



Fletcher Fold

Bury

Protected Species Report: Amphibians

Prepared For: Pozzoni Architecture Limited

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TEP
401 Faraday Street,
Birchwood Park,
Warrington,
WA3 6GA

Tel: 01925 844004
Email: tep@tep.uk.com

Offices in Warrington, Market Harborough, Gateshead, London, and Cornwall

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Executive Summary

Introduction	▶ The site is located within Bury, Greater Manchester (BL9 9RX). ▶ Two ponds were found to be present within 250m of the site's boundaries during the desk study and subsequent extended phase 1 habitat survey in October 2023. See Figure 1/Pond Location Plan G10188.013 ▶ No aquatic habitat was present on site but terrestrial habitat suitable for amphibian species is present including woodland and scrub.
Surveys Undertaken	▶ Desk study (TEP ref: 10188.001 April 2024) ▶ Great crested newt (GCN) Habitat Suitability Index (HSI) Assessment (P1 and P2 on 19th October 2023) ▶ eDNA sampling (P1 and P2 on 22nd April 2024) ▶ Additional surveys include a Phase 1 Habitat Survey (updated in April 24), Badger Survey and Ground Level Tree Assessments were undertaken in October 2023 and April 2024.
Great Crested Newt	▶ Records of GCN were returned within 2km of the site boundary, as reported in the Ecological Desk Study. ▶ The HSI assessment results returned P1 as Poor and P2 as Average for GCN habitat suitability. ▶ The eDNA returned a negative result for GCN on the 24th April 2024 from ADAS. As a result GCN are considered to be likely absent from these waterbodies and therefore the site.
Other Amphibians	▶ Records of common toad were returned within 2km of the site boundary, as reported in the Ecological Desk Study. ▶ No visual sightings of any amphibians were recorded during the HSI and eDNA surveys.
Implications	▶ Due to the eDNA sampling results, GCN are considered to be likely absent from the site and there are no licensing requirements or restrictions to works commencing on site within two years, in relation to this species.
Avoidance / Mitigation	▶ Works should be conducted under a Precautionary Working Method Statement (PWMS) that includes common amphibian (such as common toad) avoidance and protection measures to ensure no harm or injury occurs to any protected/priority species during construction, if these species are present on site. Further details are set out within the Ecological Assessment Report (10188.002)
Compensation / Enhancement	▶ Proposed meadow grassland and native shrub planting within the landscape scheme will provide suitable habitat for amphibians following completion of the development.

This Executive Summary is not a substitute for the full report. Refer to the full text of this report for further detail.

1.0 Introduction

Project Context

- 1.1 The site is located at grid reference SD 80627 08682, approximately 1.8km south of Bury, Greater Manchester and is approximately 0.9ha in extent.
- 1.2 The Environment Partnership (TEP) was commissioned by Pozzoni Architecture Limited on behalf of Acron Housing Association (Bolton at Home) in October 2023 to undertake Great Crested Newt *Triturus cristatus* (GCN) Habitat Suitability Index (HSI) assessments on two ponds within 250m of the site boundary.
- 1.3 As the ponds were found to have potential for GCN, a presence absence environmental DNA (eDNA) survey was commissioned in February 2024. The two ponds discussed are shown on Figure 1 and Pond Location Plan G10188.013.



Figure 1: Location of site, ponds within 250m and relevant barriers to amphibian dispersal

- 1.4 The proposals for the site include the construction of an apartment complex, four bungalows and associated landscaping and infrastructure. These are shown on the Site Layout Plan (Pozzoni Drawing Ref: 6071-POZ-XX-ZZ-DR-A-1200 Rev P06, March 2024).

Ecological Context

- 1.5 No aquatic habitat is present within the site. However suitable terrestrial habitat was noted during the extended phase 1 habitat surveys undertaken in October 2023 and April 2024. Habitats present that GCN and other amphibians may utilise include woodland, scrub, ephemeral/short perennial, species-poor neutral grassland and scattered tree roots, as shown on Drawing G10188.007A Phase 1 Habitat Survey.
- 1.6 A review of mapping and satellite imagery identified two ponds within 250m and this was confirmed during the October 2023 habitat survey. Terrestrial habitat is also present in the wider area which amphibians could use for commuting to and from site, however this is limited by the residential development including kerbed roads.

