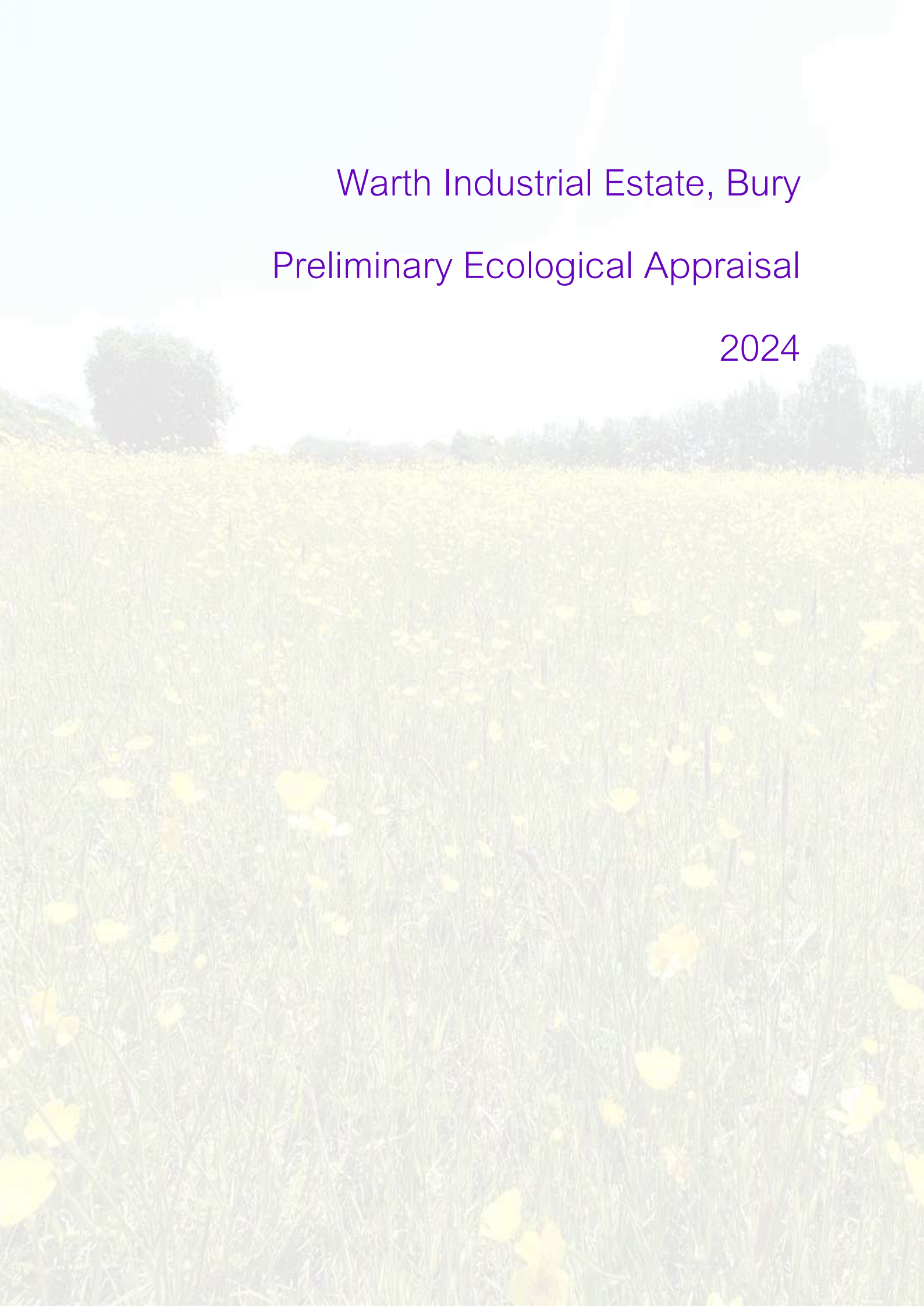


The background of the page is a photograph of a field filled with numerous yellow wildflowers, possibly buttercups, growing in tall grass. In the distance, a line of trees is visible under a pale sky. A semi-transparent white rectangular box is positioned in the upper half of the image, containing the title text.

