

PRELIMINARY ECOLOGICAL APPRAISAL

DECEMBER 2025

Birch Business Park

Whittle Lane,
Middleton,
Rochdale,
OL10 2RN

U R B A N
G R E E N



QUALITY MANAGEMENT

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1 Executive Summary

- 1.1.1.1

CGG MLI (REIT) Propco 1 Limited is proposing to develop land at Birch Business Park in Birch, Middleton (hereafter referred to as ‘the site’). The proposals include the construction of a new industrial warehouse unit, with parking spaces and loading/docking bays.
- 1.1.1.2

Urban Green has been appointed to complete a Preliminary Ecological Appraisal (PEA) of the site. The objectives of the assessment are to identify the main habitats on site and determine the suitability for any ‘protected and/or notable’ species that may occur on site. Further ecological surveys and mitigation, where appropriate, are recommended which aim to minimise potential impacts on ecology, due to the proposed development.
- 1.1.1.3

The key results and recommendations from the PEA exercise are summarised in Table 1 (below):

Table 1. PEA summary results

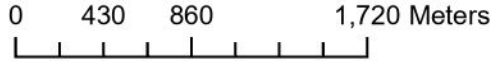
Site Context	The site is situated within a corner of Birch Business Park, a small commercial-industrial estate outside of Birch, Middleton, and surrounded by rural fields.
Key Statutory Designated Sites	The site is situated within 5km of Rochdale Canal SAC. It is assessed that the proposed development is unlikely to have any meaningful effect on the aforementioned designated site.
Habitats	The site comprised artificially unvegetated and sparsely vegetated land, with narrow bordering strips of modified grassland and bramble scrub with some scattered trees.
Key Ecological Results	The following potential ecological constraints were identified during the assessment: - Suitable habitats for common nesting bird species are present on site; - Invasive non-native plant species were recorded on site.
Recommendations	To comply with wildlife legislation, good practice guidelines and policy, we recommend the following: - Vegetation clearance should be completed outside of the core breeding bird season (March to August, inclusive); and - An Invasive Species Method Statement should be produced.
Ecological Enhancements	In line with the ecological objectives of the NPPF (2024) the following ecological enhancements have been recommended: Installation of bird boxes within existing trees on the site.



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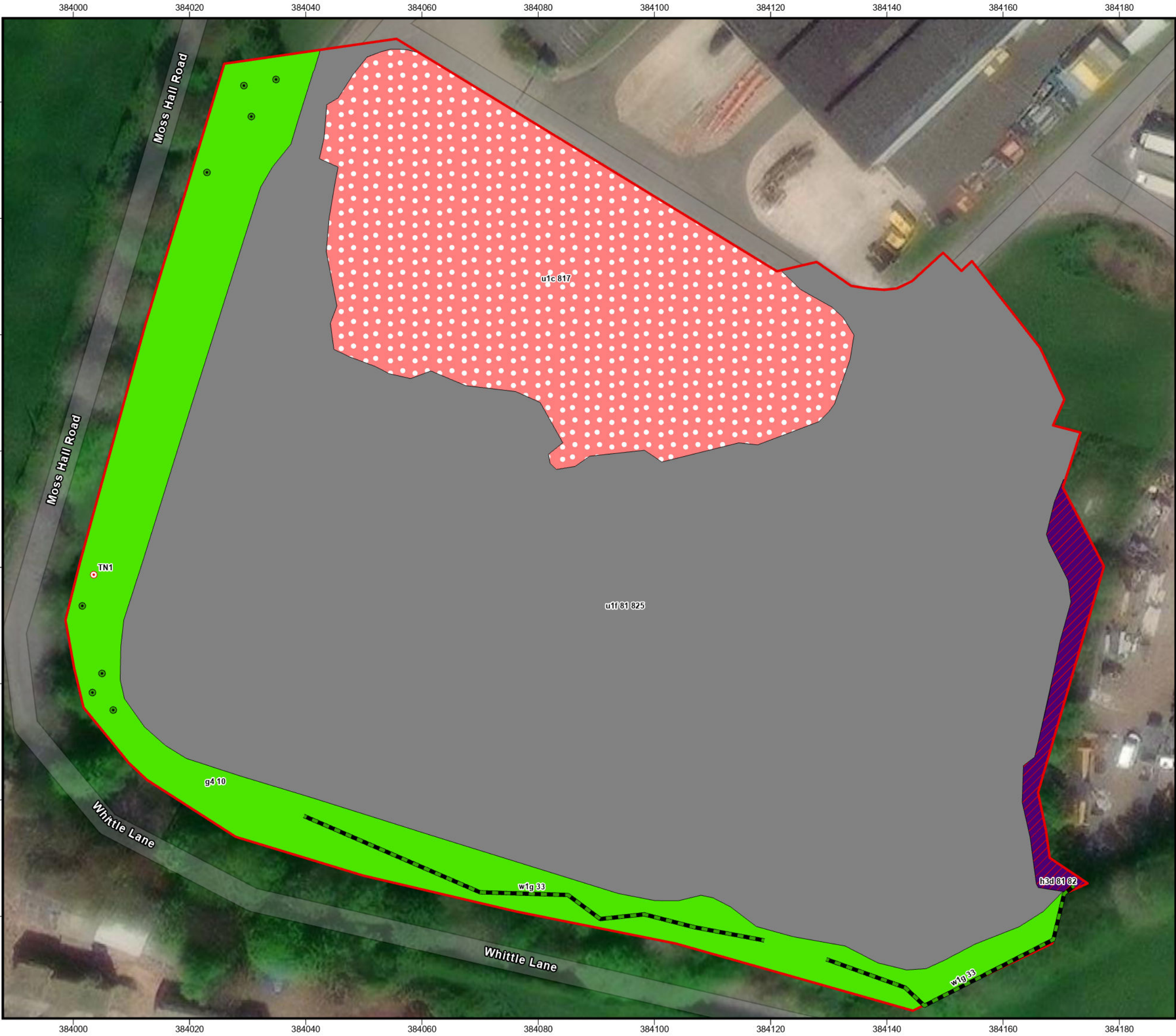
Legend

