

From: David Dutton
Sent: Tuesday, March 21, 2023 1:14 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 69361 Spurr House

Thank you for consulting the GMEU

Summary

Further information on great crested newts and biodiversity net gain is recommended. Other ecological issues relating to bats, nesting birds, small mammals and invasive species can be dealt with via condition and or informative.

Great Crested Newts

The ponds located to the east of the site are recorded as great crested newt breeding ponds, within relatively recent timescales, as are the ponds south of Unsworth Cricket Club. A license is therefore likely required for this development, dependent on the level of disturbance to existing semi-natural vegetation between the ponds and the building. Alternatively the developer may wish to enter in to district licensing. I recommend that:

Prior to determination further information is provided on how the developer will avoid harm to great crested newts

Bats

Buildings and trees on the site were assessed for bat roosting potential, the building and two trees were subject to further dusk and dawn surveys, though given the two trees appear to be retained surveying of these appears unnecessary. In addition only one of the surveys was carried out at an optimal time of year.

No evidence of bat was recorded and despite the issues noted above, I am satisfied that the level of risk is very low and that no further surveys are required at this time. The building whilst moderate risk overall, is only impacted by the development on parts of the building and the works will be by hand. Ie if a bat is present there is less likelihood of harm. I therefore recommend an informative along the following lines is applied to any permission.

Whilst the building to be remodelled has been assessed as very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Nesting Birds

Trees and shrubs will be lost, potential bird nesting habitat. The buildings also appear to provide potential bird nesting opportunities. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried

out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Other Wildlife

It appears likely that some cutting back of scrub will be required in order to construct the MUGA as well as create the car park, potential habitat for species such as hedgehog and common toad both UK Biodiversity Species as well as other amphibians and small mammals. I therefore agree with the consultant that reasonable avoidance measures should occur during site clearance to avoid unnecessary suffering. I recommend a condition along the following lines is applied to any permission.

Prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for mammals such as hedgehog, amphibians and other wildlife covering both the site clearance and construction phases will be provided to and agreed in writing by the LPA

Himalayan Balsam and other invasive species

This invasive species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 9 (as amended) was recorded on the site. There is a risk that seed or plant material could be translocated off-site and an offence committed. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

I note the reference to grey squirrel listed under schedule 9 part 1, but do not regard it as necessary for the developer to take any action with regards this species unless one was accidentally captured, in which case it would need to be humanely disposed of.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of mature trees, amenity grassland and some scrub to hardstanding. Potential species impacts include loss of nesting bird habitat and cover for small mammals and amphibians including most likely great crested newts. The consultant notes that net gain can be achieved on site. However, it is best practice to provide a copy of the defra metric in order to more easily verify that net gain can be achieved on the site. *I therefore recommend that prior to determination a copy of the excel defra metric spreadsheet is provided.*

I am satisfied that species mitigation can also be achieved through nest boxes and creation of hibernaculum for amphibians. *The details can likely be conditioned, once additional information has been supplied on great crested newts.* ie if the developer enters in to District Licensing no mitigation would necessarily be required on the site.

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