

From: David Dutton
Sent: Thursday, February 15, 2024 7:06 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 70114 Clarkes Hill House

Hi Dean

Thank you for consulting the GMEU

Summary

Potential ecological issues include great crested newts, nesting birds, Himalayan balsam and biodiversity net gain.

Great Crested Newts (gcn)

No formal gcn survey was carried out with one pond inaccessible and the other dry at the time of the survey. I can however confirm that great crested newts have been recorded in both of these ponds in the past, most recently 2016. I agree however with the consultant that the combination of distance and development footprint are such that the risk of an offence is very unlikely, particularly if the footprint is restricted to the existing amenity grassland. I therefore recommend a condition along the following lines is applied to any permission. I would regard reserved matters as appropriate, given gcn are known to be present in the locality. I recommend the RAMMs is extended to other wildlife such a hedgehog and common toad.

As part of reserved matters a reasonable avoidance measures method statement for great crested newts and other wildlife will be provided to and agreed in writing by the LPA.

Other Protected Species

No evidence of any other protected species was recorded or suspected. I have no reason to disagree with the findings of the report. As this is an outline application and there could therefore be a delay prior to any development, resulting in the current ecological appraisal no longer being valid particularly for species such as badger, likely present in the locality given the presence of extensive areas of ancient woodland nearby. *I therefore recommend an updated ecological appraisal as part of any reserved matters application.*

Nesting Birds

There are trees and shrubs around the boundaries of the site, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. It is unclear whether or not any will be removed. I therefore recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur 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.

Himalayan Balsam

This species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) was recorded on the site. I recommend that as part of reserved matters an updated survey and management strategy is provided. The details can be conditioned along the following lines.

As part of reserved matters an updated invasive plant species survey will be provided and the finding supplied to and agreed in writing to the LPA. If any invasive species are present a management strategy for the species present should also be supplied to and agreed in writing by the LPA, prior to any earthworks.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 180 of the NPPF 2023 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 modified grassland and potentially trees and scrub. As it not 100% clear where the property will be located with respect to the existing habitats present, the ecological survey covering the original location plan.

I recommend that prior to determination the baseline habitats within the footprint of the red edge are clarified and a baseline biodiversity unit value established using the most up to date defra metric.

I am however confident that full mitigation could be achieved on-site, given the extent of the blue edge, if it is accepted that the large area of grassland is modified grassland not garden, thereby allowing enhancement and or habitat creation such as tree planting. *I recommend however that prior to determination confirmation is provided that the land in the blue edge is available for any habitat mitigation and compensation that may be required for loss of grassland, trees and scrub.*

Alternatively a biodiversity gain plan or statement can be provided.

With regards wildlife mitigation and enhancement, I am satisfied that such measures can be achieved on the site through provision of bird boxes, bat boxes and amphibian hibernaculum. *The details can be provided via condition.*

David Dutton

Ecologist

Planning

Investment, Development and Housing

Place