- Red Line Boundary
- 5km Buffer
- Special Areas of Conservation



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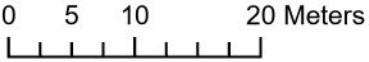
Client: CGG MLI (REIT) PropoCO1 Limited		
Project: Birch Business Park		
Title: Designated Sites Results		
Issue: 01		Figure: 00
Drawn: CL	Checked: BG	Approved: BG
Project: UG1236	Scale @ A3: 1:8000	Date: 04/12/2025
Dwg No: UG_1236_ECO_DS_01		Revision: 01



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Legend

- Red Line Boundary
- Bramble scrub
- Artificial unvegetated - unsealed surface
- Modified grassland
- Sparsely vegetated urban land
- Line of Trees
- Tree
- Target Note
TN1 - Himalayan balsam



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Client: CGG MLI (REIT) PropoCO1 Limited		
Project: Birch Business Park		
Title: UKHAB Habitat Map		
Issue: 01	Figure: 00	
Drawn: CL	Checked: BG	Approved: BG
Project: UG1236	Scale @ A3: 1:600	Date: 01/12/2025
Dwg No: UG_1236_ECO_HM_01		Revision: 01



Legend: Red Line Boundary		1 Kilometers		N		
Client:	CGG MLI (REIT) PropoCO1 Limited	Issue:	01	Figure:	01	U R B A N G R E E N A: Ground Floor, The Tower, Deva City Office Park, Trinity Way, Manchester M3 7BF T: +44 (0) 161 312 3131 wearurbangreen.co.uk
Project:	Birch Business Park	Scale @ A4			1:12,000	
Title:	Site Context	Approved by:	CL	Checked by:	BG	
Drawing Ref:	UG_1236_SITE_CONTEXT	Author:	CL	Date:	01/12/2025	

Figure 4. Photographs of the Site



Photograph 1: Sparsely vegetated land (u1f) that covers the majority of the site



Photograph 2: Modified grassland (g4) and scattered trees at the site bounds.



Photograph 3: bramble scrub (h3d) at the site border.



Photograph 4: Scrubby grassland and debris mounds (u1c).

2 Introduction

2.1 Scope

- 2.1.1.1 Urban Green has been instructed by CGG MLI (REIT) Propco 1 Limited to carry out a Preliminary Ecological Appraisal to British Standard 42020:2013 guidelines at Birch Business Park, in Birch, Middleton and detail the findings in a technical report. Specifically, the PEA comprises a desk-based assessment (using purchased biological records) and a UK Habitat Classification survey (UKHab), which is extended to include a search for protected species.
- 2.1.1.2 The development proposals are for a cut and fill levelling of the site, and the construction of a new industrial warehouse unit, with parking spaces and loading/docking bays.

2.2 Site Context

- 2.2.1.1 The site is located at National Grid Reference SD 84082 08211 and comprises a total area of approximately 2ha (see Figure 1).
- 2.2.1.2 The site comprises a section of the industrial-commercial Birch Business Park, situated within a relatively rural enclave of Greater Manchester, 1.5km south of Heywood, ~2km northwest of Middleton, and 3.5km southeast of Bury. The surrounding landscape is predominantly rural-arable farmland, that spans from the site for ~2km in all directions, aside the M62 motorway, situated 600m southeast.