Warth Industrial Estate, Bury

Preliminary Ecological Appraisal

2024

Client	Campbell Driver Partnership
Project Title	Warth Industrial Estate, Bury
Project Reference	RHE.4197
Project Leader	Joel Hacking
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Executive Summary



Development Details

The client is proposing commercial re-development of the Warth Industrial Estate, Bury, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Ecological Interest

No signs of roosting bats were found on the site and most of the buildings had negligible potential to support roosting bats. The habitats consisted of hard standing and a small section of modified grassland which lacks botanical diversity and is structurally uniform. Thus, the site has a negligible level of ecological interest.

Outcomes

The grassland will be retained and protected during the development. The grassland can be enhanced by removing invasive species, namely Giant Hogweed *Heracleum mantegazzianum*, and by improving the botanical diversity and structure.

Further survey work is not required due to the lack of potential roosting features (PRFs) for bats and no evidence of other protected species such as Badger *Meles meles*.

1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited was commissioned in 2024 by Campbell Driver Partnership to carry out an ecological appraisal of land at Warth Industrial Estate, Bury. The site is located at O.S. grid reference: SD 79647 09143 (see Figure 1).



Figure 1. Map showing the location of the site

- 1.1.2 The proposed development site is comprised of former and current commercial office buildings and a range of industrial units situated on hard standing. A small section of modified grassland is present to along the east boundary of the site. The site is located to the east of Elton Reservoir, separated by the River Irwell which borders the south and west boundaries. Urban development is present to the north and east boundaries.

Description of Development

- 1.1.3 The site will be the subject of a planning application for the demolition of the former and current commercial office buildings and the re-cladding and re-roofing of existing industrial units.

1.2 Scope of Work

- 1.2.1 The Client commissioned Rachel Hacking Ecology to carry out the following works:
- Desk-based study to obtain details of designated sites, protected and notable species within a specified search area
 - Record the extent, type, and condition of habitats within and next to the site

- Search for signs of protected species and assessment of the potential of habitats and features to support protected and notable species

1.3 Site Visit Information

Surveyor Details

- 1.3.1 Zoe Lloyd-Davies (Junior Ecologist) and Beth Mitchell (Assistant Ecologist) visited the site on Monday 24th June.

Weather

- 1.3.2 The weather at the time of the survey was sunny with an average temperature of 24⁰C.

2. Methods

2.1 Desk Study

- 2.1.1 The Magic website (Multi-Agency Geographical Information for the Countryside) was interrogated for the presence of Statutory Designated Sites (and European Protected Species licences) within a 2km radius of the site.
- 2.1.2 The site was checked to determine if it is located within an Impact Risk Zones for any Site of Special Scientific Interest (SSSI) and if so, whether the Local Planning Authority will need to consult Natural England.
- 2.1.3 Local Planning Authority Policy maps were interrogated for the locations of non-statutory designated sites.

2.2 Field Survey

Extended Phase 1 Habitat Survey

- 2.2.1 In accordance with JNCC guidelines¹ the site was walked over and the habitats and features of ecological interest were mapped and described. Habitats and features of particular interest were target noted.
- 2.2.2 During the walkover habitat and features were assessed for their suitability to support protected and notable species in accordance with CIEEM guidelines². Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.

Bats

- 2.2.3 The exterior of the site was surveyed from the ground using binoculars and a high-powered torch. Features offering potential access to roosting bats were recorded. Such features may include suitable gaps in roof coverings, gaps behind external cladding/facia and gaps in masonry.
- 2.2.4 Evidence indicating the presence of roosting bats was also searched for. This may include bat droppings on walls, windows or on the ground below roost entrances or staining from fur oil around roost entry points.

¹ JNCC (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Joint Nature Conservation Committee, Peterborough

² CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.

- 2.2.5 The interior of the site, including the roof void, was surveyed to identify any evidence indicating use by roosting bats. Such evidence may include bat droppings, feeding remains, urine splashes, live or dead bats and staining from fur oil on timbers.
- 2.2.6 Any trees on the site that are to be affected by the proposals were given a ground-level assessment, searching for Potential Roosting Features (PRF's), such as flaking bark, woodpecker holes, knot holes and limb splits.

