

From: David Dutton <david.dutton@tameside.gov.uk>
Sent: Friday, March 24, 2023 4:30 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 69388 Radcliffe Market Hall and Town Centre

Hi Dean

Thank you for consulting the GMEU

Summary

The developer's ecological consultant identified no significant ecological issues. Issues relating to bats, nesting birds, invasive species, proximity to the River Irwell and biodiversity enhancement measures can be resolved via condition and or informative.

Bats

A valid bat report has been provided. No evidence of bats was found, following an initial assessment and follow up dawn and dusk surveys of the buildings proposed for demolition at a peak time of year. Limited bat activity was recorded despite the proximity to the River Irwell. I have no reasons to despite the findings of the report given the level of survey. I would however regard the risk of occasional usage by individual bats along the River Irwell elevation of the Market Hall as sufficient to require reasonable avoidance measure during refurbishment works. (see below).

The river Irwell theoretically provides a dark corridor for bats, this does not appear to be compromised by the development. Unless external lighting of the River is proposed no further information or measures are required.

Otter

Otter are known to utilise the River Irwell with records down and upstream of the development site. There was no evidence of otter utilising the bank adjacent to the site. As works will occur in river, reasonable avoidance measures are recommended (see below).

Nesting Birds

A number of birds were confirmed as breeding on the site, including feral pigeon, sand martin and bullfinch a UK Biodiversity Priority Species. Dipper were breeding nearby. Note feral pigeon can breed throughout the year and whilst protected on the nest are also listed as a pest species and can be disturbed under license. Other species were potentially nesting near or on to the site. Temporary exclusion of the sand martin for one season is proposed to enable works to the riverside elevation. I have no objection to this as long as mitigation is provided. (see below)

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 demolition shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately demolition and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the LPA.

Protection of Bats and Otter

There is a very low risk of otter and bats being present. Works along the River Irwell elevation including demolition of the bank and control of invasive species should be carried out under reasonable avoidance measure to ensure that neither of these species are negatively impacted or harmed. I therefore recommend a condition along the following lines is applied to any permission.

No works in river including invasive species control or on elevations adjacent to the river including demolition shall occur unless reasonable avoidance measures for otter and bats has been provided to and agreed in writing by the LPA

Invasive Species

Giant hogweed, japanese knotweed and himalayan balsam are present along the base of the site adjacent to the River Irwell. Works will occur in these area, with a risk of seed and plant material being carried off-site. I accept however that eradication is not possible owing to heavy infestations of the same species up river. ie recolonisation will occur rapidly, particularly for balsam and knotweed which spread by seed. *I therefore accept that invasive species plan submitted is reasonable and can be conditioned.*

Proximity to the River Irwell

The River Irwell is a feature of ecological importance as a habitat independent of the species present. It is subject to the NW River Basin Management Plan and identified as Wildlife Corridor in the UDP. The main risks will occur during construction, as a result of dust and debris falling in to the River or overland flow, contaminated with silt or pollutants entering the River. Post development drainage is also however to the river via existing outfalls, therefore there is a risk of increased run-off or contamination. The drainage strategy however indicates it will achieve betterments to the existing system which I am not qualified to interpret.

A Environmental managemetn plan has been provided that acknowledges the need to protect the river but does not detail specific measures. These would include stopping up of any existing surface water drainage direct to the river during demoltion and earthworks to prevent pathways for contaminants and measure during demolition of the former bank and works in river to prevent debris and potentially polluting materials such as cement falling in to the River. I am satisfied however that the detailed measures to protect the river can be conditioned along the following lines.

No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, dust and debris during demolition of the former bank and works in River including bricking up of windows has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details

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 site generally has very low habitat value restricted to young urban trees, twelve of which will be lost. Species interest is limited primarily to nesting birds. Eleven primarily ornamental trees are proposed, a number of nest boxes as well as a small amenity area.

I have a few issues with these proposals.

First I am not convinced net gain will be achieved given less trees are being planted than lost, with a lack of high value native species, though the level of any loss I accept will be very small, given the low baseline.

Second bird boxes are proposed on some of the new trees. These are unlikely to be large enough, though the boxes on the retained trees may be ok, though these trees generally are also small.

I therefore recommend the following amendments to the landscape and biodiversity enhancement proposals..

- Less nest boxes around the new development ie only place on existing trees and locating of three house sparrow terraces on the River Irwell elevation of the Market Hall;
- Substitution of landscape trees with locally native species such as silver birch and;
- Prior to stopping up of sand martin holes addition of a sand martin wall (or drilling new holes direct in to retaining wall to mimic the weep holes already in usage) and;
- Attachment of three bat boxes to the River Irwell elevation of the development

These amendments could be conditioned on a revised landscape proposal provided prior to determination.

David Dutton

Ecologist

Planning

Planning and Transportation

Place