2.3 Ecology Background

2.3.1 Ecological Impact Assessment (Avian Ecology, 2021)

- 2.3.1.1 Avian Ecology undertook a Phase 1 habitat survey and ecological impact assessment at the site in August 2021. At the time, the site comprised two industrial units bordered by amenity grasslands and scattered trees.
- 2.3.1.2 The site was assessed to have potentially suitable habitats for common nesting birds, and occasional presence of hedgehogs. Whilst the site itself is not assessed to be suitable, one pond 250m from the site had confirmed presence of great crested newts.

2.4 Purpose of Report

- 2.4.1.1 This report has been produced to set out the methods, results and recommendations of the PEA assessment. The purpose of the PEA report is to identify the main habitats on site and determine the suitability of these habitats to support protected and/or notable fauna and flora, with the addition of potential impacts on designated sites. This will inform the need for any further ecological surveys and/or mitigation to minimise the potential impacts on ecology on site and within the zone of influence.

- 2.4.1.2 Further information and details of UK legislation for those species which are formally protected is defined in Appendix 1, which are considered throughout the assessment.
- 2.4.1.3 The National Planning Policy Framework (NPPF) (2024) and other Local Planning Policies are considered with the PEA. Ecological enhancements are advised to be in line with relevant Planning Policies.

2.5 Surveyors

- 2.5.1.1 The UKHab surveys were undertaken, and this report authored, by Barnaby Indio Gardner (Ecologist, MEnvSci, PGCert, MCIEEM).

3 Methods

3.1 Overview

- 3.1.1.1 The PEA assessment and report follows the good practice methodology as detailed within the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2019).

3.2 Desk Study

3.2.1 Online Resources and Local Records Centre

- 3.2.1.1 Due to the size and scale of the development, combined with its geographical setting, a 1km ecological data search (including the purchase of third-party biological records) was undertaken as part of the desk study exercise. This is deemed an appropriate distance, based on the estimated Zone of Influence for the development.
- 3.2.1.2 Sources of information used in the desk study are presented in Table 2.

Table 2. Ecological desk study sources

Source	Date Consulted	Information Sought
The MAGIC Website	04/12/2025	Locations of statutory designated sites within 1km of the site boundary. Locations of National Site Network sites (Ramsar, Special Area of Conservation (SAC) and Special Protection Area (SPA)) within 5km of the site boundary. Locations of European Protected Species Licences (EPSL) and Class Licences within 1km.
Natural England	04/12/2025	Relevant statutory designated site citations.
JNCC	04/12/2025	Information on former 'European' wildlife sites. Details of relevant Section 41 species and habitats.
Greater Manchester Ecology Unit	01/12/2025	Locally designated wildlife sites within 1km of site boundary. Records of protected and notable species within 1km of the site boundary.
Greater Manchester Local Biodiversity Action Plans	04/12/2025	Species and habitats which are given special conservation status at the local level.

3.3 UK Habitat Classification Survey

3.3.1 Habitat Survey

- 3.3.1.1 The 20th November 2025 was selected to undertake the UKHab survey.
- 3.3.1.2 The survey methods were based on the standard methodology as detailed by The UK Habitat Classification User Manual (UKHab Ltd. 2023). The survey methodology was ‘extended’ to include a high-level search for signs of protected species (described in more detail below). A UKHab results figure has been produced to display the main habitats recorded within the site boundary (see Figure 3). The mapping techniques are based on The UK Habitat Classification User Manual (Butcher et al, 2020) guidance.
- 3.3.1.3 Plant species abundance is described using the DAFOR scale as shown in Table 3. Percentages are an approximate indication rather than a quantitative measure.

Table 3. Key to species abundance

Code	Category	Description	Indicative Percentage Ranges
D	Dominant	Covers most of an area	50% or greater
A	Abundant	Very common throughout the area.	30 – 50%
F	Frequent	Common or with many individuals stands	15 – 30%
O	Occasional	Occurs in several places but not throughout; populations are not large.	5 – 15%
R	Rare	Occurs in low numbers in relation to size of area.	Less than 5%
“L” will be used to indicate abundance in a localised area, e.g. LA = Locally abundant			

- 3.3.1.4 Any invasive species, including those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were noted during the UKHab survey visit.

3.4 Extended Protected Species Surveys

- 3.4.1.1 During the UKHab survey, the search was extended to include a high-level search for protected and/or notable species. In addition, habitats on site were assessed for the potential to support key protected species.
- 3.4.1.2 These assessments do not constitute dedicated phase II protected species surveys, rather, they provide an indication of what phase II surveys may be required in the context of the development.

