

From: David Dutton [mailto:david.dutton@tameside.gov.uk]
Sent: 24 February 2022 16:48
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 67946 Replacement bridge off Milltown Street

Hi Dean

Thank you for consulting the GMEU

Summary

The developer's ecological consultant identified no significant ecological issues. Issues relating to otter, badger, nesting birds, fish, invasive species, protection of the River Irwell and biodiversity enhancement measures can be resolved via condition and or informative. Clarification on the future of one of the existing buildings is requested.

Bats

Two buildings were assessed for bat roosting potential, one as negligible risk and one low risk. The consultant believed the low risk building was retained which may be the case but it is not clear from the proposed site layout. ***Prior to determination please provide clarification regarding whether or not the brick building called building 1 in the ecological report is to be retained. If not further bat survey is recommended as outlined in the ecological report section 4.15***

Otter

No evidence of otter was recorded on site and no desk top records found of otter. We are however aware that otter are now present in the Irwell with records up and down river of this site, the nearest at Springwater Park just over 1km upstream. As otter have territories covering potentially tens of kilometers it is very likely that otter occasionally pass along this section of the River Irwell. I therefore recommend reasonable avoidance measures are applied during construction. A condition along the following lines should be applied.

Prior to any development including vegetation clearance a reasonable avoidance measures method statement for otter shall be supplied to and agreed in writing by the LPA

Badger

No evidence of badger was recorded but we are aware of a several setts in this part of the Irwell Valley. Whilst I accept the risks are very low, I recommend an informative along the following lines is applied to any permission.

The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.

Nesting Birds

The development appears to result in the loss of trees and shrubs, 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 detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Fish

The development appear to include in-channel works. I am unsure whether this reach of the river is suitable for species such as brown trout. It may be that the timing of any in-channel works will need to avoid certain times of year because of fish spawning. This is an issue the Environment Agency are likely to control through permission required from them to work in-channel on a main river. ***I therefore recommend the EA is consulted on whether there are any fishery issues for this stretch of the river.***

Invasive Species

Japanese knotweed, himalayan balsam and giant hogweed were present along the river. All are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

Whilst eradication would be unreasonable in this location due to the prevalence up and downstream of these three species, measures to prevent unnecessary spread of these species off site should be put in place for certain activities such as spoil removal from site, cleaning tracks of vehicles and risk of seed been carried off in clothing of workmen. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a method statement detailing biosecurity measures for himalayan balsam, japanese knotweed and giant hogweed should be supplied to and agreed in writing to the

LPA. The agreed method *statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.*

Protection of the River Irwell

The development involves the installation of a new physical modification in the river channel, though in reality it is replacing one only relatively recently lost, though one pier of the old structure appears to be still present.

There are also risks during construction of sediment release, debris dropping in to the river and pollution spills.

Measures to protect the river during construction can be mitigated by following best practice during construction, for instance with spill kits on site, use of coffer dams around the new pier to restrict sediment release etc. I recommend a condition along the following lines (or as part of a wider CEMP) is applied to any permission.

No development, site clearance, earth moving or in-channel works shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, sediment release and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development appears to require the removal of a small number of trees and associated bird nesting habitat as well as adding one new pier in to the river channel a negative impact on the ecological potential of the river.

Mitigation should be provided for the loss of trees and bird nesting habitat. This would appear feasible on site with nest boxes potentially feasible on the new bridge. In terms of mitigation for the new physical modifications, I would recommend removal of the old bridge abutments and pier, but accept that financially or for engineering reasons this may not be viable.

The details can be conditioned.

David Dutton

Ecologist

Planning

Planning and Transportation

Place

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Dukinfield Town Hall | King Street | Dukinfield | Tameside | SK16 4LA