



Former Heywood Pub, Tower Street, Heywood
Preliminary Ecological Appraisal Report

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1. Summary

Table 1: Summary

Report Purpose	With reference to the development proposals and the applicable planning policy & legislation, the scope of the present report is to: • Identify key ecological constraints associated with the project. • Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy. • Identify any additional surveys that may be required to inform the above. • Identify likely opportunities to deliver ecological enhancement.
Methodology	A desk study was carried out including a study of the UK Government MAGIC¹ website for designated sites of nature conservation, Natural England licensing, and the site in the context of habitat connectivity to the surrounding landscape. The field survey included a UKHab Habitat survey of the site, extended to consider protected species.
Key Notes	The site offered limited suitability for European badger <i>Meles meles</i>, West European hedgehog <i>Erinaceus europaeus</i>, and commuting and foraging bats.
Conclusions	No further surveys are recommended. • Recommendation 1 – Precautionary Methods During Works: Precautionary methods should be implemented during works to protect foraging and commuting badger, ground nesting birds and hedgehog. • Recommendation 2 – Artificial Lighting Mitigation: Where lighting is required, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2018); once design has been drafted, a suitable qualified ecologist should review the plan prior to the final design approval to ensure lighting levels meet the guidelines. • Recommendation 3 priority mammal mitigation: Any new close boarded fencing should include a 13cm x 13cm hole at the base, to allow for hedgehog migration through the site.

¹ Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

2. Introduction

Background

- 2.1. Elton Ecology Ltd was commissioned by KLASH Properties Ltd to conduct a Preliminary Ecological Appraisal (PEA) of the site known as Former Heywood Pub, Tower Street, Heywood.
- 2.2. This Preliminary Ecological Appraisal Report (PEAR) has been prepared by Assistant Ecologist CM BSc (Hons), MSc. CM is a Qualifying member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping and report writing.

Site description

- 2.3. The site comprises an area of hardstanding at the site of a recently demolished building in an urban environment. The site is located at Tower Street, Heywood, OL10 3AA (Figure 1: Site Location Plan) (central OS grid reference: SD 85195 10707).

Development Proposals

- 2.4. The development proposals include the erection of 11 new residential dwellings with associated hard and soft landscaping.
- 2.5. Relevant documents used to inform the assessment include:
 - Location Plan (Drawing No: 1001) (Klash Properties Ltd, 4th September 2023)
 - Existing Site Plan (Drawing No: 1002) (Klash Properties Ltd, 4th September 2023)
 - Proposed Site Plan (Drawing No: 1004) (Klash Properties Ltd, 4th September 2023)

Report Purpose and Scope

- 2.6. With reference to the Development Proposals, the purpose and scope of the present report is to:
 - Identify key ecological constraints associated with the project.
 - Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy.
 - Identify any additional surveys that may be required to inform the above.
 - Identify likely opportunities to deliver ecological enhancement.

Planning Policy and Legislation

- 2.7. A summary of biodiversity planning policies and wildlife legislation relevant to the site is provided in Appendix 1: Planning Policy and Legislation Summary. The relevant planning policy and legislation includes:
 - National Planning Policy Framework 2021.
 - Government Circular ODPM 06/05 Biodiversity and Geological Conservation.
 - The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
 - The Wildlife and Countryside Act 1981 (as amended).

- Natural Environment and Rural Communities (NERC) Act 2006 – Habitats and species of principal importance.
- The Hedgerow Regulations 1997;
- Protection of Badgers Act 1992; and
- The Wild Mammals (Protection) Act 1996 (as amended).

2.8. A summary of the key local planning policy and other relevant documents is provided in Table 2 below.

Table 2 Key Local Planning Policy and Relevant Documents

Document	Relevance
Rochdale Adopted Core Strategy October 2016	G7 – Increasing the value of biodiversity and geodiversity: <i>“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.</i> <i>Particular priorities for biodiversity and geodiversity are: [...]</i> <i>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.”</i>
Rochdale Metropolitan Borough Council Local Development Framework Biodiversity and Development Supplementary Planning Document Adopted January 2008 (Updates added February 2017)	<i>“Design should be based on a clear understanding and recognition of existing landscape character and open space assets and networks. [...]</i> • <i>use locally native species in planting schemes;</i> <i>[...] Consider the biodiversity opportunities of buildings and associated public and private spaces [...]</i> • <i>Consider green and brown (i.e. rock and soil rather than plant material) roof systems, climbing plants on unused walls and other greening treatments of 'hard' spaces such as terraces, decks and balconies in both large and small buildings (including shelters) for their contribution to the environmental management of buildings (rainwater management, cooling, shading and insulation etc) and the value they can bring for birds and insects;</i> • <i>Identify opportunities for providing roof space habitats for species such as swift, swallow and bats;</i> • <i>Consider the effects of artificial lighting and spot flood lighting which can affect bats and night feeding birds;”</i>
Greater Manchester Biodiversity Action Plan	Relevant habitats: • Urban managed greenspace Relevant species: • Bats

3. Methodology

Assessment

- 3.1. The present assessment has been carried out with reference to best practice guidelines for Preliminary Ecological Appraisal provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017).

Personnel

- 3.2. The Preliminary Ecological Appraisal (PEA) was carried out by Assistant Ecologist CM BSc (Hons), MSc. See introduction for relevant training and competencies.

