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Ecological Assessment Report

July 2024

United Utilities

Project: BRY0021 Aesthetics Screening
Pimhole Business Park
Bury



**United Utilities: Project BRY0021 Aesthetics Screening
Pimhole Business Park, Bury
Ecological Assessment Report**

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This report aims to provide general advice on ecological constraints associated with any development of the site and includes recommendations for further survey; it is not intended that this report should be submitted with a planning application for development of the site, unless supported by the results of further surveys and a detailed assessment of the effects of the proposed development.

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Executive Summary

As part of the United Utilities Aesthetics Screen Development Project BRY0021, Tyrer Ecological Consultants Ltd were commissioned by Emerald Green Environmental Management Services Ltd on behalf of Bethell Group PLC to undertake an updated ecological assessment within and adjacent to Pimhole Business Park, Bury, in July 2023, and to produce an updated Ecological Assessment Report referencing designations, policies and other instruments of relevance to ecology.

At the time of our commission, it is understood that the current application site falls within a wider working area for permitted development works, for which The Environmental Partnership (TEP) have previously undertaken an EAR as part of this project.

Thus, this report seeks to update the findings of the previously undertaken report in relation to the planning application concerning the outfall onto the River Roch.

The July 2023 updated site visit follows on from a previous Ecological Assessment and Water Vole & Otter survey in September 2021 by The Environment Partnership (TEP). Associated reports produced for these are referenced as Technical Appendices **TA3** and **TA4** as they hold relevance.

An updated Otter & Water Vole survey report has been prepared separately as a Technical Appendix (TA) **TA1**. An assessment in relation to Kingfishers has also been prepared separately as a Technical Appendix (TA) **TA2**.

Key points are summarised below:

Designated sites: No key issues forecast.

Priority habitats: No direct impacts anticipated to priority habitats including lowland mixed deciduous woodland which exists in the north-east of the black line boundary; however, a **CEMP** is required to avoid indirect impacts negative effects on nearby riverine habitat. Additional information is provided in section 6.0.

Invasive non-native species: Two species listed as invasive under both Schedule 9 (Part II) of the Wildlife & Countryside Act (1981) and Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019 are present within the wider Park in the form of Himalayan balsam and Japanese knotweed. Section 6.0 contains essential information concerning invasive non-native species.

Bats: No roosts to be impacted. The habitats within the wider site boundary and the adjacent River Roch suitable commuting and foraging habitat for bat species. Installation of harsh artificial lighting as part of any development that exceeds current levels could have a negative impact upon foraging/commuting bats in the landscape, particularly if increased light spillage occurs in areas of that are currently free from illumination. Potential impacts on retained bat foraging and commuting habitat adjacent to the site will be addressed through avoidance of any increased light spill onto these areas. A bat-sensitive lighting plan is recommended as part of the scheme, in relation to both the construction phase and operational phase of the works.

Breeding birds: In relation to WCA Sch1 listed species, an active kingfisher burrow was located ~20m southeast the application site boundary; the burrow is suitable for breeding. Kingfishers are protected from disturbance at a nest site inclusive of their dependent young which can remain in the area of the nest site for up to 4 weeks. The kingfisher surveys confirmed that the identified burrow is not currently in use however there is a pair of breeding

kingfishers on the River Roch as evidenced by the results of survey 5.

As kingfishers tend to have 2-3 broods a year and will utilise multiple nest burrows over the breeding season; it is recommended that a pre-commencement survey takes place the morning works are set to commence. If any nesting activity/breeding behaviour takes place at the burrow then the burrow will need to be monitored, and works will not commence until any/all dependent young have left the area as schedule 1 birds are protected both at the nest as well as when rearing dependent young.

In relation to common birds, the Japanese knotweed and other invasive forbs could offer nesting habitat, particularly during the breeding bird season of March-August. Vegetation clearance and demolition work should be carried out outside of the breeding bird season (March to August inclusive). All works undertaken during the breeding season require a nesting bird check to be carried out by a suitably qualified ecologist immediately prior to any clearance works commencing.

Water vole & Otter: A surveyed section of the River Roch to the east boundary of the Park is considered unsuitable for water vole. Field signs of otter were located to the south of Openshaw Park along the River Roch – see **TA1**, impacts to this species by the proposed works are possible without appropriate intervention measures. The works will need to be undertaken under a Reasonable Avoidance Method Statement (RAMs) to ensure otter are not harmed during construction stage, and that the favourable conservation status of populations present in the local area are maintained. RAMs for otter are supplied within **TA1**.

Other species: RAMs for species such as hedgehog, common toad, and other common species, are included in section 6.0.

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Appendix II: Botanical Species List

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Technical external Appendices

TA1 –

The United Utilities Aesthetics Screen Development Project BRY0021 Updated Water Vole & Otter Survey – Tyrer Ecological Consultants (August 2023)

TA2 –

The United Utilities Aesthetics Screen Development Project BRY0021 Kingfisher Survey report– Tyrer Ecological Consultants (July 2024)

TA3 –

UU Aesthetic Screens - Pimhole Business Park Ecological Assessment – The Environmental Partnership (TEP) (October 2021)

TA4 –

UU Aesthetic Screens - Pimhole Business Park Bury Water Vole And Otter Report – The Environmental Partnership (TEP) (September 2021)

1.0 Introduction & Scope

Overview

- 1.1 As part of the United Utilities Aesthetics Screen Development Project BRY0021, Tyrer Ecological Consultants Ltd were commissioned by Emerald Green Environmental Management Services Ltd on behalf of Bethell Group PLC to undertake an updated ecological assessment within and adjacent to Pimhole Business Park, Bury, in July 2023, and to produce an updated Ecological Assessment Report.