Legal Protection

- 1.7 All British amphibian species receive legal protection in the United Kingdom though the degree to which different species are protected varies. GCN, natterjack toad *Epidalea calamita* (NT) and pool frog *Pelophylax lessonae* (PF) and their habitats (places used for breeding and shelter) receive the highest level of protection in the UK under the combination of the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2017 as amended. While NT and PFs have restricted distributions within the UK, GCN are relatively widespread.
- 1.8 Licences to allow derogation from the protection afforded to GCN (and NT and PF) may be granted under the provisions of the 2017 Regulations.
- 1.9 Further information relating to legal protection afforded to native amphibian species is presented in Annex B.
- 1.10 GCN, NT, PF and common toads are listed as Species of Principle Importance (SPI). Section 40 of the Natural Environment and Rural Communities Act 2006 imposes a Duty upon public authorities to conserve biodiversity. Commonly referred to as the 'biodiversity duty', this includes local planning authorities in their decision making for planning applications or other plans or projects which may affect SPI.

Survey Rationale

Survey Guidance

- 1.11 The GCN surveys followed best practice and published guidance, including:

- Habitat Suitability Index (HSI) Assessment (ARGUK, 2010)¹
- Great crested newt mitigation guidelines (English Nature, 2001)²
- Great crested newt conservation habitat (Froglife, 2001)³

Survey Design and Scope

- 1.12 The surveys were designed to determine presence or likely absence of GCN within the two ponds that are within 250m of the site.
- 1.13 The ponds were subject to Habitat Suitability Index (HSI) Assessment and an environmental DNA (eDNA) survey.
- 1.14 Table 1 sets out the rationale for ponds with potential influence (250m) of the site.

Table 1: Survey Rationale

Waterbody ID	Distance & Direction	Survey Rationale	Scoped In
P1	15m south	A large ornamental lake within a residential estate. Sheltered vegetated areas were present along the lake edge and there are no substantial barriers between the site.	Yes
P2	80m north-east	A small, rectangular pond within a small woodland area with no substantial barriers between the site.	Yes

- 1.15 Ponds were subject to full survey where access permitted and ponds were suitable for survey methods.
- 1.16 Although surveys target GCN, other amphibian species could also be encountered. Any other amphibian species confirmed present during the course of these surveys were recorded and the results presented in this report.

¹ ARG UK Advice Note 5 (May 2010) Great Crested Newt Habitat Suitability Index

² English Nature (2001) Great Crested Newt Mitigation Guidelines (Version August 2001), English Nature, Peterborough

³ Langton, T.E.S., Beckett, C.L., and Foster, J.P. (2001), Great Crested Newt Conservation Handbook, Froglife, Halesworth

Surveyor Qualifications and Competency

- 1.17 Amphibian surveys were undertaken by TEP Ecologists in possession of a Natural England GCN survey licence, with relevant training and experience. Further confirmation of survey competency can be provided upon request.

2.0 Methods

Data Search

- 2.1 An ecological desk study was completed in 2023 to identify pre-existing records for GCN and other protected or SPI amphibians within 2km of the Site. The desk study, reported under separate cover (Doc Ref 10188.001), included a data request to Greater Manchester Local Record Centre (GMLRC).
- 2.2 The data search also included a review of citations and site forms (where available) for statutory and non-statutory designated sites within 2km of the proposed site where amphibians were mentioned.

Habitat Suitability Index (HSI) Assessments

- 2.3 An HSI assessment was undertaken on both ponds within 250m of the site, on 19th October 2023.
- 2.4 HSI is a standard measure of calculating the suitability of a pond to support breeding great crested newts, based on an assessment of 10 characteristics (indices), including size, shading, depth, and vegetation profile. The assessment generates a number between 0 and 1 for each of the indices which are combined to provide an overall assessment of a pond's suitability to support GCN on a categorical scale, as presented in Table 2. The assessment has not been designed for or tested on other waterbodies such as ditches.