Desk Study

- 3.3. The sources of information and study areas of the desk study data are provided in Table 3.

Table 3: Desk study sources and areas

Feature		Study Area	Data Source	Date of Search
Designated sites of nature conservation	International (e.g. Special Area of Conservation, Special Protection Area, and Ramsar)	10 km radius of the site boundary	UK Government MAGIC ² website	23 rd January 2024
	National (e.g. Site of Special Scientific Interest (SSSI), SSSI Impact Risk Zones (SSSI IRZ)), Local Nature Reserves, National Nature Reserves	5 km radius of the site boundary		
Granted Natural England Mitigation Licences		2 km radius of the site boundary	UK Government MAGIC website	23 rd January 2024
Natural England Ancient Woodland Inventory		Site & 1 km radius of the site boundary		
Natural England Priority Habitat Inventory		Site & 1 km radius of the site boundary		
The site in the context of habitat connectivity to the surrounding landscape		2 km radius of the site boundary	Satellite and OS map data	23 rd January 2024

Field Survey

UKHab Habitat Survey

- 3.4. The UKHab Habitat survey was carried out on the 24th January 2024 and was extended to include an assessment for Natural Environment and Rural Communities Act (2006) Section 41 Habitats of Principal Importance (HPI) and of the sites potential to be used by protected or notable species as described below. The study area included the site boundary and a 30m radius for evidence of mobile protected species such as badger, access permitting. Weather

² Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

conditions were appropriate for field survey with temperatures of 9°C, no rain, and good visibility.

- 3.5. The site was walked over, and botanical species lists of representative and notable plant species for each habitat type were recorded. Habitats were classified and mapped with reference to best practice guidelines from UKHab Ltd (2023). The nomenclature used for botanical species lists broadly follows that of Stace (2019). Protected or notable plant species were recorded where observed.

Amphibians (Including Great Crested Newt)

- 3.6. The habitats at the site were assessed for their suitability to support amphibians, including a search of the site for ponds and suitable terrestrial habitat. The desk study included a search of ponds within a 250m radius of the site.

Badger

- 3.7. The badger walkover survey included a search for evidence of badger at the site, such as sett entrances (normally 25 to 35cm wide and shaped like a 'D' on its flat edge), large spoil heaps outside sett entrances, bedding, footprints, mammal paths, latrines, hairs, scratching posts, and signs of digging for food or 'snuffle holes'. The survey included a search of the site and 30m radius (access permitting) for badger setts.

Bats – Commuting and Foraging

- 3.8. An assessment of the habitats at the site to support commuting and foraging bats was made with reference to best practice industry guidelines (Collins, 2023) (Table 4: Guidelines for Assessing the Potential Bat Roosting Suitability of Structures and Trees), within the context of habitat connectivity to features in the wider landscape. The site was assessed as either negligible, low, moderate, or high suitability for commuting and foraging bats.

Table 4: Guidelines for Assessing the Potential Bat Suitability of Structures and Habitats (Adapted from Collins, (2023))

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
Negligible	Negligible features likely to be used by roosting bats. An absence of accessible voids, cracks and crevices.	Negligible features likely to be used by commuting or foraging bats. A lack of landscape habitat features.
Low	A structure or tree with a potential roost site which could be used by individual bats, which does not provide enough space, shelter, protection, or appropriate conditions (i.e. temperature, humidity, height above ground level, light levels, disturbance) or suitable surrounding habitat to be used on a regular basis by larger numbers of bats.	Habitat that could be used by small numbers of commuting bats such as a hedgerow with gaps or unvegetated stream, but isolated (i.e. not very well connected to the surrounding landscape by habitat). Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with a potential roost site that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but is unlikely to support a roost of high conservation status (such as a maternity colony).	Continuous habitat connected to the wider landscape that could be used by commuting bats such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree with one or more potential roost sites that are suitable for use by larger numbers of bats on a more regular basis and potentially for	Continuous high-quality habitat that is well connected to the wider landscape likely to be used regularly by commuting bats

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
	longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.	such as river valleys, streams, hedgerows, lines of trees, and woodland edge. Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Sites which are close to and connected to known roosts.

Nesting Birds

- 3.9. An assessment of the habitats on site to support nesting birds was made, and the site was searched where accessible for active or historical bird nests. Any sightings of bird nesting behaviour associated with the site was also noted.

Terrestrial Invertebrates

- 3.10. An assessment was made of the suitability of the habitats at the site to support notable assemblages of invertebrates, such as vegetation structure, vegetation species diversity, deadwood, and host plants/ animals.

Reptiles

- 3.11. An assessment was made of the suitability of the habitats at the site for reptiles. Optimal habitat for reptiles includes rough grassland, moorland, heathland, woodland and scrub, sub-urban areas such as railway embankments, golf courses and allotments, and sympathetically managed farmland. Favourable features for reptiles include sunny south facing banks for basking, ecotones such as the transition between grassland and scrub, and hibernacula such as stone, log, and brash piles.

Otter

- 3.12. An assessment of the habitats at the site to support otter was made, and a search for evidence of otter carried out with reference to Chanin (2003a), Chanin (2003b) and Chanin (2005).

Water Vole

- 3.13. With reference to Dean *et al.*, (2016), Strachan *et al.* (2011), and Natural England (2008) an initial assessment of the habitats at site was carried out for the suitability to support water vole during the Extended UKHab Habitat Survey.