Project BRY0021 Aesthetics Screening

- 1.2 The proposed planning application concerns a proposed new out fall pipe onto the River Roch.

Scope of the report

- 1.3 At the time of our commission, it is understood that the application site falls within a wider working area for permitted development works, for which The Environmental Partnership (TEP) have previously undertaken an EAR as part of this project. Thus, this report seeks to update the findings of the previously undertaken report in relation to the new redline boundary **Figure 1.1**.

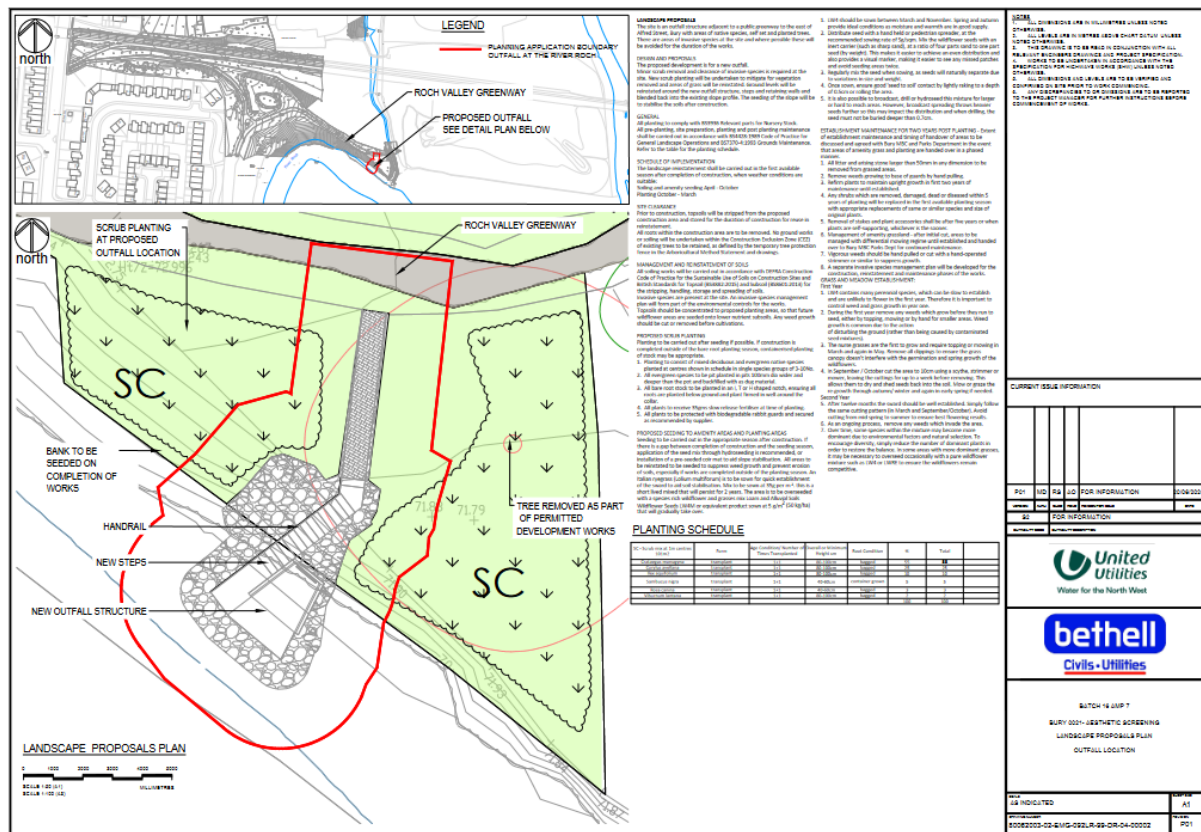


Figure 1.1 – Proposed outfall on the River Roche © mdlandscape

Previous site visits

- 1.4 The July 2023 updated site visit follows on from a previous Ecological Assessment and Water Vole & Otter survey in September 2021 by The Environment Partnership (TEP). Associated reports produced for these are referenced as Technical Appendices **TA3** and **TA4**.
- 1.5 Due to the time elapsed since a key aim of the updated site visit was to ascertain whether the ecological baseline remains the same or whether further survey work or intervention measures are necessary in consideration of evolving protected and/or priority habitat/species legislation and environmental policy

Aims & Objectives

- 1.6 This report aims to present the findings of an Ecological Assessment in accordance with British Standard 42020:2013. Relevant legislation, planning policy and guidance are referred to as appropriate.
- 1.7 The following objectives are bespoke to this report:
- Ascertain if there has been any change in the ecological status of the site since the previous assessment was undertaken by TEP in 2021;
 - Gather and present baseline ecological information on site/off site (as necessary) including the results of additional surveys, providing details of ecological constraints for the proposals, within a suitable report;
 - Identify, measure and map habitats using UK Habitat Classification – Habitat Definitions Version 1.1 (2020) habitats with reference to the Phase 1 Habitat Map produced previously by TEP in 2021;
 - Provide outline recommendations for mitigation measures aimed at maintaining net biodiversity value at the application site and identify where opportunities may exist to provide biodiversity enhancement;
 - Set out any requirements for post-development monitoring, management, or other commitments, and how they can be secured, where required.
- 1.8 As a functioning component of this specific work the following additional services were inclusive:
- The trees were subject to preliminary roost assessment (PRA) for Bats and assessed against the bat roost suitability parameters defined in the Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd ed. (2016).
 - Habitats within and in close proximity to the site boundary were assessed relative to their potential to provide suitable habitats for protected species considered likely to be present in the immediacy,
 - The River Roch was re-surveyed for evidence of water vole (*Arvicola amphibius*) and otter (*Lutra lutra*) following the methodology undertaken by TEP in 2021.
 - The River Roch was surveyed for the presence of breeding kingfisher following breeding bird methodology.

