



ECOLOGICAL ASSESSMENT - EXEMPTION

Address: 150 Heywood Street, Bury, BL9 7DY

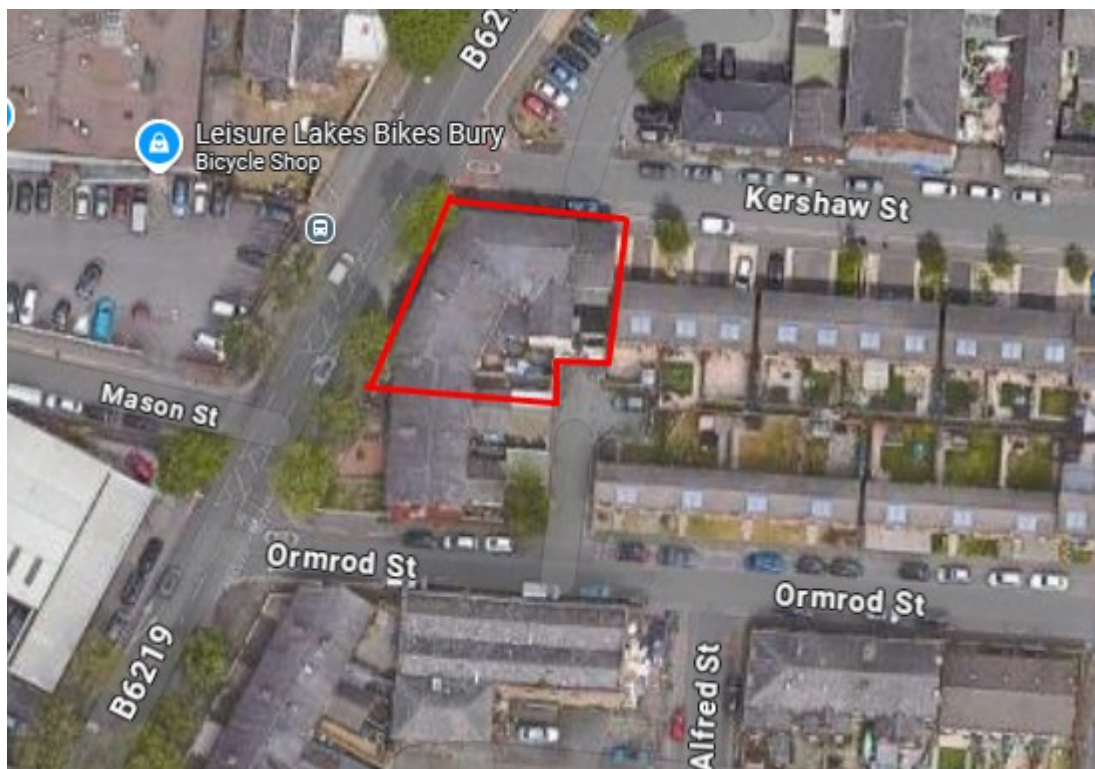
Date: 22/04/2025

This document has been produced by IGLOO to support a planning application for:

Change of use of first and second floor from office/storage (Use Class E) to 6 apartments (Use Class C3) and dormer to rear.

SITE LOCATION

The site is located at 150 Heywood Street, Bury, BL9 7DY. See image from Google maps below, with the site outlined in red.



PLANNING POLICY

National Planning Policy Framework (NPPF)

Section 15 (74) of the NPPF states:

174. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation and
- b) promote the conservation, restoration and enhancement of *priority habitats*, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

LOCAL BIODIVERSITY POLICIES

POLICY JP-G2: Green Infrastructure Network

A strategic approach will be taken to the protection, management and enhancement of our Green Infrastructure in order to protect and enhance the ecosystem services which the Green Infrastructure Network provides, including flood management, climate change mitigation and adaptation. Alongside this primary function an enhanced Green Infrastructure network will support wider public health benefits, including promotion of active travel, food growing and recreational opportunities.

The protection, management and enhancement of Green Infrastructure will contribute to the development of a Local Nature Recovery Strategy for Greater Manchester. This Strategy will feed into the development of a Nature Recovery Network locally and nationally.

Development within and around the Green Infrastructure Network should be consistent with delivering major green infrastructure improvements within them and should contribute to improvements.

Development which involves the removal of land from the Green Belt (including allocations proposed in this plan) will be required to offset the impact of removing land from the Green Belt through identifying and delivering compensatory improvements to the environmental quality and accessibility of remaining Green Belt in the vicinity of the site. Details of specific sites and projects will be established in discussion with the relevant Local Authority.

Wherever practicable, opportunities to integrate new and existing green infrastructure into new development will be taken to protect, enhance and expand the green infrastructure network. Where new or improved green infrastructure is delivered as part of a development, the developer should make appropriate provision for its long-term management and maintenance.

POLICY JP-G6: Urban Green Space

To ensure there is an appropriate scale, type, quality and distribution of accessible urban green space that can support a high quality of life and other important green infrastructure functions:

- existing urban green space will be protected and enhanced in balance with other considerations

- we will work with developers and other stakeholders to deliver new high quality urban green spaces

Development should be designed to support the positive use of nearby green spaces, such as by offering a high-quality setting, providing natural surveillance, and facilitating easy access by walking and cycling.