Table 2: HSI Suitability Scores

HSI Score	Suitability	Predicted GCN Occupancy of Ponds in each Category
<0.5	Poor	3%
0.5 to 0.59	Below Average	20%
0.6 to 0.69	Average	55%
0.7 to 0.79	Good	79%
>0.8	Excellent	93%

- 2.5 Ponds with a score of below average, average, good or excellent were subject to a full survey. All ponds assessed to have a 'poor' suitability were reviewed and where sufficient justification⁴ could be made, these ponds were scoped out of further surveys.

Environmental DNA (eDNA) Sampling

- 2.6 Environmental DNA (eDNA) sampling was undertaken on ponds P1 and P2 on 22nd April 2024.
- 2.7 Sample collection was undertaken by TEP licensed surveyors. Sample kits and analysis was provided by ADAS. Both organisations followed the relevant sections of the method set out in the DEFRA funded study endorsed by Natural England. In summary the sampling protocol is as follows:
- 20 samples were taken from around the entire perimeter of the waterbody.
 - The surveyor stayed out of the water while taking the samples (extension poles were used in situations where open/sufficiently deep water was at a distance from the dry banks.
 - Survey locations were distributed around the pond perimeter, but micro-siting was used to select locations most likely to be used by GCN.
 - At each sample location the water column was stirred prior to taking the sample but care was taken to avoid disturbing the sediment on the base of the pond.
 - Once all 20 samples were taken, 15ml of the total sample were pipetted into each of the 6 sampling tubes, whilst ensuring that the water in the sample bag was mixed before taking each 15ml sample and that only one sample tube was opened at any one time.
 - At all times the surveyor ensured that the risk of contaminating the sampling equipment was minimised by avoiding the placement of the ladle or pipette on the ground or on any otherwise potentially contaminated surfaces and by changing gloves between the initial sampling stage and the pipetting stages of the method.

Chain of Custody

- 2.8 On receipt from ADAS the sampling kits were registered on a central database using the unique bar codes. Immediately prior to survey, sampling kits were issued to surveyors with individual Sample Forms using the unique bar code as identification. The site name and date of issue was also recorded on this form (and on the central database). Once in the field and at the ponds, the surveyor confirmed that the appropriate field survey sheet was being completed by checking the bar code on the box and double checking the

⁴ Factors considered may include pond history, recent or current land uses, barriers, and other contextual factors in addition to the suitability indices assessed as part of the HSI.

corresponding bar codes on the sample tubes. The surveyor then filled in the date of survey and the pond ID number (as well as other information relating to survey conditions) on the Sample Form.

- 2.9 On returning to the office the Sample Forms were signed to confirm for each sample who received the samples and checked them into the fridge and the temperature of the fridge. The pond IDs on each form were checked against a site map confirming which ponds had been sampled and this map was stored with the Sample Forms. All this information was also recorded on the central database. The sample preserving tubes were stored in a fridge until the morning of collection by the courier. The Sample Forms and the central database were updated to confirm the date of collection by the courier.
- 2.10 The unique bar codes were used by ADAS to report results. All results were recorded in the central database by one member of staff and cross checked by a second member of staff before issuing to the project leader for review.

Survey Limitations

- 2.11 There were no limitations to the surveys. The results obtained are therefore considered to show an accurate overview of the GCN presence within the surveyed ponds.

3.0 Results

Desk Study

- 3.1 The desk study confirmed habitats within and adjacent to the site have the potential to support amphibians.
- 3.2 Data searches using Magic Maps and the GMLRC confirmed the presence of amphibian species records within 2km from the site boundary included:
- GCN; and,
 - Common toad
- 3.3 A review of Natural England's open datasets for granted protected species licences returned one GCN class survey licence return within 2km of the site. This licence was from the 9th May 2016 at a pond approximately 1.5km west of the site.
- 3.4 The pre-existing species records returned by GMEU records centre found 21 records of GCN within 2km of the site, with the closest approximately 1.4km west of the site.

Pond Survey

HSI Assessment

- 3.5 The results of all ponds subject to a HSI assessment are set out in Table 3 below.