Aquatic Invertebrates (including White-clawed Crayfish)

- 3.14. With reference to Peay (2002), Peay (2003), and Holdich (2003) an initial assessment of the suitability of habitats present at the site to support white clawed crayfish *Austropotamobius pallipes* was undertaken during the Extended UKHab Habitat Survey and Desk Study.

Other Mammals

- 3.15. An assessment of the site to support other mammals including brown hare *Lepus europaeus*, harvest mouse *Micromys minutus*, and hedgehog was also made.

Invasive Species

- 3.16. Invasive plant species such as those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (As Amended) were recorded where encountered during the UKHab Habitat survey.

Limitations

- 3.17. It must be noted that survey effort has been made to provide detailed descriptions of the site within the context of potential usage by protected species, however a fully comprehensive assessment and prediction of natural factors cannot be made. The protected species assessment provides a professional view of the likelihood of such species being present and cannot be taken as a definitive presence or absence of the same. Systematic presence/ likely absence surveys for such species, which typically require multiple survey visits, have not been undertaken and are outside of the scope of Preliminary Ecological Appraisal. Such surveys are recommended in the present report if considered proportionate to the potential ecological impacts of the development proposals.
- 3.18. A full search of crevices and cavities on buildings typically cannot be made without specialist access equipment and in most cases intrusive works, and therefore accessible areas only have been searched for evidence of protected species and a negative result of evidence does not conclusively equate to absence of such species which may occupy inaccessible crevices on the building. However, provided any recommended nocturnal emergence/ re-entry bat survey(s) are undertaken, this is not considered a significant limitation to assessing the presence/ likely absence of roosting bats at the site.
- 3.19. Third party desk study data is not exhaustive, and an absence or a negative result of a species does not indicate the absence of protected species from the site/ search area.
- 3.20. The UKHab Habitat survey was undertaken outside of the optimal survey period of April to October. However, species identification of plants present outside of the optimal period is typically still possible based on the vegetative characteristics. Where additional surveys during the optimal period are required to assess the habitat type present, these are recommended.
- 3.21. All dimensions, locations and distances provided are approximate.

4. Results

Desk Study

Surrounding Landscape

- 4.1. The surrounding landscape is primarily sub-urban (Figure 2: Surrounding Landscape Plan).
- 4.2. Habitat features favourable to ecology in the wider landscape includes arable and pasture grazed fields, woodland, standing open water, and parkland connected via hedgerows and lines of trees. The tree lined River Roch is located approximately 0.8km north of the site.
- 4.3. Landscape features which may limit habitat quality and connectivity include artificial lighting, disturbance, and extensive hard standing in the town of Heywood.

Statutory Designated Sites

- 4.4. The site does not form part of an international or national designated site for nature conservation.
- 4.5. A summary of designated sites identified via the desk study are presented in Table 5 below.

Table 5: Summary of Statutory Designated Sites

Site Name	Designation	Description/ Reasons Designation	Main for	Distance & Direction from Site
Hopwood Woodlands	Local Nature Reserve (LNR)	Woodland habitats.		2.5km SE
Rochdale Canal	Special Area of Conservation (SAC) Site of Special Scientific Interest (SSSI)	Inland waterbody with important habitats for aquatic plants, including nationally scarce species.		3km E
Chesham Woods	LNR	Semi-natural woodland and dry stone walls.		3.5km NW
Hollins Vale	LNR	Woodland, wetland, and grassland habitats.		3.8km SW

- 4.6. The site lies within a Site of Special Scientific Interest Impact Risk Zone (SSSI IRZ), requiring the Local Planning Authority to consult with Natural England on any risks which may affect the SSSI sites as a result of certain development types. However, the current development type is not listed in the SSSI IRZ citation as requiring consultation.

Priority Habitats and Ancient Woodland

- 4.7. No priority habitats were noted on site via the desk study.
- 4.8. An area of ancient woodland was identified approximately 1km north of the site via the desk study.

4.9. A summary of priority habitats identified via the desk study are presented in Table 6 below.

Table 6: Summary of Priority Habitats

Habitat type	Distance & Direction of Closest Priority Habitat Type from Site
Deciduous woodland	0.2km south
Open mosaic habitat	0.5km west
No main habitat but additional habitats present (deciduous woodland)	0.8km northwest
Woodpasture and parkland	0.9km northeast

Field Survey

UKHab Habitat Survey

4.10. The habitats recorded at the survey site during the UKHab Habitat survey are presented in Table 7 overleaf and mapped on Figure 3, UKHab Habitat Plan.