3.4.2 Bats

- 3.4.2.1 The site was assessed for its suitability for use by commuting and foraging bats.
- 3.4.2.2 The commuting and foraging assessment methodology is based on information contained within the Bat Conservation Trust guidelines 4th edition (Collins, 2023). The categorisation within this report is based on that set out in Table 4, which is used as a basis for determining the requirement for further surveys.

Table 4. Suitability of site for foraging and commuting bats

Category of Suitability	Habitat Characteristics
High Suitability	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting or foraging bats such as; river valleys, streams, hedgerows, lines of trees or woodland edge. Site is close to or connected to known roosts.
Moderate Suitability	Continuous habitat connected to the wider landscape that could be used by commuting bats such as lines of trees, scrub or linked back gardens. Habitat connected to wider landscape that could be used for bats for foraging such as; trees, scrub, grassland or water.
Low Suitability	Habitat that could be used by small number of commuting bats such as; defunct hedgerow, isolated features not well connected to surrounding habitat or Isolated habitat that could be used by a small number of foraging bats such as a lone tree or patch of scrub.
Negligible Suitability	No features on site suitable for use by commuting and foraging bats.

- 3.4.2.3 In addition, if any trees, buildings or structures were present on the site, the surveyor will assess if these assets have the potential to support roosting bats or have negligible bat roosting potential.

3.4.3 Badger

- 3.4.3.1 Badger setts and signs of presence were searched for as part of the extended UKHab survey visit.

- 3.4.3.2 A badger sett is defined as ‘any structure or place which displays signs indicating current use by a badger’ (Protection of Badgers Act, 1992). Badger setts are commonly categorised dependent on their level of use and size. Descriptions for each type of sett are given in Table 5 (based on Harris, Cresswell, and Jeffries, 1989).
- 3.4.3.3 The term ‘current use’ is not synonymous with continuous badger occupation. A sett is defined as such as long as signs indicative of ‘current use’ are present (Protection of Badgers Act, 1992). Therefore, a sett remains protected by the Act until such a time as the field signs have deteriorated to such an extent that they no longer indicate that the sett is in ‘current use’ (Natural England, 2009). Using this definition, the status of a sett was assessed using the criteria in Table 6 (based on Harris, Cresswell, and Jeffries, 1989).

Table 5. Badger sett categories

Sett Category	Criteria
Main	The largest and most used sett. Usually, a large number of holes with large spoil heaps and established paths between sett entrances usually marked with latrines. In continuous use and used for breeding.
Annexe	Normally less than 150m from the main sett and are connected to it by one or more well established paths. Several entrances but not always in use even if the main sett is active.
Subsidiary	Often consist of several entrances and are usually at least 50m from the main sett. There is often no obvious path connecting with another sett and they are not always in use.
Outlier	Usually consist of one or two holes with no obvious paths. Small spoil heaps outside holes indicating they are not extensive underground. Sporadic use often inhabited by foxes or rabbits when not used by badger.

Table 6. Badger sett status

Level of use	Definition
Active	Entrance holes well used, clear of debris/vegetation, except bedding material. The holes may or may not have been excavated recently. Fresh spoil outside. Signs of wear consistent with use (presence of smooth, compacted soil / prints / hairs).
Inactive	Entrance holes not in regular use: they have some accumulated debris/vegetation and no field signs indicating recent use by badgers. Sett use is often seasonal, and a sett recorded as inactive could be in regular use after a minimal amount of clearance.
Disused	Entrance holes show no signs of recent use and are often partly or wholly blocked. Entrances may require considerable digging to re-open. Setts may become disused through collapse, flooding, interference or other reasons

3.5 Ecological Constraints

- 3.5.1.1 Whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment.
- 3.5.1.2 This PEA does not constitute a comprehensive botanical survey, however, is sufficient to inform the assessment.
- 3.5.1.3 The high-level protected species assessment provides a likelihood of protected species occurring on or near the site based on the known distribution of species and the suitability of the habitat.
- 3.5.1.4 October to March (inclusive) is a considered a suboptimal time for undertaking UKHab surveys as plant species are less conspicuous during this period. This is not considered to be a significant constraint as the majority of habitats were successfully categorised under the UKHab survey methodology.
- 3.5.1.5 The conclusions and recommendations detailed in this report are based upon the redline site boundary and the development proposals as outlined by the client at the time of writing. Should there be any changes to the redline boundary or proposals at a later stage, this assessment should be reviewed to determine whether any amendments or additional survey work is required.
- 3.5.1.6 The findings of this report represent the professional opinion of qualified ecologists but does not constitute legal advice. The client may wish to seek professional legal interpretation of any wildlife legislation or corresponding recommendations cited within this report.