1.9 Key third-party data sources and/or information used to help inform this EAR included:

- 80062003-02-EMG-092LR-99-DR-04-00001 – Proposed site plans
- 80062003-02-EMG-092LR-99-DR-04-00002– Planting scheme
- BRY0021 - Arboricultural Impact Assessment - June 2023 – TEP
- UU Aesthetic Screens - Pimhole Business Park Ecological Assessment – The Environmental Partnership (TEP) (October 2021)

2.0 Legislation & Policy

2.1 The legislature considered for the purposes of this report includes the following:

- Biodiversity Net Gain: Good practice principles for development (2019),
- BS 42020:2013 Biodiversity – Code of Practice for Planning and Development (2013),
- Conservation of Habitats and Species Regulations (amendment) (2019) (EU Exit),
- Countryside Rights of Way (CROW) Act (2000),
- Natural Environment and Rural Communities (NERC) Act (2006),
- Protection of Badgers Act (1992),
- The Hedgerow Regulations (1997),
- Town and Country Planning Act (1990),
- UK Habitat Classification – Habitat Definitions Version 1.1 (2020),
- Wild Mammals Protection Act (1996),
- Wildlife and Countryside Act (1981) (as amended).

2.2 These acts entail relevance to both protected and invasive species. The degree of protection offered to taxa provided within existing UK and EU legislature often varies depending on species/group, for example, some species may purely be protected during one of its life stages (e.g. common species of breeding bird whilst nesting / with eggs / young); some species may receive full protection within the EU, whereas others may be protected solely on a national basis (e.g. grass snake).

2.3 **Table 2.1** contains appropriate legislature to each species/group specifically respective to the site and provides the relevance of said legislation.

Table 2.1 – Relevant Legislation

Species / Group	Relevant Legislation	Level of Protection
Badger	Protection of Badgers Act (1992), Wildlife and Countryside Act (1981) (as amended)	<u>Illegal to:</u> Wilfully kill, injure or take a badger (or attempt to do so), cruelly ill-eradicate a badger, dig for a badger, Intentionally or recklessly damage or destroy a badger sett or obstruct access to it, cause a dog to enter a badger sett, disturb a badger when it is occupying a sett.
Bats	CROW Act (2000) Conservation of Habitats and Species Regulations (2019) (EU Exit) Wildlife and Countryside Act (1981) (as amended)	All British bats and their roosts are afforded full protection from damage/destruction and bats may not be injured/killed/taken at any life stage. Once identified, roosts are protected whether the bat is in occupation or not.
Birds (Breeding)	CROW Act (2000) Wildlife and Countryside Act (1981) (as amended)	All wild birds (with only minor exceptions) and their nests whilst being built or containing eggs or dependant young are protected. Birds listed on Schedule 1 Wildlife & Countryside Act (1981) (as amended) are afforded a greater level of protection.

Great Crested Newt (GCN)	CRoW Act (2000) Conservation of Habitats and Species Regulations (2019) (EU Exit) Wildlife and Countryside Act (1981) (as amended)	Great Crested Newts (GCN's) are fully protected from disturbance, killing, injuring or possession at any life stage. Confirmed breeding ponds and resting places are afforded the same protection.
Invasive Plant Species	Wildlife and Countryside Act (1981) (as amended) The Invasive Alien Species (Enforcement and Permitting) Order 2019	Species listed within Schedule 9/Schedule 2 as invasive, including Japanese knotweed (<i>Reynoutria japonica</i>) and Himalayan balsam (<i>Impatiens glandulifera</i>), for example, carry notoriety regarding development. The Acts make it an offence for any person to grow or cause to grow in the wild any plants listed as invasive.
Otter	CRoW Act (2000) Conservation of Habitats and Species Regulations (2017) Wildlife and Countryside Act (1981) (as amended)	Otter are a species fully protected under Schedule 5 Wildlife and Countryside Act (1981) as well as under the Conservation of Habitats and Species Regulations. They are afforded full protection from capture, killing, disturbance and injury, whilst it is also an offence to damage/destroy/obstruct a breeding/resting place.
Reptiles	Conservation of Habitats and Species Regulations (2019) (EU Exit) - SL/SS Wildlife and Countryside Act (1981) (as amended) - SL/SS CRoW Act (2000)	All native reptile species have some degree of protection in the UK, through section 8(1) and (5) (specified in Schedule 5) of the Wildlife and Countryside Act 1981 (as amended). Sand lizard (SL) and smooth snake (SS) are species of principal importance however with greater protection(s).
Water vole	CRoW Act (2000) Wildlife and Countryside Act (1981) (as amended)	Water voles are fully protected against intentional killing, capture or injury and intentional or reckless disturbance, obstruction, damage or destruction of their burrows.

Relevant Policy

- 2.4 Guidance for Local Authorities: Extract from Office of the Deputy Prime Minister - Circular 06/2005:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

- 2.5 Paragraph 180 of the National Policy Planning Framework (as revised in July 2021) states:

180. 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 reasons⁶³ 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.

- 2.6 This national focus on the conservation of the natural environment is echoed in Policy EN6 of the Adopted Bury Unitary Development Plan (2022), which states:

"The Council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance."

3.0 Methodology

Desk study

- 3.1 Although the site was previously attended by TEP, Tyrer Ecological Consultants were supplied with relevant supporting documents and were therefore able to carry out a detailed analysis of the previous findings prior the commencement of the updated field survey; based on pre-survey desktop work we were thus fully familiar with the layout of the site and potential areas of ecological interest as well as any areas where it was likely significant change may have occurred. This report therefore relies on third party interpreted desktop information from **TA3** and **TA4**.