Table 7: UKHab Habitat Assessment Results

UKHab Primary Code	Habitat Type	UKHab Secondary Code	Description	(NERC) Act 2006 HPI*	Habitat of Local Importance	Photograph Ref No. (Appendix 2: Photographs)
g4	Modified grassland		A section of modified grassland was present in the western boundary of the site. The habitat had an average of 4 species per m ² and had a sward height of approximately 5-10cm. Species present included abundant annual meadow-grass <i>Poa annua</i> , frequent unidentified moss, occasional Yorkshire fog <i>Holcus lanatus</i> , creeping buttercup <i>Ranunculus repens</i> , cleavers <i>Galium aparine</i> , unidentified <i>Geranium sp.</i> , and unidentified willowherb, rarely present dandelion <i>Taraxacum officinale agg.</i> , ribwort plantain <i>Plantago lanceolata</i> , broad-leaved dock <i>Rumex obtusifolius</i> , and creeping thistle <i>Cirsium arvense</i> .	No	No	1
u1b6	Other developed land		The majority of the site comprised an area of hardstanding on the site of the recently demolished Heywood pub building and associated car park. Rubble was present at the boundary of the site of the former building and car park and at target note TN1 (Figure 3: UKHab Habitat Plan, Appendix 2: Photographs, Photo 4) and vegetation growth was present at the north habitat margins. Species present included rarely present annual meadow-grass, Yorkshire fog, dandelion, creeping thistle, young hazel <i>Corylus avellana</i> , young alder <i>Alnus glutinosa</i> , ragwort <i>Senecio jacobaea</i> , herb-Robert <i>Geranium robertianum</i> , unidentified clover <i>Trifolium sp.</i> , moss, willowherb, and <i>Geranium sp.</i>	No	No	2-3
u1e	Built linear features	612 – fence	A knee rail fence was present in the west of the site running north to south.	No	No	3

*Natural Environment and Rural Communities Act (2006) Section 41 Habitat of Principal Importance (HPI). As defined with reference to habitat descriptions provided in Maddock, A. (ed) (2011).

Protected/ Notable Species

- 4.11. The results of the protected/ notable species assessment undertaken during the Extended UKHab Habitat Survey are provided in Table 8 overleaf.
- 4.12. A summary of desk study results is also provided in Table 8.

Table 8: Protected/ Notable Species Assessment

Species/ Species Group	Desk Study	Evidence Observed During Extended UKhab Habitat Survey	Suitability of Habitats Present
Amphibians (including great crested newt <i>Triturus cristatus</i> (GCN))	No previous granted mitigation licences relating to GCN were noted within 2km of the survey site. No records of Great Crested Newt Class Survey Licence Returns were noted during the desk study. No records of Great Crested Newt Pond Surveys 2017 - 2019 recording GCN as present were noted during the desk study.	No evidence observed.	No ponds were present on site. No further ponds were present within a 250m radius of the site. The terrestrial habitat on site offered negligible suitability for amphibians with extensive hardstanding and an isolated patch of modified grassland of short sward height. The rubble piles on site were not considered suitable hibernacula for amphibians due to their recency of creation and the lack of suitability of habitats on site and limited connectivity to surrounding habitats.
Badger	N/A	No evidence observed.	The site offered limited suitability for commuting and foraging badger.
Bats	Two previous granted mitigation licences relating to bats were noted within 2km of the survey site. The closest licence allowed for the destruction of a non-breeding resting place for common pipistrelle <i>Pipistrellus pipistrellus</i> at a location approximately 1.7km south of the site during 2020. The second licence allowed for the destruction of a non-breeding resting place for common pipistrelle at a location approximately 1.8km west of the site between 2011 and 2012.	No evidence observed.	The site offered low suitability for foraging and commuting bats comprising hardstanding and a small, isolated patch of grassland within an urban environment with street lighting present.
Birds	N/A	No evidence observed.	The site offered negligible habitat for nesting birds, with extensive hardstanding and an isolated patch of modified grassland of short sward height. The site offered limited suitability for ground nesting birds.
Hazel dormouse	The site is located outside of the known distribution for this species and is therefore not considered further.		
Fish	The habitats on site were not considered suitable for fish and were therefore not considered further.		
Terrestrial invertebrates	N/A	No evidence observed.	The site offered common or widespread habitats that were considered unlikely to support notable invertebrate populations.
Otter	The habitats on site were not considered suitable for otter and were therefore not considered further.		
Reptiles	N/A	No evidence observed.	The site offered negligible suitability for reptiles, with extensive hardstanding and an isolated patch of modified grassland of short sward height. The rubble piles on site were not considered suitable hibernacula for reptiles due to their recency and the lack of suitability of habitats on site and limited connectivity to surrounding habitats.
Water vole	The habitats on site were not considered suitable for water vole and were therefore not considered further.		
Aquatic Invertebrates (including White-clawed Crayfish)	The habitats on site were not considered suitable for aquatic invertebrates and were therefore not considered further.		
Other Mammals (Including brown hare, harvest mouse, and hedgehog)	N/A	No evidence observed.	The site offered suitability for commuting and foraging hedgehog, with connectivity to areas of grassland and urban garden habitats.
Invasive species	N/A	No evidence observed.	N/A

5. Ecological Constraints & Opportunities

- 5.1. The ecological constraints and opportunities, and recommendations for avoidance, mitigation, or further survey (where required) are provided in Table 9 overleaf.