2.3 Mitigation Hierarchy

- 2.3.1 Mitigation measures should be embedded within the masterplan design and planning application process. Measures during the construction phases should be included in a Construction Environmental Management Plan: Biodiversity (CEMP). This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:
- Aim to avoid negative effects through the design process.
 - Mitigate if negative effects cannot be avoided.
 - Use compensation measures to offset residual impacts.
 - Identify and implement opportunities to enhance biodiversity.

3. Results

3.1 Survey Constraints

- 3.1.1 Field survey results are valid for a limited duration and no investigation can provide a complete description and characterisation of a site. The composition of habitats and species can change depending on environmental variables and the mobility of species, so the results of a study become less reliable over time. In some cases, surveys that are 3 years old may be acceptable for a project assuming that habitats have not significantly changed in the intervening period, but for protected species it is likely that survey data will need to be no more than 18 months old.
- 3.1.2 Not all of the roof voids were accessible because of the dilapidated condition of the former office building. The design of inaccessible roof voids were either unsuitable for roosting bats or there were no access external access points to such roof voids.

3.2 Designated Sites

- 3.2.1 Hollins Vale Local Nature Reserve is 2km from the site. It is designated for its botanical interest.
- 3.2.2 The desk study identified that the site was located within the Impact Risk Zone of Rochdale Canal Site of Special Scientific Interest. The proposed development will not require the Local Planning Authority to consult with Natural England.

3.3 Habitats

- 3.3.1 Target Notes and photographs are contained in Appendix 2. The building locations and the habitats survey plan are contained in Appendices 3 and 4 respectively. Habitat Condition Assessments are contained in Appendix 5.

Modified Grassland

- 3.3.2 The area surrounding the buildings is predominantly hard standing which contains vegetated cracks in places consisting of Dandelion *Taraxacum* agg. and White Clover *Trifolium repens* (TN1). An area of modified grassland in poor ecological condition is present along the east boundary which contains predominantly Perennial Rye-Grass *Lolium perenne*, interspersed with Spear Thistle *Cirsium vulgare*, Red Dead-nettle *Lamium purpureum*, and Field Forget-me-not *Myosotis arvensis* (TN2). Giant Hogweed *Heracleum mantegazzianum* is also present within grassland TN2. In the southeast corner the grassland (TN3) has a taller sward and Oxeye Daisy *Leucanthemum vulgare* is abundant. The grassland is also in poor ecological condition (see Appendix 4).

Boundary Habitats

- 3.3.3 The site is enclosed by fencing on all sides. All other boundary features lie outside of the site's boundary; Warth Road runs parallel to the site's northern boundary, Radcliffe Road runs along the east boundary where a short line of broadleaved trees is also present, immediately bordering the south boundary of the site is the River Irwell, and bordering the west boundary is a railway separated from the site by broadleaved trees and scrub including Common Hawthorn *Crataegus monogyna* and Bramble *Rubus fruticosus* agg.

3.4 Species

Bats

- 3.4.1 The desk study returned three European Protected Species Licenses for Common Pipistrelle *Pipistrellus pipistrellus* within 2km of the site and situated to the north. Two of these licenses involved an impact and destruction of a bat resting and breeding site.
- 3.4.2 The habitats on site provide limited foraging potential for bats. However, the habitats to the south and west of the site, such as grassland, scrub, woodland and hedgerows, provide possible commuting and foraging potential for bats.
- 3.4.3 The buildings on site consist of a large former commercial office building (unit 4a – 5), a smaller commercial office building still in use (Offices 1-8) and a range of industrial units (Units 1, 2, 3, 8, 9, 10, 11 and 12). Appendix 5 shows the location of each building.
- 3.4.4 Units 1d and 1e have a corrugated metal roof and steel beams. The brick walls are topped by steel frames which are clad in corrugated sheet metal. There are some broken metal panels in the roof, but the walls are mostly intact; where gaps are present these are covered in cobwebs. The north and east elevation of 1d is open fronted and there are large metal shutters on the east elevation of 1e. No evidence of bat presence was found however, bird droppings are present on the floors indicating roosting and/or nesting activity. The large open space of the unit is unsuitable for bats to use for roosting due to its poor thermoregulatory properties. The structure and lack of any evidence of roosting bats indicates that the building has 'negligible' potential to support roosting bats.
- 3.4.5 Units 2a, 2b and 2c are of the same construction as units 1d and 1e however these units have been or are under current renovation. Intact uPVC windows are present on the south-facing elevation of unit 2a and the walls and roofs are intact. No evidence of bat activity was found. Bird droppings were found in unit 2c indicating roosting and/or nesting activity. These buildings are considered to have 'negligible' potential for roosting bats given the large open space of the units and lack of any signs.