Table 3: HSI Assessment Results

Waterbody ID	SI1 Location	SI2 Area m ²	SI3 Permanence	SI4 Water Quality	SI5 Shade %	SI6 Waterfowl	SI7 Fish	SI8 Density	SI9 Terrestrial Habitats	SI10 Macrophyte Cover %	HSI	
											Overall Score	Suitability Category
P1	A	>2000	Never	Poor	15	Major	Major	1	Poor	10	0.25	Poor
P2	A	150	Sometimes	Moderate	80	Absent	Possible	1	Good	20	0.60	Average

eDNA Survey

3.6 The results of the eDNA surveys are presented in Table 4.

3.7 GCN were confirmed to be absent by eDNA at both ponds within 250m of the site.

Table 4: eDNA Survey Results

Waterbody ID	Survey Date	Score (/12)	GCN
P1	22/04/24	0	Likely absent
P2	22/04/24	0	Likely absent

4.0 Evaluation

Aquatic Habitats

- 4.1 Aquatic habitat suitability was assessed and returned as poor for P1 and average for P2. GCN were found to be likely absent from both ponds during the eDNA survey.
- 4.2 No evidence of any other amphibians was noted during the surveys. However, surveys were focussed on GCN and the presence of other common amphibian species cannot be ruled out.

Terrestrial Habitats

- 4.3 The terrestrial habitats are mapped in the habitat survey (Drawing G10188.007A). The terrestrial habitat within the site is considered suitable for amphibians including scrub, broad-leaved woodland and scattered tree root bases.
- 4.4 There is connectivity of suitable habitats from the site to the wider area, however this is limited by residential development including kerbed roads.

5.0 Conclusions and Further Requirements

- 5.1 The eDNA survey undertaken of the two ponds (P1 & P2) within 250m of the site boundary returned a negative result for GCN. As a result, GCN are considered to be likely absent from the site.
- 5.2 Given the above, GCN are considered to be absent from the site and there are no licensing requirements or restrictions to works commencing on site in relation to this species. However, the results are valid for two survey seasons and therefore if works do not start by spring 2026, further surveys may be required.
- 5.3 As common amphibians such as common toad may be present within the site, works should be carried out under a Precautionary Working Method Statement. Further details of this can be found within the Ecological Assessment Report (10188.002).

Annex A: Legal and National Policy Context

Annex A: Legal and National Planning Context

Disclaimer: This is a guide to legislation and procedure relating to biodiversity in England. It is general guidance, and it does not give specific advice in relation to any site, species, or project. It represents an interpretation of legislation and procedure as of May 2024. Readers should note that legislation and procedure changes continually and is interpreted on a case-specific basis. Nothing in this Annex should be construed as an offer of advice or legal opinion.

All British amphibian species receive legal protection in the United Kingdom though the degree to which different species are protected varies.

Great crested newts (GCN) *Triturus cristatus* and natterjack toads *Epidalea calamita* and their habitats (aquatic and terrestrial) are afforded full protection by a combination of national legislation.

They are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). The Wildlife and Countryside Act 1981 is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) which was amended by the Countryside and Rights of Way Act 2000.

In brief, this legislation makes it an offence to:

- deliberately capture, kill, disturb, or injure these species;
- damage or destroy a breeding or resting place of these species;
- deliberately or recklessly obstruct access to resting or sheltering places of these species (deliberately or by not taking enough care);
- possessing, selling, controlling, or transporting live or dead specimens of these species, or parts of them; or
- take eggs of these species.

This Act is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention). The Act has been amended by the Countryside and Rights of Way Act 2000 and by the Conservation of Habitats and Species Regulations 2017 (the 2017 Regulations), as amended.

The other more widespread British amphibians - common frog *Rana temporaria*, common toad *Bufo bufo*, smooth newt *Triturus vulgaris* and palmate newt *Triturus helveticus* - are not subject to such strict legal protection. These species are protected only against sale (Section 9(5) of the Wildlife and Countryside Act 1981).

In all cases, the legislation applies to all life stages including spawn, eggs, juveniles, and adults.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 imposes a Duty upon public authorities to conserve biodiversity. Specifically, this Act states that *‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.’* Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies, including local and regional planning authorities, in implementing their ‘biodiversity duty’ imposed under Section 40.