Table 9: Ecological Constraints & Opportunities

Ecological Feature	Potential Ecological Impact & Level of Constraint	Potential Avoidance, Mitigation and/or Compensation Measures	Further Survey Required to Inform an Ecological Impact Assessment
Statutory Designated Sites	It is considered that the development will not adversely impact on the designated sites for nature conservation identified in the desk study, due the distance between the designated sites and the development site, and the small scale of the works proposed.	N/A	No further surveys required.
Habitats (general)	The habitats at the site are considered to be common and widespread habitats of low conservation importance. It is considered that the landscaping scheme under the current development proposals will result in a positive net gain in biodiversity units.	N/A	No further surveys required.
Badgers	Badgers are afforded legal protection under the Protection of Badgers Act 1992. No evidence of badger was recorded during the survey, however their presence in the landscape cannot be fully discounted. There remains a residual risk of badger injury and mortality during construction should this species be mobile in the area. There will be some removal of limited badger commuting and foraging habitat to facilitate the development comprising an isolated area of modified grassland.	Precautionary methods should be implemented during works to protect foraging and commuting badger. Foundation ditches and other ditches, excavations, or trenches, which can be hazardous to badgers, should be closed overnight or fitted with roughened sloping boards or steps to allow animals to escape should they become trapped. Concrete should not be left unset overnight, or suitable barriers erected to prevent animals accessing the concrete. Pipework with a diameter greater than 120mm should have the ends closed off overnight to prevent entrapment.	No further surveys required.
Birds	Nesting birds are afforded legal protection under the Wildlife and Countryside Act 1981 (as amended). The site offered very limited habitat for ground nesting birds.	In the unlikely event that nesting birds are encountered during works, works should cease immediately, and the advice of a suitably qualified ecologist sought.	No further surveys required.
Bats	Bats are a fully protected European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Under the current development proposals, there will be an increase in artificial lighting on site via the new residential units.	In the unlikely event that a bat is encountered during works, works should cease immediately, and the advice of a suitably experienced ecologist sought. Due to the presence of bats in the wider area as highlighted by the desk study, and the suitability of the habitat for commuting and foraging bats, the impacts from external artificial lighting on the site and on adjacent habitats should be avoided. Where lighting is required, both during construction works and post-development, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2018)	No further surveys required.
Amphibians (including GCN) and Reptiles	GCN are fully protected as a European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Reptiles are partially protected under the Wildlife and Countryside Act 1981 (as amended), protecting them from killing or injury. Due to the lack of ponds within the wider landscape, the limited suitability of habitats present on site, and the fragmented habitat	Should reptiles or amphibians, including GCN, be encountered during works, work should cease immediately, and the advice of a suitably qualified ecologist sought.	No further surveys required.

Ecological Feature	Potential Ecological Impact & Level of Constraint	Potential Avoidance, Mitigation and/or Compensation Measures	Further Survey Required to Inform an Ecological Impact Assessment
	surrounding the site, it can be assumed that reptiles and amphibians, including GCN, are likely absent on site.		
Other Mammals	Some mammals, such as hedgehog and brown hare, are listed as Species of Principal Importance in England under section 41 of the Natural Environment and Rural Communities Act 2006. These species are termed 'Priority' species and receive special considerations in the planning process. There will be some removal of limited hedgehog commuting and foraging habitat to facilitate the development comprising an isolated area of modified grassland. Hedgehogs are a species vulnerable to habitat fragmentation. Under the current development proposals, brick walls and close boarded fences will be installed at the new residential boundaries.	The precautionary working methods implemented for badger will also protect other mammals such as hedgehog. Any new fencing which may fragment the landscape for hedgehog should include a 13cm square hole at the base to allow for hedgehog migration through the site.	No further surveys required.

6. Conclusions

Further Surveys

- 6.1. It is concluded that no further surveys are required of the site to inform of any ecological constraints under the current development proposals, provided that the avoidance, mitigation and/or compensation measures detailed in the previous table are adhered to.

Biodiversity Enhancement

- 6.2. Suitable methods of biodiversity enhancement for the site would include:
- An appropriate method of site enhancement for nesting birds would include the installation of integrated swift *Apus apus* bricks on each of the new buildings. Suitable models include the 'Vivara Pro Cambridge Brick Faced Swift Nest Box' or the 'Ibstock Eco-habitat for Swifts'. Swift bricks should be sited under the eaves, and should be at least 5m above the ground, with an unobstructed flight path. Swift bricks should not be in direct sunlight, with a north or east aspect preferred. Swifts breed in colonies, so it is recommended at least 2 or 3 swift bricks are installed at least 40cm apart. Other birds including house sparrow *Passer domesticus* and tits also nest in swift bricks. Potential perches for predators (such as aereals) should not be fitted in close proximity to the nest brick entrance hole.