Units 1d and 1e east elevation



Interior of unit 1d



East elevation of units 2a



South elevation of unit 2a



Interior of unit 2a



Interior of unit 2b

- 3.4.6 Unit 3 has a corrugated metal panel roof and steel beams. Several of the roof panels are missing. The south- and part of the west-facing elevations are open fronted, the remaining elevations are brick walls, which are intact. The north-facing elevation has wooden windows that have been boarded, and along

the east elevation are several metal shutters; all of which are intact. Bird droppings are present indicating roosting and/or nesting activity. There was no evidence of bat activity within the unit. Due to the large open space and lack of any signs of bats this building is considered to have 'negligible' potential to support roosting bats.



North facing elevation of unit 3



Interior of unit 3

3.4.7 Units 4a, 4b, 4c, 4d and 5 are a series of separate rooms partitioned into a range of offices, a café and reception area. The windows on the west- and south-facing elevations are uPVC frames and several have broken or completely missing windowpanes allowing potential access for birds or bats to the interior. There is a mixture of wooden, uPVC framed doors and metal shutters on the west-facing elevations which are intact. The roof is corrugated metal panels with intact metal flashing, and there are vent towers which are sealed with a metal mesh. The brick walls are mostly intact with some small gaps that are covered in cobwebs. The inside of the building is in a poor state of repair with the suspended ceiling panels broken so that the roof voids are visible. The roof void has intact metal and wooden beams and the underside of the roof is lined with wooden sarking. The roof exterior is intact so there is no roosting opportunities. Extensive sections of the roof void were covered in cobwebs and there were no signs of roosting bats such as droppings, fur stains or feeding remains. Bird droppings were found throughout most of the buildings indicating roosting and/or nesting. Below units 4a, and 4b is a cellar which is fully sealed and intact; no evidence of bat or bird presence was found. Despite access into the building via the windows, the roof void is sub-optimal for bats and given the lack of any signs of bats the building is considered to be of 'negligible' potential to support roosting bats.

3.4.8 Adjoined to unit 5 is a three-storey tower which has two uPVC windows for the lower levels and an upper wooden window. The brick walls are intact however, the roof is open and provides access for Feral Pigeons *Columba livia* which were present within the roof void during the survey. The roof void consists of felt lining and wooden beams which are rotting, and it is covered in cobwebs. A large amount of bird droppings were present on the floor and wooden stairs, but no evidence of bat presence was found. The building is of 'negligible' potential for bats.



West elevation of unit 4c



West elevation of units 4a and 4b



West elevation of unit 5 and tower



Exterior roof of unit 5



Interior roof void of the tower



Bird droppings inside units 4



Interior roof void unit 4c



Interior of the cellar below units 4a-4b



Interior roof void of unit 5

- 3.4.9 Units 8, 8a and 8b are a complex of single and double storey brick units. The south facing elevation has wooden window frames, most of which are broken, a boarded wooden door and a broken gutter allowing access into the building between the roof and guttering. The west elevation is a brick wall with intact metal shutters. The walls are intact except for a large hole under the roof at the north end of the west elevation. The north elevation consists of an open fronted steel framed extension in front of unit 8b which has an intact brick wall with 'bricked-up' windows. The east elevation also consists of intact brick walls with metal cladding and metal shutters. The roof is corrugated metal panels on steel beams; a newer roof section covers unit 8 with the remaining units' roof panels being older. The new roof panels are intact whilst the older roof on the south-facing elevation has some small gaps under the roof vents which are situated on the roof ridge. The interior is in similar condition to previous units 1

and 3 and no bat droppings or feeding remains were found but again, bird droppings were present. Thus, the building is considered to have 'negligible' potential to support roosting bats.