3.6 Report Validity

- 3.6.1.1 In accordance with CIEEMs Advice Note on the Lifespan of Ecological Reports and Surveys (CIEEM, 2019), the details of this report will remain valid for a minimum period of **18 months** from the date of the survey (i.e. until June 2027). After this date, this assessment should be reviewed by an ecologist to determine whether any updates are required.

3.7 Protected Species Definitions

- 3.7.1.1 For the purposes of this report, the term ‘protected’ and ‘notable’ species relates to:
- Species included on Schedules 2 and 4 of The Conservation of Habitats and Species Regulations 2017 (as amended);
 - Species included on Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended), excluding species that are only protected in relation to ‘sale’ (see Section 9[5] and Section 13[2]);
 - Invasive non-native species included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended);

- Species of Principal Importance as defined under Section 41 of the Natural Environment and Rural Communities Act 2006 (England), Section 7 of the Environment (Wales) Act 2016, Section 2[4] of the Nature Conservation (Scotland) Act 2004;
- Species specifically listed on relevant biodiversity action plans or similar; and
- Badger and their setts; protected under the Protection of Badgers Act 1992.

4 Results

4.1 Desk Study Exercise

4.1.1 Designated Sites

4.1.1.1 The Rochdale Canal SAC is situated 4km east of the site. This site is designated for the significant populations of floating water-plantain (*Luronium natans*) and diversity of pondweed species (*Potamogeton* sp.) supported within the predominantly mesotrophic waters.

4.1.1.2 The site also falls within the Impact Risk Zone of the Rochdale Canal SAC, detailed above.

4.1.2 Protected Species

- 4.1.2.1 Data supplied by GMEU Information record centre was extrapolated for the closest and most relevant records. Notable bird species listed in Table 7 may utilise boundary habitats for nesting, with all wider features used for foraging. Species records over 10 years old have been omitted. Only bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) or red or amber species on the Birds of Conservation Concern (BoCC) list are included. Only invertebrate species that are legally protected are included below.
- 4.1.2.2 Records relating to certain protected species, including badger sett locations, is sensitive information, and due to the risk of public interference, remain confidential.

Table 7. Desk study records for protected species within 1km of the site

Common Name	Scientific Name	Key Legal Protection / Policy Consideration	Total Number of Records	Closest Record to Site Boundary	
				Distance (m)	Year
Birds					
Barn owl	<i>Tyto alba</i>	WCA 1981 Schedule 1;	29	269	2023
Bullfinch	<i>Pyrrhula pyrrhula</i>	Amber List,, S41 NERC;	1	469	2023
Curlew	<i>Numenius arquata</i>	Red List,, S41 NERC;	10	865	2024
Grasshopper warbler	<i>Locustella naevia</i>	Red List,, S41 NERC;	1	153	2024
Hobby	<i>Falco subbuteo</i>	WCA 1981 Schedule 1;	1	269	2015
House sparrow	<i>Passer domesticus</i>	Red List,, S41 NERC;	1	535	2017
Kingfisher	<i>Alcedo atthis</i>	WCA 1981 Schedule 1,, Amber List;	1	561	2016
Lapwing	<i>Vanellus vanellus</i>	Red List,, S41 NERC;	17	269	2024
Lesser redpoll	<i>Acanthis cabaret</i>	Red List,, S41 NERC;	1	561	2016
Linnet	<i>Carduelis cannabina</i>	Red List,, S41 NERC;	3	286	2021
Little Ringed Plover	<i>Charadrius dubius</i>	WCA 1981 Schedule 1;	1	Within 1km	2015

Common Name	Scientific Name	Key Legal Protection / Policy Consideration	Total Number of Records	Closest Record to Site Boundary	
				Distance (m)	Year
Reed bunting	<i>Emberiza schoeniclus</i>	Amber List,, S41 NERC;	15	269	2024
Skylark	<i>Alauda arvensis</i>	Red List,, S41 NERC;	6	153	2024
Song thrush	<i>Turdus philomelos</i>	Amber List,, S41 NERC;	5	269	2023
Tree sparrow	<i>Passer montanus</i>	Red List,, S41 NERC;	16	269	2023
Amphibians					
Common toad	<i>Bufo bufo</i>	WCA 1981 Schedule 5 (sale only); S41 NERC	4	286	2020
Great crested newt	<i>Triturus cristatus</i>	WCA 1981, Schedule 2 & 5	12	286	2022
Bats					
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	WCA 1981 Schedule 5; Hab Regs 2017, Schedule 2	2	4	2022
Mammals					
Brown hare	<i>Lepus europaeus</i>	S41 NERC	1	286	2021
Invertebrates					
Cinnabar	<i>Tyria jacobaeae</i>	S41 NERC	4	269	2020
Garden tiger	<i>Arctia caja</i>	S41 NERC	1	269	2020

4.1.3 Priority Habitats

- 4.1.3.1 A search for priority habitats, within 500m of the site, using purchased biological records from GMEU and MAGIC, highlighted two areas of priority deciduous woodland within 500m of the site boundary.