7. References

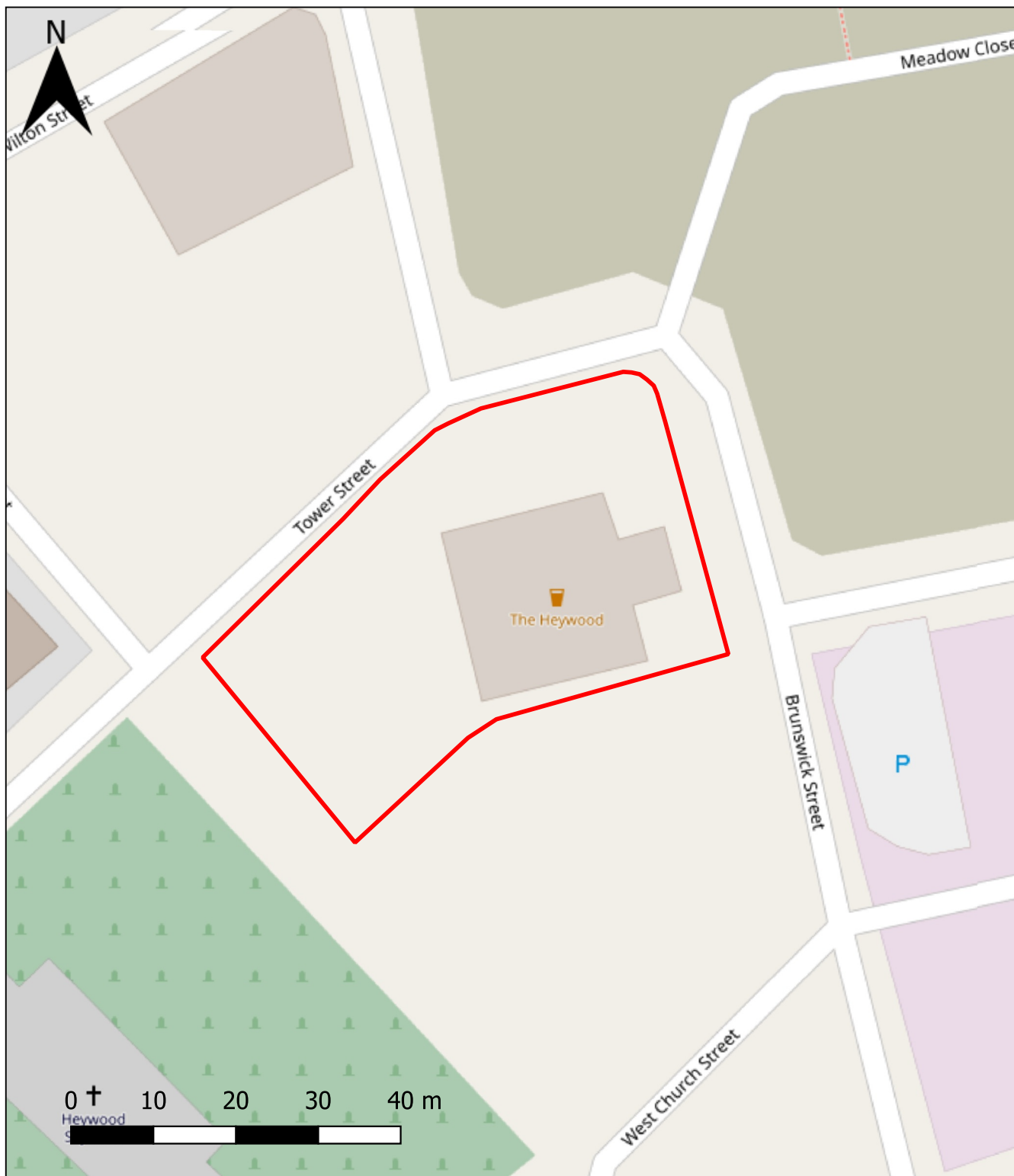
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- .

8. Figures

Figure 1: Site Location & Building Plan (Overleaf)

Figure 2: Surrounding Landscape Plan (Overleaf)

Figure 3: UKHab Habitat Plan (Overleaf)