Field study

- 3.2 A daytime site visit was conducted on the 12th of July 2023 in sunny conditions (15°C), average wind 1/12 (Beaufort scale), average cloud 60%, by the following surveyors (see **Table 3.1**).

Table 3.1 – Survey team credentials

Name	Description of most relevant credentials
Miss Tasha Hesketh Consultant Ecologist	• An experienced ecologist with 4 years professional training and experience; graduating with a BSc in Biology and MSc in Conservation Management (a course accredited by CIEEM) • FISC Level 4 (2022) • Certified in River Condition Assessment methodology (MoRPh Rivers). • Accredited agent on the Class 2 Natural England bat license of Mrs K Wilding (CLS-14227)

Floristic assessment

- 3.3 The survey followed the UK Habitat Classification Version 1.1 (Butcher, et.al., 2020) methodology, introduced as the successor to the Joint Nature Conservation Committee (JNCC) Phase 1 Habitat Methodology standards (JNCC, 2010) in conjunction with the nationwide roll out of Biodiversity Net-gain. Survey techniques were also carried out with reference to the Chartered Institute of Ecology and Environmental Management (CIEEM) Technical Guidance Series “Guidelines for Preliminary Ecological Appraisal, 2nd Edition” (CIEEM, 2017).
- 3.4 During the survey walkover, botanical assemblages were assessed, and the land was inspected for the presence of red-listed (Stroh et al, 2014; Hodgetts, 2011), s.41 and LBAP species alongside specially protected species as listed under Schedule 8 of the Wildlife and Countryside Act (WCA) (1981) (as amended) and / or Schedule 5 The Conservation of Habitats and Species (amendment) (EU exit) Regulations (2019). Species nomenclature follows Stace, C. (2019) – definitive English names.

Faunal assessment

- 3.5 During the site walkover, the identification and / or evidence of priority fauna encountered was assessed in line with previous findings.

Bats

- 3.6 The trees on site were assessed for bats; this typically involves a search for potential roost features along with an investigation of those features using a high-powered torch or close focus binoculars. Potential roost features can include woodpecker holes, rot holes, hazard beams, other vertical or horizontal cracks or splits in stems and branches, partially decayed lifted bark, knot holes, man-made holes, tear-outs, cankers in which cavities have developed, other hollows or cavities, including butt-rots, double-leaders forming compression forks with included bark, gaps between overlapping stems or branches, partially detached Ivy with stem diameters in excess of 50mm or bat/bird boxes.
- 3.7 Factors considered during the preliminary roost assessment include:
- Practical experience of the surveyor,
 - Knowledge of bat species relevant to the site location and geographical range,
 - Nature of the immediate / surrounding habitat in relation to foraging opportunities,
 - Presence / absence of roost potential,
 - Value and types of roost potential, if present (i.e. – maternity, hibernation, transition).

Breeding birds

- 3.8 The site was inspected for evidence of nesting and suitability for relevant species. Bird species observed and heard were recorded on site, and a search was made for nest material, or areas suitable for nesting – this can take the form of searching structures, woody vegetation, semi-aquatic vegetation such as reeds and / or the ground. Elevations of any buildings or structures on site were inspected for evidence of birds that show a high dependency upon built structures, many of which are in a state of decline.
- 3.9 Additional to the site's capacity to support generally common species for breeding, the area was also subject to an assessment for wider capacity to support species with extra protection under Schedule 1 of the Wildlife & Countryside Act (1981) (as amended) and other priority species.

Water vole & otter

- 3.10 The River Roch which lies within 50m of application site was assessed for its potential to offer habitat suitability for water vole, to ensure that the previous findings were still extant, which included a preliminary search for:
- *Sightings* – confirmed sighting of a water vole during the survey.
 - *Latrines* – collections of droppings.
 - *Burrows* – holes along the water's edge and in the bank above.
 - *Footprints* – forefoot and hind foot.
 - *Pathways in vegetation* – low runs or tunnels pushed through vegetation.
 - *Feeding remains* – piles of chewed lengths of vegetation with 45-degree cuts to the ends.

- *Cropped grass around tunnel entrances* – grazed vegetation to form a 'lawn' around burrow.

3.11 The River Roch was also assessed for its capacity to support otter, which included a preliminary search for 250 metres both up and downstream for:

- *Holts, couches, dens* – resting areas of various value; protected once confirmed as active areas of rest.
- *Sightings* – confirmed sighting of an otter during the survey.
- *Spraint* – black, crinkly scent marker, often with fish bones within
- *Paths and slides* – distinctive, tube shaped pathways through vegetation
- *Padding* – wide, five-toed footprint
- *Anal jelly* – jelly-like deposited secretion
- *Castling* – a raised area used to spraint upon

3.12 An updated Water & Vole Otter survey report has been prepared separately as a Technical Appendix (TA) **TA1**.

Other terrestrial mammals

3.13 The walkover included an assessment for the presence / suitability of badger (*Meles meles*), which includes signs of activity such as prints, hairs, digging, setts, 'runs' leading to and from a sett and the existence of latrines or 'snuffle' holes where badgers have foraged in the ground.

3.14 The site was also assessed for the presence / suitability of European hedgehog (*Erinaceus europaeus*) and other priority mammals.

Herpetofauna

3.15 The terrestrial value of the Site was assessed in relation to amphibian shelter, hibernation, foraging and commuting habitat suitability, including protected great crested newts (GCN) (*Triturus cristatus*).

3.16 During a desktop assessment a 500m search was undertaken from a site-central grid reference concerning the presence of ponds, ditches or other water bodies that may support GCN. There are no waterbodies present within 500m of the site boundary that would provide suitable breeding habitat for this species.