4.2 Extended UK Habitat Classification Survey Results

4.2.1 Habitats

- 4.2.1.1 The broad habitat types recorded during the PEA (see Figure 3) are detailed below. Photographs of the site shown on Figure 4.

- 4.2.1.2 The UKHab types recorded during the site visit were:

- Bramble Scrub (h3d)
- Artificially unvegetated; unsealed surface (u1c)
- Modified Grassland (g4)
- Sparsely Vegetated Land (u1f)

Bramble Scrub

- 4.2.2 A vegetated bank at the eastern boundary of the site had become entirely succeeded by heavy disturbance-resistant species, chiefly bramble, constituting bramble scrub along a narrow strip.

Artificially unvegetated; unsealed surface

- 4.2.3 A large portion of the site comprised large debris piles, remnants of the formerly present, now-demolished building. Large chunks of brick debris and gravel were piled high; the habitat was sparse of any notable features for wildlife.

Modified Grassland

- 4.2.4 A narrow strip of amenity grassland bordered the south and west of the site at its interface with Whittle Lane. The grassland was evidently mown frequently to a uniformly species-poor, and short sward and was comprised of typical, disturbance-resistant amenity grassland species, which included annual meadowgrass (*Poa annua*), creeping buttercup (*Ranunculus repens*), moss (*Bryophyta* spp.), greater plantain (*Plantago major*), mouse-ear chickweed (*Cerastium fontanum*), red fescue (*Festuca rubra*), and sorrel (*Rumex acetosa*).

Sparsely Vegetated Land

- 4.2.5 The bulk of the site comprised the footprint of the formerly standing industrial units, now comprising artificially unvegetated, unsealed surface. The area was defined by a flat, gravelly surface throughout. A lack of management of this section had allowed a range of early successional species

to establish sparsely throughout, which included greater willowherb (*Epilobium hirsutum*), yarrow (*Achillea millefolium*), annual meadowgrass (*Poa annua*), red fescue (*Festuca rubra*), yorkshire fog (*Holcus lanatus*), bent grass (*Agrostis* spp.), wild strawberry (*Fragaria vesca*), ragwort (*Jacobaea vulgaris*), buddleia (*Buddleja davidii*), creeping thistle (*Cirsium arvense*), selfheal (*Prunella vulgaris*), guernsey fleabane (*Conyza sumatrensis*), groundsel (*Senecio vulgaris*), white clover (*Trifolium repens*), oxeye daisy (*Leucanthemum vulgare*).

Non-Native Invasive Plant Species

- 4.2.6 No invasive plant species were recorded within, or adjacent to the site's boundary during the PEA. However, the 2021 surveys by Avian Ecology identified a stand of Himalayan Balsam at the southwest site boundary.
- 4.2.7 The survey was conducted in Winter, at a time when the previously identified stand of balsam would be expected to have died back. In the absence of any evidence of direct mitigation for the previously identified stand, it is assumed that the balsam remains (Figure 3).

4.2.8 Protected Species

Invertebrates

- 4.2.8.1 Unmanaged and deserted urban land, featuring gravel and sparse vegetation, can support diverse groups of invertebrate species if a number of microhabitats are supported, such as ponds and scrub. However, the minimal extent of the site does not support such complexity, and until recently the site comprised an active warehouse; the site has not existed in its current form for long, and so it is assessed unlikely that any meaningful colony of invertebrates will have established. Furthermore, very few records of notable invertebrates were returned in proximity of the site.

Mammal Species

- 4.2.8.2 No evidence of any notable mammal species was recorded on the site. The bulk of the site comprises heavily disturbed urban land with negligible habitat features of note for commuting or foraging. The narrow strip of grassland bounding the site may provide some suitability, though this is also bound by Whittle Lane. It is unlikely that any notable species would be present on the site in any meaningful capacity.

Bats

- 4.2.8.3 No trees on the site were assessed to be suitable for roosting bats.
- 4.2.8.4 The site is generally unsuitable for commuting and foraging bats, comprising simple, poor-quality urban habitat with heavy urban disturbance from the adjacent business park. The bounding row of trees may act as a commuting corridor for small number of common, urban-adapted species, such as common pipistrelle, for which a record was returned nearby.