Legend

 Site Boundary

Project:
Former Heywood Pub, Tower Street,
Heywood

Drawing:
Figure 1: Site Location Plan

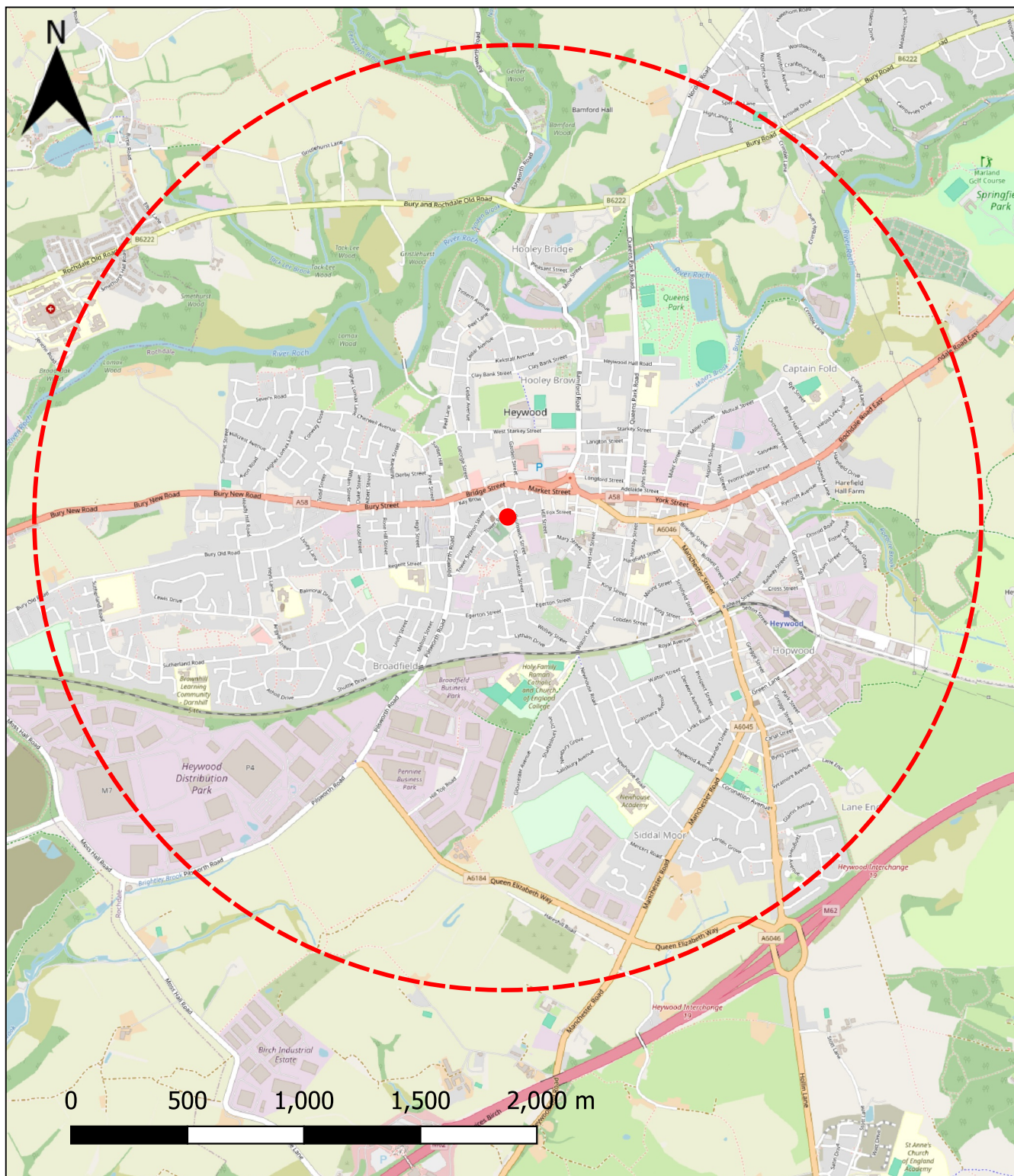
Date: 31-01-2024 Version: FINAL

Author: CM

Job No: P2549



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approximate.



Legend

- Site Location
- ⬡ 2km Buffer

Project:
Former Heywood Pub, Tower Street,
Heywood

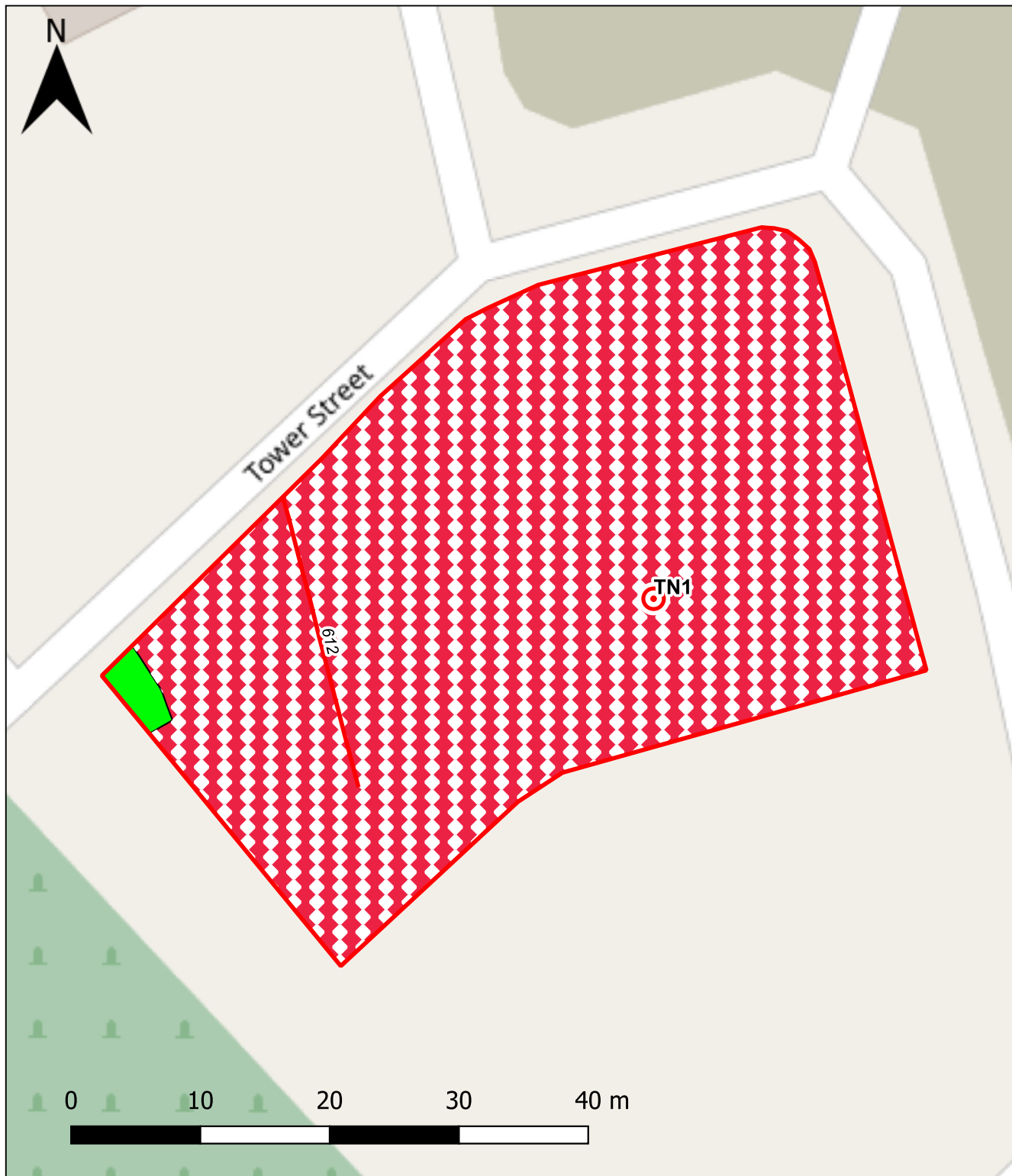
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Figure 2: Surrounding Landscape Plan