NB: *English Nature's (now Natural England) Great Crested Newt Mitigation Guidelines (2001) state ponds within 500m of a proposed development site should be considered for their potential to support GCN, however, in some instances this distance may be reduced to 250m due to the presence of physical barriers and obstructions or based on the likely magnitude of impacts arising from the proposed development.*

Reptiles

3.17 In assessment of a site for reptiles several important habitat characteristics are considered, outlined in **Table 3.2** overleaf, as derived from the Reptile Habitat Management Handbook (Edgar, 2010).

Table 3.2 – Important habitat characteristics for reptiles

1. Location (in respect of species range)	7. Connectivity to good quality habitat
2. Vegetation structure	8. Prey abundance
3. Insolation	9. Refuge opportunity
4. Aspect	10. Hibernation habitat potential
5. Topography	11. Disturbance regime
6. Surface geology	12. Egg-laying site potential

3.18 The results, conclusions and recommendations of this report are based on a number of factors i.e.

- Skills and experience of the surveyor,
- Knowledge of flora and fauna relevant to the site location and geographical range,
- Nature of the immediate and surrounding habitat in relation to shelter, foraging and commuting opportunities.

3.19 The results, conclusions and recommendations of this report have been assessed by Mrs. K. Wilding, Director of Tyrer Ecological Consultants Ltd, and her assessment concurs with the findings and recommendations of the author Miss. T. Hesketh.

4.0 Limitations

- 4.1 Third-party information was utilised in the completion of the Updated Ecological Assessment therefore Tyrer Ecological Consultants Ltd cannot be held accountable for any possible discrepancies within the reports provided.
- 4.2 This report does not contain a comprehensive list entailing the totality of botanical taxa on site. Species listed within **Appendix II** are recorded from a combination of the seasonal timing that the survey took place and botanical identification skills of the surveyor. Many plant species are only evident at certain times of the year; consequently, it is possible that some plant species may have gone undetected.
- 4.3 Some trees immediately adjacent to the site boundary were in full leaf at the time of survey; thus, it is possible that potential roost features (PRF's) may not have been visible to surveyors at ground level. This constraint is offset by the existence of a supporting Arboricultural Impact Assessment (AIA) (TEP, July 2023).
- 4.4 In considering possible survey constraints, no significant limitations were experienced that might adversely influence the results, conclusions, and recommendations of this report.

5.0 Results

5.1 Tyrer Ecological consultants conclude that the desk study results in **TA3 - sections 3.1 to 3.14 and the Ecology Desk Study (Appendix A)** remain valid and relevant to this updated ecological assessment. Reference should be made to **TA4** for further information concerning:

- Planning context
- Designated sites in the surrounding 2km
- Notable flora and fauna in the surrounding 2km

Site context in the locality

5.2 The application site is located to the north of the River Roch in **Figure 5.1**.



Figure 5.1 - Location of the application sites within the surrounding landscape

5.3 The immediate habitat includes that of the wider permitted development site boundary (denoted in black **Figure 5.1 previous**) which is comprised of areas of woodland, grassland, scrub, a railway line to the north of the application site, and areas of hard standing along with the banks of the River Roch. While to the north of the wider site boundary lies Pimhole Business Park. To the east of the site the land is predominantly arable in nature within the exception of the Village Hotel complex and the M66 which divides the landscape. To the west of the wider development site lies the residential area of Pimhole, consisting of both a new residential development and terraced houses.

5.4 The extending habitat to the west of the site consist of the outskirts of Bury, namely the area of Pimhole which consists rows of terraced properties, opening up into Bury Town centre. To the north of the site lies further terraced housing along with green infrastructure such as Openshaw Park. The landscape to the south of the site includes further residential

development inclusive of infrastructure such as cemeteries, playing fields and schools. To the west of the site lies the town of Bury and to the east lies the M66 and further areas of woodland.

- 5.5 The linear features in both the immediacy and contiguous landscape provide a number of suitable commuting routes for protected species groups likely to be present but are considered to afford greater suitability for airborne species. These include bats, most notably the common pipistrelle, a species commonly associated with roosting in rural environments and properties, and the brown long-eared bat (*Plecotus auritus*), with roosts of this species associated with large woodland blocks where these bats will find favourable foraging habitat. The River Roch could feasibly host avian species such as kingfisher (*Alcedo atthis*), and mammals such as otter and water vole could use the corridor as a means of commuting. Hedgehogs are likely to be present in the landscape, with the presence of badger also considered possible owing to the woodland habitats in the wider area.

Habitats

- 5.6 See **Table 5.1 below** for updated habitat descriptions in line with UK Habitat Classification Version 1.1. Refer to **Appendix III – UK Habitats Map** for the location of all described habitats. Species nomenclature follows Stace, C. (2019) – definitive English names.

Table 5.1 - UK Habitats recorded within the application site boundaries.

Habitat	Description
u1160 – Introduced Shrub	The application site boundary to the south of the site is dominated by Japanese knotweed (<i>Fallopia japonica</i>) to the west, throughout this area Himalayan balsam (<i>Impatiens glandulifera</i>) is also present, which extends throughout the wider site.
	Secondary Habitat Codes: 48 – non – native
u1b6 - Other developed land	The area to the north is a sealed surface, with limited botanical value, a raised planter is present along the western boundary containing species such as Cypress trees, wavy bitter cress (<i>Cardamine flexuosa</i>), rosebay willow herb, Herb Robert (<i>Geranium robertianum</i>), bird's-foot trefoil (<i>Lotus corniculatus</i>), white clover (<i>Trifolium repens</i>), common vetch (<i>Vicia sativa</i>), pineapple weed (<i>Matricaria discoidea</i>), groundsel (<i>Senecio vulgaris</i>).
	Secondary Habitat Codes: 17 – Tall herb, 16 – Ruderal/ephemeral
r2- Rivers and streams Metric baseline: <i>Watercourse footprint</i>	Part of the watercourse footprint of the river Roche is present within the redline boundary. The River Roche is a statutory main river.