Nesting Birds

- 4.2.8.5 The surrounding row of amenity planted trees within the bounding grassland will provide some suitability for nesting birds. Species present would be anticipated to be common, disturbance resistant species, given the active industrial business park to one side and Whittle Lane to the other. Nesting opportunities would be preferentially chosen in the surrounding rural landscape.
- 4.2.8.6 Records were returned for several Schedule 1 species in proximity of the site, such as barn owl, hobby, kingfisher, and little-ringed plover, and other rare wetland birds such as Curlew. Though in close proximity, these species would be anticipated to utilise the surrounding rural landscape for nesting and foraging; there is negligible habitat suitability on the site.

Amphibians

- 4.2.8.7 An abundance of records of great crested newt were returned for a rural pond (P1), 270m south of the site. A pond within the wider business park, 290m north of the site also returned positive eDNA records for GCN in 2018. Despite the close proximity of confirmed GCN populations, the habitat of the site is entirely urban, unsuitable for GCN foraging, hibernating, or commuting. In the same manner, the site is considered unsuitable for common amphibians outside of its vegetated borders, which are to be retained.
- 4.2.8.8 The site is also beyond the typical commuting range of GCN from either pond. Furthermore, access to the site is entirely urban. It is highly unlikely that any great crested newt would be present on the site in any capacity, despite the proximity of a confirmed population.

5 Ecological Assessment and Recommendations

5.1 General Recommendations

- 5.1.1.1 The following ecological recommendations apply at a site wide basis; species, habitat and/or designated site-specific recommendations are provided in Table 9 (below).
- 5.1.1.2 Should the scope of works change significantly, it is recommended that an ecologist is consulted to review this report and assess if the recommendations remain fit for purpose.
- 5.1.1.3 Should the development not commence with one year of this report, any bat surveys undertaken as part of the works should be repeated. Should the works not commence with 18 months of this report, all ecology surveys will likely require repeating.

5.2 Designated Sites, Habitats & Protected Species

- 5.2.1.1 Designated sites, protected habitats, species, and INNS will be considered in the context of 1) the development proposals, and 2) the legislation or policy that applies to each. Recommendations to overcome these ecological constraints in the form of further surveys, mitigation and (optional) enhancement measures are systematically detailed for each in Table 8 (below).

Designated Sites

- 5.2.1.2 The Rochdale Canal SAC is situated 4km east of the site.
- 5.2.1.3 As the proposals concern the redevelopment of already urban land, for commercial purpose, it is not anticipated that there will be any impact, directly or indirectly, to the designated site.

Nesting Birds

- 5.2.1.4 The proposals for the site concern the redevelopment of already-urban land, that has negligible suitability for nesting birds. It is not anticipated that such development will have any significant impact on nesting birds. However, the bordering trees may support nests for common species, which may suffer disturbance during construction. This is assessed to be an unlikely occurrence - birds would be expected to preferentially nest in the surrounding countryside - but cannot be ruled out entirely.
- 5.2.1.5 As such it is recommended that the development avoids the nesting bird season (May – September), or is otherwise preceded by a nesting bird check.

Invasive Non-native Species

- 5.2.1.6 Himalayan balsam is anticipated to be present on the site (Figure 2). To comply with legislation, an invasive species specialist should be contracted to map the extent of and remove the balsam. An invasive species method statement should be produced for the site.

Table 8. Summary of ecological constraints, survey, mitigation and enhancement

Ecological Constraint	Further Survey Recommendations	Recommendations for Mitigation	Enhancement Opportunities
Habitats	Further surveys of trees (for roosting bats) are covered below. All other habitats have been sufficiently surveyed.	Tree protection must be enforced in accordance with BS 5837 (2012) for retained habitats, including potential HPIs.	n/a
Birds	No further survey or assessment required.	Vegetation clearance on site should be undertaken outside of the core bird breeding season which is March-August, inclusive. Should clearance of nesting habitat be unavoidable during core bird nesting season, a nesting bird check should be conducted by a suitably experienced ecologist a maximum 48 hours prior to the commencement of works.	Retention and enhancement of existing habitats on Site, such as trees, scrub and broadleaved woodland, and the provision of nest boxes as part of the soft landscaping will increase nesting opportunities available for breeding birds. Two bird boxes could be installed on retained trees. A plan to show the locations of these boxes and the specifications should be produced by an ecologist once the layout is finalised. This would increase the carrying capacity of birds on the site.
Common Reptiles and Amphibians	No further survey or assessment required.	n/a	Arisings from vegetation clearance should be retained and used to create hibernacula/refugia suitable for amphibians where possible. Amphibian gully pot ladders to be installed, as practicable, to provide amphibians, reptiles and small mammals with a means of escape should they become trapped.
Invasive and Non-native Species (INNS)	No further survey or assessment required.	Non-native invasive Himalayan balsam is expected to be present on site. As such, it is recommended, prior to the development, that an invasive species specialist should be contracted to map the extent	Native shrubs of local provenance should be planted as part of the soft landscaping.