POLICY JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Through local planning and associated activities a net enhancement of biodiversity resources will be sought, including, where relevant, by:

1. Increasing the quality, quantity, extent and diversity of habitats, particularly priority habitats identified in national or local biodiversity action plans and those that support priority species
2. Improving connections between habitats, to protect and enhance the provision of corridors, ecological networks (including Nature Recovery Networks) and steppingstones that enable the movement of species, especially as the climate changes
3. Enhancing the management of existing habitats, including through habitat restoration, avoiding habitat fragmentation and combating invasive species
4. Protecting sites designated for their nature conservation and/or geological importance, with the highest level of protection given to international and then national designations
5. Facilitating greater access to nature, particularly within urban areas
6. Supporting the development and implementation of the Great Manchester Wetlands Nature Recovery Network
7. Safeguarding, restoring and sustainably managing our most valuable soil resources, tackling soil degradation/erosion and recovering soil fertility, particularly to ensure protection of peat-based soils and safeguard 'best and most versatile' agricultural land.

Development will be expected to:

- a. Follow the mitigation hierarchy of:
 - i. Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then
 - ii. Adequately mitigating any harm to biodiversity, then
 - iii. Adequately compensating for any remaining harm to biodiversity
- b. Avoid fragmenting or severing connectivity between habitats
- c. Achieve a measurable net gain in biodiversity of no less than 10%
- d. Make appropriate provision for long-term management of habitats and geological features connected to the development

- e. Where appropriate, development should: mitigate air pollution impacts on Manchester Mosses SAC; mitigate urban edge, functionally linked land and recreation disturbance impacts on the South Pennine Moors SAC/SPAs; and assess and potentially mitigate boat movement, water pollution, and light spillage and shading impacts on the Rochdale Canal SAC
- f. Development proposals should be informed by the findings and recommendations of the appropriate biodiversity/ecological assessment(s) in the PfE evidence base and/or any updated or appropriate biodiversity/ecological assessments submitted as part of the planning application process.

SPECIES OF PRINCIPAL IMPORTANCE

The Natural Environment and Rural Communities Act (NERC Act) 2006 place a “duty” on local authorities to conserve (and enhance) biodiversity through the planning process.

Section 40: Duty to Conserve Biodiversity states:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

The duty applies to all local authorities, community, parish and town councils, police, fire and health authorities and utility companies.

In order to guide public authorities when implementing their biodiversity duty under Section 40, Section 41 of the Act requires a published list of habitats and species which are of principal importance for the conservation of biodiversity in England.

EXEMPTION CRITERIA

The exemptions to the mandatory requirement were set out in the government response to the BNG regulations and policy consultation. The exemptions legislation was laid before parliament on 19 January and became law on 12 February 2024.

The list of exemptions from the BNG requirement is narrow and focused, keeping the policy ambitious, whilst being proportionate and deliverable for developers and local planning authorities:

Development below a de minimis threshold

This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows). This exemption is designed to ensure that BNG does not apply to either very small scale development or development which does not impact habitat, through loss or degradation within the red line

boundary. In practice, this will be demonstrated by a decrease in the biodiversity value, which is determined by the biodiversity metric.

If a development impacts less than 25 square meters of non-priority habitat but 5m or more of non-priority linear habitat is negatively impacted, or vice-versa, then the exemption will not apply and all habitats will be subject to BNG.

If any priority habitat within the red line boundary of the development is impacted, the exemption will not apply and all habitats will be subject to BNG.

Developers should consult publicly available data sets on priority habitats to check whether there is priority habitat on site, they do not need to seek specialist advice to record the presence of priority habitat.

An example of a de minimis exemption would be a minor extension to a visitor centre at a public nature park to accommodate a new accessible ramp and entrance lobby on an existing hardstanding area. This proposal would not negatively impact or alter any habitat, but the red line which defines the development is likely to contain more than 25sqm of non-priority habitat.

It's worth remembering that existing sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement.

This exemption ensures that BNG is applied proportionately and that a development does not incur unnecessary extra cost to, for example, comply with accessibility requirements as in the example above. It also encourages developers to design in ways to avoid impacting the habitat on site in the first place, following the biodiversity gain hierarchy.

Further information on this exemption, including what evidence will be required to show that a development is in scope of this exemption, is available in the [planning practice guidance](#).

Householder Development

This exemption applies to development to an existing house (including development within the curtilage of a house.) An example of this type of development is adding a side-return.

It does not cover applications for change of use of a house or to change the number of dwellings in a building.

Biodiversity Gain Sites

Where an off-site biodiversity gain project itself requires planning permission, the enhancement may require its own 10% net gain. This would then effectively decrease the biodiversity gains created. This exemption will prevent that. This applies to:

- developments which solely enhance biodiversity to achieve the BNG planning condition for another development through off site enhancements of habitat.

- development undertaken to fulfil the BNG planning condition and for the purpose of permitting the public to access or to use the site for educational or recreational purposes without the payment of a fee.

Small Scale Self-Build and Custom Housebuilding

To support smaller developers, we are exempting small scale self and custom build development from the BNG requirement. This exemption applies only to development that:

- consists of no more than 9 dwellings;
- is carried out on a site which has an area no larger than 0.5 hectares; and
- consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. This definition covers development where local planning authorities are satisfied that individuals have had the primary input into the final design and layout of a house to be occupied as homes for themselves.

This size criteria will ensure that only small self and custom build sites are caught by the exemption. Self and custom build sites in excess of these thresholds, which are impacting more habitat and so have more scope to deliver gains for nature will be required to deliver a net gain. This will apply whether they are a standalone development site or secured for self or custom build as part of a major development.

REASON FOR EXEMPTION

Development below a de minimis threshold

A development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat
- 5 metres of on-site linear habitats such as hedgerows

A development 'impacts' a habitat if it decreases the biodiversity value.