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Sent: Tuesday, June 4, 2024 4:08 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 70626 Land at 7 Arthur Lane

Hi Dean

Thank you for consulting the GMEU

Summary

The main ecological issue would appear to be biodiversity net gain.

1. Bats

I previously accepted the findings of this bat report, which is still valid for the other application on this site, 70142. My previous recommendations therefore still apply.

Whilst the buildings to be demolished/converted have been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

2. Other Protected Species

Whilst the footprint is larger than for 70142, due to the inclusion of a new access track, I am still satisfied that it is very unlikely for any other protected species to be present. No further information or measures are required.

3. Nesting Birds

Trees, shrubs and hedge will require removal to facilitate the new access, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a nesting bird survey method statement by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.

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

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development appears to result in the loss of trees, hedgerow and other habitats, to hardstanding and garden. Wildlife issues appear restricted to loss of bird nesting habitat. I previously accepted mitigation could be dealt with via condition. The new application however includes additional loss of vegetated habitat to the new drive.

The application was submitted prior to mandatory 10% biodiversity net gain for non-major developments. Simple net gain should still however be required. ie greater than 0%. At present there is insufficient information to be satisfied that adequate mitigation will be provided for loss of area based habitats, though the proposed hedge will likely adequately mitigate for any hedge loss. I therefore recommend addition biodiversity enhancement proposals are provided prior to determination.

David Dutton

Ecologist

Planning

Investment, Development and Housing

Place