Ecological Constraint	Further Survey Recommendations	Recommendations for Mitigation	Enhancement Opportunities
		of invasive species present within the site and produce a detailed management plan for the removal and eradication of such species	

6 References

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Appendix 1 – Relevant Legislation

Legislation Relating to Protected Species

European Protected Species (EPS) and their resting places (e.g. bat roosts) are protected under:

- The Wildlife and Countryside Act 1981 (as amended)
- The Countryside and Rights of Way (CROW) Act 2000
- The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 transposes the European Union’s ‘Habitats Directive’ (Council Directive 92/43/EEC) into UK law. The Regulations provide for the designation and protection of ‘European Sites’, the protection of EPS, and the adaptation of planning and other controls for their conservation. EPS are listed on Schedule 2 of these Regulations.

Under the Wildlife and Countryside Act 1981 (as amended), it is an offence to:

- Intentionally kill, injure or take certain animals listed in Schedule 5;
- Intentionally or recklessly damage or destroy any structure or place used for shelter or protection by an animal listed in Schedule 5;
- Intentionally or recklessly disturb any such animal while it is occupying such a structure or place; or
- Intentionally or recklessly obstruct access to any such structure or place.

The Conservation of Habitats and Species Regulations 2017 makes it an offence to:

- Deliberately capture, injure or kill any EPS;
- Deliberately disturb EPS in a way that affects their ability to survive, breed, rear young, hibernate, migrate, or significantly affect their local distribution;
- Deliberately take or destroy the eggs of EPS; or
- Damage or destroy a breeding site or resting place of EPS.

Several EPS, including great crested newt (*Triturus cristatus*), otter (*Lutra lutra*), and various bat species (Chiroptera spp.), are also listed as Species of Principal Importance (SoPI) under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Legislation for Amphibians (excluding Great Crested Newt)

Under the Wildlife and Countryside Act 1981 (as amended), four widespread amphibians (smooth newt (*Lissotriton vulgaris*), palmate newt (*Lissotriton helveticus*), common toad (*Bufo bufo*), and common frog (*Rana temporaria*)) receive limited protection under Section 9(5).

Common toad (*Bufo bufo*) is also listed as a SoPI under Section 41 of the NERC Act 2006.

Legislation Relating to Breeding Birds

All wild birds, their nests, and eggs are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to:

- Intentionally kill, injure, or take any wild bird;
- Intentionally take, damage, or destroy a wild bird’s nest while in use or being built;
- Intentionally take or destroy a wild bird’s egg;
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while nesting, or its dependent young.

Schedule 1 species (e.g., peregrine falcon (*Falco peregrinus*), barn owl (*Tyto alba*), black redstart (*Phoenicurus ochruros*)) receive additional protection against disturbance.

A number of bird species are SoPI under Section 41 of the NERC Act 2006.

Legislation Relating to Badgers (*Meles meles*)

Badgers are protected under the Protection of Badgers Act 1992 (as amended), making it an offence to:

- Wilfully kill, injure, or take a badger;
- Intentionally or recklessly damage, destroy, or obstruct access to a badger sett;
- Disturb a badger while it is occupying a sett.

Water voles are SoPI under Section 41 of the NERC Act 2006.

Legislation Relating to Invasive Plant Species

Several invasive plant species (e.g. Himalayan balsam (*Impatiens glandulifera*), Japanese knotweed (*Reynoutria japonica*)) are listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), making it an offence to plant or cause these species to grow in the wild.

Regulations covering invasive species also include:

- The Environmental Protection Act 1990 (covers disposal of controlled waste, including Japanese knotweed contaminated material).
- The Hazardous Waste Regulations 2005 (regulates hazardous waste disposal when herbicides have been applied).

Appendix 2 - UK Habitat Classification Codes

Hierarchical code	Code	Meaning
Primary Code	u1c	Artificially Unvegetated; Unsealed Surface
	h3d	Bramble Scrub
	g4	Modified Grassland
	U1f	Sparsely vegetated land
Secondary Code	11	Scattered Trees
	17	Ephemeral
	8o	Unmanaged