Current amphibian species recorded on the list include GCN and common toad. Presence of S41 listed species, referred to as Species of Principal Importance (SPI) within influence of the Site may be considered by the planning authority as a material consideration, irrespective of the level of legal protection afforded to the SPI.

Annex B: Detailed Pond Descriptions

Detailed Pond Descriptions

Table A.1: Pond Descriptions

Waterbody ID	Grid ref (NGR)	Photo	Description
P1	SD 80694 08533		Large pond in the middle of a residential estate. Surrounded by scattered broad-leaved trees with common reeds at the east of the pond. The pond is adjacent to a road for residential usage and waterfowl were recorded as present during the surveys.
P2	SD 80711 08770		A small, rectangular pond (40m ²) within a small patch of woodland, adjacent to a fenced off footpath. Waterfowl was recorded as absent from this pond as were fish.

Drawings

Drawing 1: Pond Location Plan (G10188.013)

Drawing 2: Phase 1 Habitat Survey (G10188.007A)



KEY

Site boundary

Site boundary - 250m buffer

Pond

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Redvales
River Irwell
Fletcher Fold
Hollins Brook
Hollins
Barlow Fold
Blackford Bridge
A6053
Hollinson's Goit

Rev	Description	Drawn	Approved	Date

THE ENVIRONMENT PARTNERSHIP
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Fletcher Fold Road, Bury

Title
Pond Location Plan

Drawing Number
G10188.013

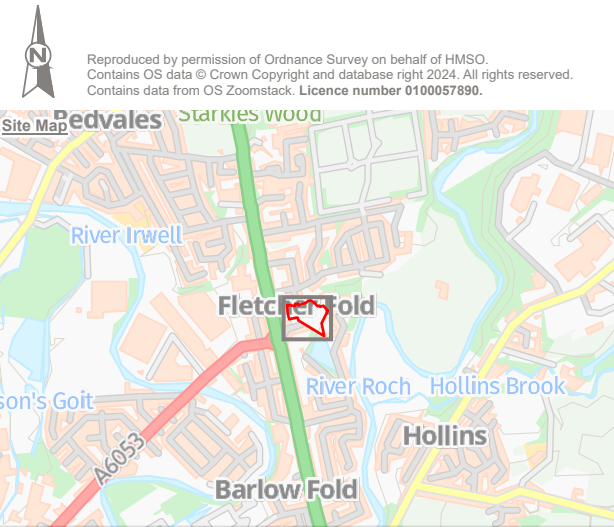
Drawn	Checked	Approved	Scale	Date
OH	CW	AL	1:3,000 @ A3	14/05/2024



KEY

- Site boundary
- Target note
- Cotoneaster
- Himalayan balsam
- Japanese knotweed
- Montbretia
- Scattered scrub
- Scattered broad-leaved tree
- Log pile/brash
- PRF-I: broad-leaved tree with potential roost feature suitable for individual/very small numbers of bats
- PRF-M: broad-leaved tree with potential roost feature suitable for multiple bats
- Fence
- Wall
- Semi-natural broad-leaved woodland
- Dense/continuous scrub
- Species-poor modified neutral grassland
- Bare ground with ephemeral/short perennial
- Hardstanding

Note:
The locations of habitats and habitat features are indicative.



A	Updated site boundary and habitats.	IJ	CC	29/04/2024
Rev	Description	Drawn	Approved	Date



THE ENVIRONMENT PARTNERSHIP

401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Fletcher Fold Road

Title
Phase 1 Habitat Survey

Drawing Number
G10188.007A

Drawn	Checked	Approved	Scale	Date
CW	AR	BW	1:550 @ A3	29/04/2024

HEAD OFFICE

Tel: 01925 844004
E-mail: tep@tep.uk.com

**MARKET
HARBOROUGH**

Tel: 01858 383120
E-mail: mh@tep.uk.com

GATESHEAD

Tel: 0191 605 3340
E-mail: gateshead@tep.uk.com

LONDON

Tel: 020 3096 6050
E-mail: london@tep.uk.com

CORNWALL

Tel: 01326 240081
E-mail: cornwall@tep.uk.com