Date: 30-01-2024 Version: FINAL

Author: CM Job No: P2549



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Legend

-  Site Boundary
-  g4 - Modified Grassland
-  u1b6 - Other Developed Land
-  u1e - Built Linear Features
-  Target Note with Reference Number

Project:
Former Heywood Pub, Tower Street,
Heywood

Drawing:
Figure 3: UKHab Habitat Plan
Date: 31-01-2024 Version: FINAL

Author: CM Job No: P2549



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Appendix 1: Planning Policy & Legislation Summary

This appendix serves as a summary of relevant policy and legislation. It is not intended to supersede the policy or legislation documents to which it refers, and the relevant full documents should always be consulted prior to decision making.

National Planning Policy Framework 2019

Biodiversity is a material consideration under the National Planning Policy Framework (2019). Relevant text to biodiversity from the NPPF is described below.

In Section 2 of the NPPF 'Achieving sustainable development', paragraph 8(c), the NPPF sets an environmental objective:

"To contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

In Section 15 'Conserving and enhancing the natural environment', the NPPF states that:

"170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; [...]
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. [...]"

The NPPF, in paragraph 174. sets out that to protect and enhance biodiversity, plans should:

- "Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

In determining planning applications, the NPPF sets guidance that local planning authorities should apply the following principles:

- If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- 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 [...];
- Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

Paragraph 176 states that the following sites should be given the same protection as habitats sites:

- “Potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”

Paragraph 177 states that “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or projects will not adversely affect the integrity of the habitats site.”

Paragraph 180 states that planning policies and decisions should ensure new development is appropriate to its location and take into account likely effects of pollution on the natural environment, and in doing so:

- “Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development; [...]
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Government Circular ODPM 06/05 Biodiversity and Geological Conservation

The government circular provides administrative guidance on the application of statutory obligation and legislation relating to planning and nature conservation in England. It complements the National Planning Policy Framework. The document includes guidance on designated sites (international and national), habitats, and protected species.

Relating to protected species and the requirement for their consideration in planning applications, the government circular, in paragraph 98 details that:

“The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult English Nature [now Natural England] before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species’ protection provisions affecting the site concerned.”

Paragraph 99, relating to the requirement and timing of protected species survey and mitigation, the government circular states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a [Natural England] licence.”

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

The term ‘European Protected Species’ (EPS) is used to describe species listed on Schedule 2 of the The Conservation of Habitats and Species Regulations 2017 (as amended). Regarding these species, Regulation 43 of the Regulations make guilty of an offence a person who:

- “Deliberately captures, injures or kills any wild animal of a European protected species;
- Deliberately disturbs wild animals of any such species;
- Deliberately takes or destroys the eggs of such an animal, or;
- Damages or destroys a breeding site or resting place of such an animal [...]

Regulation 43 defines that the disturbance of animals includes 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.

A person guilty of an offence under Regulation 43 is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

Wildlife and Countryside Act 1981 (As Amended)

The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) lists species on Schedule 5 for which the Act make it an offence to:

- Intentionally kill, injure or take;
- Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included uses for shelter or protection;

- Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Some species receive partial protection under the Act, which limits their protection under the Act to intentional killing or injury.

All wild nesting birds are protected under the Act, making it an offence to:

- Intentionally kill, injure or take any wild bird; and
- Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.

Some bird species are afforded special protection via their inclusion in Schedule 1 of the Act, which makes an offence to intentionally or recklessly disturb any schedule 1 bird building a nest or which is in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird, or whilst such a bird 'leaks' (i.e. congregates for community courtship behaviour).

Schedule 9 of the Act makes it an offence to cause any plant listed to grow in the wild, unless all reasonable steps were taken to prevent an offence and due diligence was exercised.

The Act sets out provisions to protect Sites of Special Scientific Interest (SSSI).

Natural Environment and Rural Communities Act 2006

Section 40 of the Act places a legal duty on public authorities (including planning authorities) to have regard to biodiversity conservation in their normal functions (including planning applications).

Under Section 41 of the Act, lists of Habitats of Principal Importance (HPI) and Species of Principal Importance (SPI), of principal importance for the purpose of conserving biodiversity, are produced which serve to guide public authorities in carrying out their functions with consideration for biodiversity conservation.

Wild Mammals (Protection) Act 1996 (as amended)

The Act protects wild mammals against certain cruel acts, including intentional crushing, downing or asphyxiation.

Appendix 2: Photographs



Photo 1: Modified grassland in the west of site.



Photo 2: Other developed land on the site of the former building.



Photo 3: Other developed land and fence in the west of site.



Photo 4: Rubble pile at target note TN1.