

GMEU Consultation Response –

69011/69012 – Memorial Garden and Churchyard St Mary The Virgin, Bury

Thank you for consulting the GMEU

Summary

I recommend a bat assessment of the mature trees to be felled. Other ecological issues relating to nesting birds and biodiversity mitigation can be dealt with via condition.

Bats

At pre-application I recommended a bat assessment of the mature trees proposed for removal. The trees are off a sufficient maturity that potential bat roosting features cannot be ruled out without inspection.

Current guidance states 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 the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005) .

Whilst accepting the risk is likely low, we did recently have a case of a bat roost in tree in Manchester City Centre.

I therefore recommend:

Prior to determination a bat assessment is carried out by a suitably experienced bat worker. The assessment should include as a minimum a visual inspection of the existing roof space for evidence of bats and exterior of the building for potential bat access points. Should the property be assessed as more than low risk, further information will be required prior to determination.

Nesting Birds

The development involves the loss of trees, 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.

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 will result in the loss of mature trees, primarily ash a native species. There will also be a loss of bird nesting habitat and potentially bat roosting habitat. Replacement trees are proposed, though it will be many decades before they attain the same ecological value of the mature trees proposed for removal. Bird boxes and bat boxes can be erected on the retained trees as mitigation and enhancement for species impacts.

Whilst there will clearly be a loss of biodiversity in the short to medium term due to the age of the trees being replaced, given the location and nature of the site, this is one of the rare occasions where a loss is in my opinion is acceptable. To minimise the short and medium term loss, I recommend all replacement trees are native eg. small-leaved lime, large-leaved lime, beech, hornbeam, silver birch, yew and oak being suitable options given ash is currently better avoided. Given the scale of the site three bird boxes and one bat box should be adequate (subject to no bat roosts being found).

Mitigation measures can be conditioned.

David Dutton

Ecologist

Planning

Planning and Transportation

Place

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