Unit 8 south elevation



Gap under the roof on unit 8 south elevation



Unit 8 west elevation



Hole in unit 8 west elevation wall



North elevation open extension of unit 8



North elevation of unit 8

- 3.4.10 Units 9, 9a, 9c and 9e are a large complex of units which have intact corrugated steel roofing, and a mixture of brick walls, corrugated steel sides and brickwork clad in metal sheets. The walls are mostly intact except for some missing bricks in unit 9c's west elevation and some small gaps along unit 9 and 9e's south-facing elevation. The holes were covered by cobwebs. Unit 9 and 9a's east elevation is a mixture of intact and broken uPVC windows, and large metal shutters. Unit 9c has two smaller flat roof extensions to the north-facing elevation. The brick walls and windows are intact and inside the rooms are covered in cobwebs. An active honeybee nest was present within the extension block. Inside, the complex is split into several spaces. The interior roof is lined with panels which are no longer intact and there are gaps between the lining and the steel panels. No signs of bat activity were seen but bird droppings were present in units 9a and 9c. Given the lack of access points into the building, lack of bat signs, and the size and material of the building which offers poor thermoregulatory properties for bats, these units are considered to have 'negligible' potential to support roosting bats.



East elevation of unit 9



Exterior of unit 9c



South elevation of unit 9 and 9c



Roof of interior of unit 9



Inside open space of units 9



Interior of units 9 and 9c

3.4.11 Unit 10 consists of bricks walls which are mostly intact except for a hole in the east elevation allowing access into the building. This elevation also has a boarded door, metal shutter and a cobweb covered vent. On the south-facing elevation there are broken and boarded up uPVC windows and an intact metal shutter. The west facing elevation has an extension consisting of brick and steel with part of the roof collapsed in wards. The roof is corrugated metal panels with steel beams, there are some missing panels providing access into the interior. There were no signs of bat and no roosting features so the building is of 'negligible' potential.

3.4.12 Units 11 and 12 are much the same as unit 10 with brick walls, intact metal corrugated roofing panels, and steel beams. The interiors are large open spaces, with no potential roost features or signs of roosting bats. Unit 11 is undergoing renovation and there are no interior gaps present within the walls or roof of the building. As such both units 11 and 12 are considered to have 'negligible' potential for bats.



East elevation of unit 10



South elevation of unit 10



Interior of unit 10



Hole in wall of east elevation



West elevation of unit 10



Interior of Unit 12



North elevation of unit 11



Interior of unit 11

- 3.4.13 The building containing offices 1-8 has a three-storey central building with flat roofs and two single-storey side extensions with a shallow double-pitched roof. The brick walls are all intact and contain intact uPVC windows to all elevations and intact uPVC doors on the south- and north-facing elevations. There is no fur or urine stains around the gaps between the uPVC cladding and the brick walls. The soffit boxes are metal which are mostly intact apart from some small gaps on the north-facing elevation. The soffits are capped with metal sheet overlapping from the roof. The roof void is created by suspended ceilings on flat roof boards and in the places where it is accessible there are no crevices for bats. Cobwebs are present and no bat droppings were found. There are gaps in the metal soffits but these are unsuitable for roosting bats because of the construction materials. Suitable roosting features were covered in cobwebs, there were no signs of roosting bats and there was a lack of access for bats into the building so the offices are considered to have negligible potential for roosting bats.



North elevation of the office block



South elevation of office blocks



Gap between uPVC and the brick wall on the north elevation



Gaps in the metal soffits on north elevation



Interior roof void of the office block

Other Mammals

- 3.4.14 During the survey no signs of other mammals such as Badger were observed on the site. The habitats on site are considered to be sub-optimal because of the substrate providing limited feeding opportunities. However, the bordering habitats to the south and west of the site such as woodland, farmland and grassland provide foraging and commuting opportunities for Badger.