- 5.7 No trees or woodland are present within the redline boundary however deciduous woodland lines the northern bank of the River Roch.

Vegetation

- 5.8 No botanical species or assemblages of conservation importance were located anywhere within the site during the appraisal.

Invasive non-native species (INNS)

- 5.9 Two species listed as an INNS under both Schedule 9 (Part II) of the Wildlife & Countryside Act (1981), and Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019 were located within and adjacent to the application site, in the form of frequent Himalayan balsam (*Impatiens glandulifera*) and Japanese knotweed (*Fallopia japonica*) (see **Figure 5.2**) These species are present within tall forb communities, scrub and woodland within the wider working area (within 7m of the application site); both species are also present within the application site boundary. The extent of the Japanese knotweed appears to have extended since TEP's 2021 report.



Figure 5.2 Extent of Himalayan balsam (purple) and Japanese knotweed (green). red denotes the application site boundary; black denotes where permitted development will occur.

Bats

- 5.10 All of the information regarding the trees on site and their potential to offer roosting features for bats presented by TEP in their 2021 report remain applicable; trees scheduled for removal to facilitate the works are duly categorised as pertaining to 'Negligible' bat roost suitability in line with current Bat Conservation Trust (BCT) guidelines. However, if further trees are to be removed an additional PRA assessment will be required. Additionally, trees within the wider site are considered to offer suitable foraging and commuting habitat for a variety of species of bats.

Breeding birds

- 5.11 In relation to WCA Schedule 1 specially protected bird species such as peregrine (*Falco peregrinus*) or kingfisher, no evidence of these two species was identified anywhere within the redline boundaries, however, during the updated survey undertaken by Tyrer Ecological Consultants Ltd, a kingfisher was suspected to have emerged from a burrow on the northern bank of the River Roach at circa 20m southeast of the outfall position (TA2).
- 5.12 During the kingfisher surveys undertaken April-June 2024 a pair of kingfishers were observed on the River Roch. However, no breeding activity/evidence of nesting was observed at the previously identified burrow or within a 100m buffer of the works area. However, a single

Kingfisher was observed to be carrying food downstream. See **TA 2** (The United Utilities Aesthetics Screen Development Project BRY0021 Kingfisher Survey– Tyrer Ecological Consultants, June 2024) for further information.

- 5.13 In relation to more common breeding birds, the wider area is inclusive of trees and shrubs that offer a plethora of nesting platforms for suburban bird species. Sand martins were also observed foraging along the River Roch; However, no burrows were observed within the works area or the wider boundary. It is considered highly likely that passerine bird species will utilise the Japanese knotweed within the application site boundary for nesting / breeding birds within the breeding bird season (March – August).

Water Vole

- 5.14 **TA1** – (The United Utilities Aesthetics Screen Development Project BRY0021 Updated Water Vole & Otter Survey – Tyrer Ecological Consultants, August 2023) found that the surveyed section of the River Roch remains unsuitable for water voles, the water is fast flowing, with limited suitable forbs for foraging and steep rocky banks unsuitable for burrowing.
- 5.15 No evidence of water vole was observed during update survey **TA1**.

Otter

- 5.16 The River Roch offers suitable habitat for otter, with a single record returned within 2km of the site in the data search undertaken by TEP (no date available).
- 5.17 Detailed in **TA1** - during the updated water vole & otter survey 2023, signs of otter were observed in form of recent spraints (droppings). These signs were located approximately 105m southwest of the application boundary, additionally further evidence of otter in the form of spraint was located during the king fisher surveys during 2024 approximately 150m southeast of the application site **TA2**.

Other terrestrial mammals

- 5.18 No evidence of badger was recorded during the updated walkover. This is congruent with the findings of the TEP's 2021 report in relation to this species.
- 5.19 In respect of hedgehogs, whilst no direct evidence was located to suggest presence of this species, the habitats and habitat features present within and in close proximity to the application site are highly suitable for this species, with suitable foraging and refuge areas such scrub, introduced shrub and woodland areas respectively. The occasional presence of this species within the both the works area and the wider site boundary is thus considered possible.

Herpetofauna

- 5.20 TEP's desk top study revealed records of great crested newts (GCN) within 2km of the application site boundary, with the closest being 500m southeast of the site beyond the river Roch which is considered a significant dispersal barrier – **TA 2**.
- 5.21 There are no ponds within 250m of the wider site boundary and no ponds within the work areas.
- 5.22 The site affords various opportunities for generalist, more robust common amphibians including common frog (*Rana temporaria*) and common toad for foraging and commuting,

subject to their presence in the landscape, including potential for shelter/ hibernation in the areas of scrub and dense vegetation within the site.

- 5.23 TEP's desk study revealed an absence of records in relation to reptiles within 2kms of wider site boundary. The Railway line to the north of the application site boundary offers suitable habitat for this species however, this area is understood to remain unaffected by the project. The habitats between the rail line and the application site such as the broadleaved woodland, scrub and non-native shrubs do not provide suitable foraging, commuting for basking habitat for these species due to the high levels of shading and regular disturbance by dog walkers. The presence of these species in proximity to any works is considered unlikely.

