressure sodium and warm white LED lamps emit lower proportions of insect attracting UV light than mercury, metal halide lamps and white LED lighting. Generally, lamps should have a lower proportion of white or blue wavelengths, with a colour temperature <4200 kelvin recommended (BCT, 2014).

➤ **To minimise the spread of light.**

The light spread should be kept at or near horizontal to ensure that only the task area is lit. Flat cut-off lanterns or accessories should be used to shield or direct light to where it is required. Baffles, hoods, louvres and shields should be used where necessary to reduce light spill.

➤ **To consider the height of the lighting column.**

While downward facing bollard lighting is often preferable, it should be noted that a lower mounting height does not automatically reduce impacts to bats as bollard lighting can often be designed to provide up-lighting. Where bollard lighting is considered to be the most appropriate system, bollard spacing or unit density should be kept to a minimum and units should be fitted with the appropriate hoods/deflectors to reduce any up-lighting.

➤ **To avoid reflective surfaces below lights.**

The polarisation of light by shiny surfaces attracts insects increasing bat activity (BCT, 2012). Consequently, surface materials around lighting require consideration.

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