Birds

- 3.4.15 The buildings on site provide roosting opportunities for birds. Feral Pigeons were seen roosting within the tower block of unit 5, one was encountered within unit 5, and they were present within units 1, 3, and 9. Bird droppings were seen in all units except unit 2a, 2b, 9, 10, 11, 12 and the offices. Carrion Crow *Corvus corone* and Common Gull *Larus canus* were seen flying over the site.
- 3.4.16 The habitats on site are sub-optimal for foraging birds due to the substrate providing limited feeding opportunities. The habitats surrounding the site to the south and west, including River Irwell, woodland and scrub provide foraging, breeding and resting opportunities for birds.

Great Crested Newts

- 3.4.17 The desk study returned one positive Great Crested Newt *Triturus cristatus* Class Survey Licence to the north of the site within 2km from 2016.
- 3.4.18 The habitats on site are sub-optimal for Great Crested Newt hibernation and the lack of ponds on site provide no opportunity for breeding. There is unlikely to be any commuting between the site and the location of the positive Great Crested Newt record, as the River Irwell separates the two locations acting as a barrier for Great Crested Newt dispersal. Therefore, Great Crested Newts are no longer considered in this report.

3.5 Invasive Species

- 3.5.1 A single Giant Hogweed is present on the east boundary of the site within the modified grassland TN2.



Giant Hogweed within TN2 grassland

4. Assessment

4.1 Impacts on Designated Sites

- 4.1.1 The site is geographically separated from Hollins Vale LNR by urban development and roads including the A56 Manchester Road, and the proposed development will not increase visitor pressure to Hollins Vale. Therefore, an adverse impact on Hollins Vale LNR is not anticipated.

4.2 Impacts on Habitats

- 4.2.1 This section evaluates and describes potential impacts and assesses ecological effects on habitats that are within the study area.

Modified Grassland

- 4.2.2 It is anticipated that the modified grassland will be retained and protected during the development; therefore, an adverse impact is not anticipated.
- 4.2.3 Improving the plant and sward diversity would benefit birds and bats foraging in the area by increasing invertebrate populations.

Boundary Habitats

- 4.2.4 As the boundary features are outside of the site's boundary, they will be protected from the development on the site; therefore, adverse impact on them is not anticipated.

4.3 Impacts on Species

Bats

- 4.3.1 All buildings have negligible potential to support roosting bats. The industrial units all have no evidence of bats, no voids for Brown Long Eared Bats and any crevices that are present would be unsuitable for crevice dwelling species because of the poor thermal properties of the building. Units 4a-5 and the offices have sub-optimal roof voids, unsuitable metal soffit boxes and no evidence of bats. In addition, the site has security lighting present which is likely to deter bats from using the site to roost. Overall, the lack of bat signs combined with the poor suitability of the buildings indicates an absence of roosting bats and negligible potential.
- 4.3.2 The hard standing and retained modified grassland is of limited suitability for foraging bats because such habitats are unlikely to support significant invertebrate populations. Commuting and foraging

bats are unlikely to use the site given the security lighting and presence of more suitable nearby habitat features i.e. the River Irwell and scrub.

Badgers

- 4.3.3 Signs of Badger were not found on site, but they can be attracted to spoil mounds on demolition sites because of potential foraging opportunities and without mitigation there is potential for harm to occur.

Birds

- 4.3.4 There were no signs of nesting birds in the buildings but given the accessibility of the roof spaces and the presence of roosting pigeons and bird droppings there is potential for birds to make use of the buildings for nesting and demolition during the nesting season could disturb or cause harm to nesting birds.

4.4 Invasive Species

- 4.4.1 It is not an offence to have Giant Hogweed on your land, but it is an offence to allow the species to spread into neighbouring areas or to grow in the wild. Therefore, it will be necessary to ensure appropriate measures are in place to prevent development activities from causing further spread of the species to new areas.

5. Recommendations

5.1 Further Surveys

- 5.1.1 There is no requirement for any further survey work.

5.2 Mitigation and Enhancement Measures

- 5.2.1 Protection of ecological features (habitats and species) during the construction phase will be described in a Construction Environmental Management Plan (CEMP). The CEMP will contain Operational Aims and Objectives, Rationale for management, Prescriptions and schedules detailing the timing and responsibility for delivering the prescriptions. It is anticipated that the CEMP will be provided as a planning condition in advance of the commencement of the proposed development.

