

Thank you for consulting the GMEU

Summary

Further information/clarification on the biodiversity net gain assessment is required. Other ecological including proximity to an SBI, protected species, nesting birds, priority species and invasive species can be resolved via condition and or informative.

Proximity to Swan Lodge SBI

I welcome the boundary amendments to avoid the SBI, now located approximately 6m off-site according to the PEA. I also note tht no surface water drainage is proposed towards the goit. I am satisfied that negative effects can be avoided through a physical barrier around the proposed development footprint and standard construction and environmental management best practices. Reference to the SBI should be included with any CEMP. *This can be provided via condition.*

Bats

Buildings and trees on the site were assessed for bat roosting potential. All were assessed as having none. I have no reason to doubt the findings of the report. No further information or measures are required. I am also satisfied that it is very unlikely that any external lighting would negatively impact on important bat foraging and commuting routes.

Other Protected Species

No evidence of any other protected species was identified or suspected on the site. Based on my knowledge of the locality, I have no reason to disagree. Precautionary working measure and survey will be adequate to protect against the risk to badger and otter known to be present in the wider locality. See below. I recommend a condition along the following lines is applied to any permission.

Prior to any earthworks or vegetation clearance updated protected species surveys will be provided to and agreed in writing by the LPA

Nesting Birds

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

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

Other Wildlife

Common toad are known to be present in the locality, habitats on site are suitable for hedgehog. As noted above otter and badger are also present in the wider locality. Roe deer were recorded on the site. Precautionary working measures have been recommended during site clearance. I agree that these are required. I recommend a condition along the following lines is applied to any permission.

Prior to any earthworks or site clearance a precautionary working measures method statement of common toad, hedgehog, badger, otter and other mammals, will be provided to and agreed in writing by the LPA

Invasive Species

Dense stands of Japanese knotweed are present along with other species listed under Schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) including Himalayan balsam, variegated yellow-archangel, Virginia creeper and Monbretia. Given the site is to be remediated first, the only options for control would appear to be either disposal to a licensed landfill as contaminated waste or burial on-site. I recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a management strategy for Himalayan balsam, Japanese knotweed, variegated yellow archangel, Monbretia and Virginia creeper should be supplied to and agreed in writing to the LPA. The agreed method shall be adhered to and implemented in full unless otherwise 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. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The naturalised habitats on site will be lost to development, gardens and small areas of soft landscaping. Mitigation will be required for loss of bird nesting habitat. Enhancement for bats is recommended.

The application is subject to the general biodiversity gain condition. A metric has been provided and an off-site receptor site identified for the off-site compensation measures that are required. I have no issues with the overall BNG mitigation strategy. The receptor site will however need to be registered with Defra prior to the LPA being able to discharge the general biodiversity gain condition. I do however have a couple of queries with the metric. These are:

- The on-site baseline includes 0.1631 hectares of artificial unvegetated unsealed surface, that is described as covered in stands of dense Japanese knotweed. Under the UK Hab definition this is incorrect as there needs to be less than 10% vegetation cover to fall under this habitat. Under UK HAB it would be regarded as derelict land in poor condition. I am however aware that BNG whilst aligning with UK HAB does not always exactly match the definitions. I therefore recommend an explanation and any guidance under BNG that regards this as the correct habitat definition and;
- There are number of habitats for creation and enhancement on and off-site where the target condition is good. I have my doubts that these are achievable i.e. the on-site modified grassland because of the shade that will be cast by the urban trees and small areas involved and off-site mixed scrub, as 30 years is a relatively short time period for some of the condition criteria to be achieved. I therefore recommend further detail on how these will be met.

For wildlife given that house sparrow and starling were recorded on the site, both UK BAP species associated with residential buildings, I recommend that these two species are targeted as part of the bird nesting mitigation strategy. I also recommend provision of bat boxes. *The final details can be provided via condition.*