6.0 Conclusions

Designated sites

- 6.1 There would be no direct or indirect impacts on any statutory and non-statutory designated sites from the development, owing to the limited extent of the proposed works, distance, intervening urban habitat, and lack of any hydrological connection.
- 6.2 The site falls within the impact risk zone (IRZ) for Rochdale Canal and West Pennine Moors SSSIs. The proposed development is not listed as a category of concern within the citation. There will be no requirement for the Local Planning Authority (LPA) to consult with NE regarding potential impacts of the development on the SSSI.

Habitats

- 6.3 The River Roch, a statutory main river, which falls within the redline boundary of the application site concerning the conduction of a new outfall pipe will also impact upon the banks of the river directly. Standard pollution prevention and dust control measures will be set out in a project Construction Environmental Management Plan (CEMP) implemented during any site clearance and works. The CEMP will ensure that indirect impacts on retained habitats adjacent to the site are reduced to a reasonable minimum.
- 6.4 An assessment of the AIA shows that all tree removal taking place to aid the essential infrastructure which will support the proposed outfall takes place outside of the redline boundary and falls under the purview of the agreed permitted development.
- 6.5 It is understood that the trees impacted by the proposed development have been compensated for and mitigation agreed with the Bury Council Tree officer.

Vegetation

- 6.6 No priority flora or notable community assemblages will be impacted by the works.
- 6.7 Two species listed as invasive under both Schedule 9 (Part II) of the Wildlife & Countryside Act (1981) and Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019 are present within the application site and wider area in the form of Himalayan balsam (*Impatiens glandulifera*) and Japanese knotweed (*Fallopia japonica*). Whilst it is not an offence for these species to be present on a site, it is an offence to spread or allow them to spread.
- 6.9 The proposals have the potential to cause the spread of both non-native species off site if removed spoil/vegetative waste is not controlled responsibly. Treatment of the Invasives is likely to be futile / temporary only, without control/eradication of the off-site extents also and those within the wider catchment area of the River Roch. Whilst it is not illegal to host INNS on your land, it is an offence to cause its spread knowingly or recklessly off site.
- 6.10 It is recommended that as a minimum precautionary biosecurity measure are implemented during the construction phase. No material that may contain seeds, rhizomes or plants, such as excavated earth, ridges in car tyres, landscaping materials or pallets, for example, should leave the site or be recklessly disturbed or removed unless carried out in line with Environmental Protection Act (Duty of Care) Regulations 1991, which classes Himalayan Balsam and Japanese Knotweed as controlled waste and requires all producers, carriers and disposers of such waste to follow a code of practice and keep records. A Construction Method Statement will be adhered too that includes responsible measures for preventing the spread of invasive species off site.

Bats

- 6.11 Based upon the findings the trees within immediately proximity of the site are considered to offer to offer 'Negligible' bat roost suitability in accordance with Bat Conservation Trust – Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th ed. (2023) and no further surveys are required in relation to bats.
- 6.12 The habitats within the wider site boundary and the adjacent River Roch suitable commuting and foraging habitat for bat species.
- 6.13 Installation of harsh artificial lighting as part of any construction works or development that exceeds current levels could have a negative impact upon foraging/commuting bats in the landscape, particularly if increased light spillage occurs in areas of that are currently free from illumination. Potential impacts on retained bat foraging and commuting habitat adjacent to the site will be addressed through avoidance of any increased light spill onto these areas. A bat-sensitive lighting plan is required as part of the scheme, in relation to both the construction phase and operational phase of the works.

Breeding birds

- 6.14 In relation to WCA Sch1 listed species, an active kingfisher burrow was located ~20m southeast the application site boundary; the burrow is suitable for breeding. Kingfishers are protected from disturbance at a nest site inclusive of their dependent young which can remain in the area of the nest site for up to 4 weeks. Owing to the close proximity of the works and the work required in relation to the bank side. It was recommended that 6 breeding bird surveys take place in order establish if the burrow was in use – **TA2**.
- 6.15 The surveys took place between April and June 2023 and recorded the presence and a pair of kingfishers commuting and feeding along the River Roch as well as along the tributary to the north. No activity was observed at the identified burrow during this period and no activity indicative of nesting locations was observed within 100m buffer of the works area. However, a Kingfisher was observed varying food downstream during the final two surveys out of the buffer zone for the works.
- 6.16 Kingfishers tend to have 2-3 broods a year and will utilise multiple nest burrows over the breeding season; it is recommended that a pre-commencement survey takes place the morning works are set to commence. If any nesting activity/breeding behaviour takes place at the burrow then the burrow will need to be monitored, and works will not commence until any/all dependent young have left the area as schedule 1 birds are protected both at the nest as well as when rearing dependent young.
- 6.17 In relation to common birds, trees and tall shrubs (inclusive of Japanese knotweed) could offer nesting habitat, particularly during the breeding bird season of March-August. Vegetation clearance and demolition work should be carried out outside of the breeding bird season (March to August inclusive). All works undertaken during the breeding season require a nesting bird check to be carried out by a suitably qualified ecologist immediately prior to any clearance works commencing.

Water vole & Otter

- 6.18 The section of the River Roch is considered unsuitable for water vole and the risk of impacts to this species from the proposals can be reasonably discounted as evidenced by the results of an updated Water Vole & Otter Survey – see **TA1**.

- 6.19 Given the field signs of otter located to the south of the wider site boundary located to the south of the wider site boundary, along the River Roch (Updated Water Vole & Otter Survey, Tyrer Ecological Consultants - 2023), impacts to this species by the proposed works are possible without appropriate intervention measures. The works will need to be undertaken under a Reasonable Avoidance Method Statement (RAM's) to ensure otter are not harmed during construction, and that the favourable conservation status of populations present in the local area are maintained. Reasonable Avoidance Measures for otter are supplied within **TA1**.