Modified Grassland

- 5.2.1 The Modified Grassland TN2 and TN3 will be protected from development and construction work by ensuring heavy machinery is not left or used on it and rubble piles and debris is not placed on it.
- 5.2.2 Grassland TN2 can be improved by creating gaps in the sward (scarification) followed by sowing with a species-rich grassland seed-mix (Emorsgate EL1 flowering lawn mix or equivalent) at a rate of 4gm/m² during autumn. The grassland will be managed by cutting up to four times through the growing season with removal of cuttings. The grassland will be inspected, and weeds (*Ragwort Jacobaea vulgaris*, Common Nettle *Urtica dioica*, Thistles *Cirsium* spp., and Docks *Rumex* spp.) will be treated with a suitable herbicide for two years after sowing.

Badgers

- 5.2.3 To ensure that badger and any other mammals are not trapped or harmed during the construction work, smaller excavations should be covered if left overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.

Nesting Birds

- 5.2.4 Impacts on nesting birds should be avoided by carrying out site clearance and similar operations outside of the bird breeding season (March- August). Construction activities that might directly impact upon breeding birds should hence be limited to the September-February period. If vegetation has to be cleared during the bird breeding season checks immediately before clearance by a suitably qualified ecologist will be required. If nesting activity is detected work in that area will need to stop until the ecologist considers that nesting activity is finished.

- 5.2.5 The installation of nesting bricks³ for House Sparrow *Passer domesticus* and Swift *Apus apus* into selected brick walls will provide enhancement for biodiversity.

Invasive Species

- 5.2.6 Giant Hogweed will need to be removed either by excavation or herbicide or or burning . As Giant Hogweed is a controlled waste, it must be disposed of appropriately. If it is taken off site to be disposed of, it must be taken to licenced landfill sites with the required documentation. Or it may be disposed of by burning on site. When treating and disposing of invasive plant species it must be done in a way that does not endanger human health or environment. Removal and disposal can be done by yourself or by hiring a specialist.

³ <https://www.birdbrickhouses.co.uk/products/bird-brick-houses/>

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2023) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 180 and 186, shown below:

- 180. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 186. When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments),

should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;

- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.

The Environment Bill 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Bill 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Bill 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other satisfactory solution' and that granting the licence is 'not detrimental to the survival of any the population of the species concerned'. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

Appendix 2: Target Notes

Reference No.	Habitat	Photograph
1	Hard standing with some sparsely vegetated areas	
2	Modified Grassland comprised of Perennial Ryegrass, Purple Dead-nettle and Spear Thistle.	
3	Modified Grassland with a longer sward than TN2. Oxeye Daisy more abundant.	

Appendix 3: Building Locations



Appendix 4: Habitat Survey Plan



Appendix 5: Condition Assessments

Condition Assessment Criteria – Grassland TN2		Criterion Passed (Yes or No)
A	There are 6-8 vascular plant species per m ² present, including at least 2 forbs. Note - this criterion is essential for achieving Moderate or Good condition.	No
B	Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed.	No
C	Any scrub present accounts for less than 20% of the total grassland area. (Some scattered scrub such as bramble <i>Rubus fruticosus agg.</i> may be present).	Yes
D	Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities.	Yes
E	Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens).	Yes
F	Cover of bracken <i>Pteridium aquilinum</i> is less than 20%.	Yes
G	There is an absence of invasive non-native plant species (as listed on Schedule 9 of WCA).	No

Condition Assessment Criteria – Grassland TN3		Criterion Passed (Yes or No)
A	There are 6-8 vascular plant species per m ² present, including at least 2 forbs. Note - this criterion is essential for achieving Moderate or Good condition.	No

Condition Assessment Criteria – Grassland TN3		Criterion Passed (Yes or No)
B	Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed.	No
C	Any scrub present accounts for less than 20% of the total grassland area. (Some scattered scrub such as bramble <i>Rubus fruticosus agg.</i> may be present).	Yes
D	Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities.	Yes
E	Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens).	Yes
F	Cover of bracken <i>Pteridium aquilinum</i> is less than 20%.	Yes
G	There is an absence of invasive non-native plant species (as listed on Schedule 9 of WCA).	Yes