

Thank you for consulting the GMEU.

### Summary

The main ecological issue is biodiversity net gain. All other ecological issues relating to bats, great crested newts, nesting birds and invasive species can be dealt with via condition and or informative.

### Bats

The buildings and trees on the site were assessed for bat roosting potential. The existing club house and two trees on site B were assessed as having more than low bat roosting potential. Dusk surveys were carried out for the club house. The two trees were regarded as retainable. No bats were identified during the dusk surveys of the club house with only low levels of bat activity. No further survey is required. It is however less clear whether or not the two trees on site B, will now be retained as the layout indicates the loss of the majority of the trees in the group where the two willow with ivy were found.

*I therefore recommend clarification prior to determination whether or not the two willows with ivy are being retained and if not further survey prior to determination.*

With regards the club house, whilst no further surveys are required at this time and bat activity levels low, best practice is for updates every 1 to 2 years. Given the findings of the report, I am satisfied it is valid for all of the next bat activity season but will require a review in 2027. This can be conditioned along the following lines.

*If the demolition hereby approved does not commence before 30<sup>th</sup> April 2027, the building will be reassessed for bat roosting potential and the finding supplied to and agreed in writing by the LPA.*

### Great Crested Newts (gcn)

Whilst there are historic records for gcn from a pond opposite site B across Ringley Road, it has been known for some time that this pond no longer holds water. (Prior to 2020 when first reported). A survey of a pond on the golf course using the eDNA methodology came back negative, in-line with previous surveys of this pond over the last 20 years. Two mill ponds to the west of site A could not be accessed but assessed as low risk. I again agree as whilst no recent surveys have occurred, they have been surveyed historically (2006), with no evidence of gcn being present.

I am therefore satisfied that no further survey is required at this time, with general precautionary working measures for amphibians sufficient to remove any residual risk. Given the historic records for gcn near to site B, I also recommend an informative along the following lines.

*Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.*

### Other Protected Species

No evidence of any other protected species was found on the site and the site assessed as very low risk. I agree however that badger could theoretically forage across the site, with this species known to be present in the wider area. I recommend general precautionary working measures and an informative along the following lines.

*The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the*

*developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.*

Whilst reptiles could theoretically be present, there have been no records of any reptiles for many years from the Borough of Bury and are therefore assumed to be absent from the locality. The occasional sightings have been assumed to be either mis-identification of amphibians or lizards brought back from vacations, such as wall lizard.

#### Nesting Birds

Trees and scrub will be lost 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. I recommend a condition along the following lines be applied to any permission.

*No works to trees or shrubs shall occur between the 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.*

#### Other Wildlife

The habitats on site to be removed, particularly on site B, provide cover for species such as hedgehog, amphibians and protected species such as badger. Precautionary working measures have been recommended. Whilst recommendations have been provided in the reports, given the disjunct nature of these recommendations, I recommend a combined precautionary working measures method statement for all species at risk is provided. (Though separate reports for each site may be needed). I therefore recommend a condition along the following lines is applied to any permission.

*Prior to any vegetation clearance or earthworks on either site A or site B, a precautionary working measures method statement for hedgehog, badger, other mammals and amphibians for that phase will be provided to and agreed in writing by the LPA.*

#### Invasive Species

Five species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended), were located across the site, all five on site A and three on site B. The species found on both site were himalayan balsam, variegated yellow-archangel and a cotoneaster, with japanese rose and rhododendron also recorded on site A. It is an offence to cause any such species to be spread in the wild. I therefore recommend method statements for all five species are conditioned as part of any permission. A condition along the following lines will suffice.

*Prior to any vegetation clearance, earthworks or machinery on either site a method statement for the control of invasive species including species such as himalayan balsam, cotoneaster, variegated yellow archangel, japanese rose and rhododendron but not restricted to shall be provided to and agreed in writing by the LPA for that phase of the development.*

#### Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development will result in the loss of existing soft landscaping, semi-natural habitat and development to primarily development and soft landscaping. There will also be a loss of bird nesting habitat.

10% BNG applies. A BNG assessment and metric have been provided. The metric however does not include the post development habitats.

*I therefore request that the version of the metric utilised for the BNG assessment is provided.*

The BNG assessment indicates a short fall of 3.27 units to break even, a figure does not appear to have been given for the number of units required to achieve 10% net gain. More than 10% is achieved for hedge units, with no requirement for river units.

The strategy to achieve 10% net gain appear to include off-site units generated on their own land holding, purchase of off-site units from a registered habitat bank and on-site habitat creation. I have the following issues and recommendations based on the information provided so far. Additional issues may arise once I have seen the metric.

- I recommend they amend the red edge boundary of site A to include their own off-site measure. If they treat this as off-site they will need to register the land with defra and enter in to a legal agreement with a third party. It would be cheaper and simpler for them to add to the red edge,
- Clarification is required on phasing. I am assuming they intend to build out phase B first ie new club house prior to demolition and development of the existing club house and adjacent land. This will add a delay in to some of the habitat creation on site A, which will if not already be built in to the metric.

The on-site measure do include habitat regarded as significant. A 30 year HMMP will therefore be required for habitat deemed significant. Based on the BNG assessment the habitat to which the HMMP will apply include other broadleaved woodland, other neutral grassland, a traditional orchard, mixed scrub, urban trees and species rich hedge. Once the metric is provided other habitats creation may also be identified as significant. It is also likely that the number of units generated will be such that a legal agreement as opposed to standard condition, to control the 30yr HMMP is the best approach. However, this is for the LPA to decide. It should however be noted that without a legal agreement the cost of monitoring fees for the HMMP cannot be recovered.

To discharge the statutory biodiversity gain condition, which will apply, the applicant will need to:

- Provide the biodiversity gain plan utilising the defra template,
- Have purchased and registered with defra all off-site unit requirements,
- Provide the final version of the 30 yr HMMP for significant on-site habitats. I recommend given the scale of the site the use of the defra HMMP template for this site and
- Provide the final version of the statutory metric in excel format, with relevant sections of the start page completed.

*I recommend a condition relating to mitigation and enhancement for wildlife covering provisions for nesting birds and bats as well as maintenance of site permeability across site A for hedgehog.*

The targets for nesting birds on site A should be swift and house sparrow, with both recorded nearby. The provision of one bird brick per two dwellings in line with industry standards is recommended along with a pair of bat bricks for every 10 dwellings. Less is required for site B, which includes more tree and habitat creation. Bird boxes on retained trees are recommended.

## **Ecologist**