Other terrestrial mammals

- 6.20 Due to the lack of evidence in relation to badgers, and the high disturbance regime across the wider site from local dog walkers and the general public, impacts on this species can be ruled out.
- 6.21 Hedgehogs are likely to utilise the site for a variety of purposes, given the nature of the habitats present. The proposals pose a risk of injury and disturbance impacts without reasonable avoidance measures.
- 6.22 Reasonable avoidance measures for terrestrial mammals will be adopted and will include:
- Prior to any works commencing on Site, all site operatives will be informed by a 'tool box' talk of the presence of ecological constraints and protected species issues relating to this Site
 - Limiting working hours to the daylight given their nocturnal traits,
 - Carrying out morning checks for the presence of hedgehogs and other terrestrial mammals in the works area,
 - Low angle sloping boards of approximately 300 mm wide will be placed within any excavations that cannot be backfilled at the end of each working day, to facilitate a means of escape,
 - Backfilling excavations at the end of the working day, if possible,
 - Materials that may cause entrapment such as plastic/metal fencing should not be left around the site following the cessation of daytime work.
 - Not leaving any bulky equipment / general construction aggregates around the development area, instead leave them on a sealed surface ground away from the risk zone,
 - Fires must not be used as a means of the disposing of waste materials.
 - Any chemicals or harmful materials will be stored in secure manner, at a minimum of 10m from the water course and risk zones.
 - Pipes should be capped or an evening/checked daily as otters may lie-up in stacked pipes/pallets,
 - If evidence of otter such as a holt, slide, spraint site etc. is identified during the works, works must cease and a suitably qualified ecologist consultant contacted.

Great crested newt (GCN)

- 6.23 Regarding great crested newt (GCN) the results of both desktop study information and the updated field visit conclude that the likelihood of this species being present within the application areas or the wider site boundary is negligible.

Wider herpetofauna

- 6.24 The cover provided by forbs within the redline boundary provides moderate habitat for foraging and ranging common amphibians. There is a reasonable likelihood of common frog and common toad being present within both the wider site boundary and the application site.
- 6.25 If in the event any amphibians are encountered during any stage of site operations, and they are at risk of harm, site personnel are advised that using wet gloves they should be removed from harm by being carefully handled and removed off the construction site to be placed in nearby like-for-like habitat. If a newt is found at any time, works should immediately cease and an ecologist should be contacted to provide further advice to ascertain if it is a GCN.
- 6.26 The desk study returned no records for reptiles within 2km of the site boundary. While the railway line to the north provides suitable habitat for this species; The habitats between the rail line and the application site offer low suitability habitat for this taxon, due to the heavy shading throughout the wooded and scrubbed areas along with regular disturbance from the general public. it is considered highly unlikely that reptiles are present within the application site boundary.
- 6.27 Reasonable avoidance measures for common amphibians will be adopted and will include:
- Where open vertical-sided trenches are present or newly excavated on site, it should be ensured that they are not left open overnight to avoid small animals falling into them and becoming trapped.
 - If trenches cannot be back filled after the working day, planks of between 150-200 mm wide should be placed in them diagonally to serve as an escape mechanism.
 - Excavations should also be checked in the morning on a daily basis for the presence of any animals that may have fallen in during the night.
 - Plastic netting, wire coils or similar hazardous features should not be left on the ground, to avoid entanglement.
 - Aggregates/constructional materials should be stored on pallets as opposed to the storing on the ground.

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Appendix I: Site Photographs



Plate 1 – Extent of invasive species within the wider boundary – HB Himalayan balsam; JK Japanese knotweed



Plate 2 – Tall forbs with Himalayan balsam wider site boundary south-east



Plate 3 – Japanese knotweed within the application area - SD81471007

Appendix II: Botanical Species List for the wider site boundary

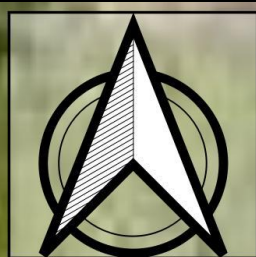
Species nomenclature follows Stace, C (2019) – definitive English names; scientific names for given flora are presented below.

Each species recorded was given an abundance value according to the standard DAFOR scale, where:

- D = Dominant
- A = Abundant
- F = Frequent
- O = Occasional
- R = Rare

(*These values can be prefixed by the letter L (locally) to provide more subtle biogeographical data.)

Common Name	Binomial Name	Notes
Annual Meadow Grass	<i>Poa annua</i>	L
Cleavers	<i>Gallium aparine</i>	A
Cock's-foot	<i>Dactylis glomerata</i>	D
Colt's-foot	<i>Tussilago farfara</i>	O
Common Groundsel	<i>Senecio vulgaris</i>	O
Dandelion	<i>Taraxacum sp.</i>	O
Herb-Robert	<i>Geranium robertianum</i>	L
Himalayan Balsam	<i>Impatiens glandulifera</i>	INNS
Ivy-leaved Speedwell	<i>Veronica hederifolia</i>	L
Japanese Knotweed	<i>Reynoutria japonica</i>	INNS
Perennial Rye-grass	<i>Lolium perenne</i>	D
Wood Avens	<i>Geum urbanum</i>	O
Yorkshire Fog	<i>Holcus lanatus</i>	O



Contains imagery courtesy of Bing Maps



Pimhole Business Park

UK Habitats Key

-  Outfall Boundary
-  r2 - Rivers and streams
-  u1 847 - Urban introduced shrub

Survey Date: 12/07/2023
Drawn: Miss T. Hesketh
Date Drawn: 12/06/2024
Checked & Approved: Mrs. K. Wilding
Size: A3

Scale: 1:100
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