

From: David Dutton
Sent: Friday, November 3, 2023 4:08 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 70142 Land at 7 Arthur Lane

Hi Dean

Thank you for consulting the GMEU

Summary

There appear to be no significant ecological issues associated with this development.

1. Bats

A valid bat report has been provided. This assessed all of the buildings to be converted/demolished as having negligible bat roosting potential. Based on the photographic evidence provided, I have no reason to disagree. As individual bats can on occasion turn up in unexpected locations, I recommend an informative along the following lines is applied to any permission.

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

The site is very low risk for other protected species recorded within the district, with no desk top evidence indicating species such as badger and great crested newt would be present. I am satisfied that no further information or measures are required.

3. Nesting Birds

There is no reference within the bat report to birds such as swallow being present, I therefore assume that the buildings are not currently being utilised as bird nesting habitat. Aerial photographs and photos of the site do however indicate that some scrub is likely to need removal, 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 & Biodiversity Net Gain

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 buildings and adjacent vegetated habitats to garden and hardstanding, with a native hedge proposed around at least part of the sites boundary. On balance, the development appears likely to be relatively neutral overall in terms of biodiversity net gain. In terms of wildlife, I would recommend provision of bird boxes as mitigation for loss of bird nesting opportunities.

Whilst a net gain assessment could be requested to objectively demonstrate biodiversity net gain would be achieved, given it is not as yet mandatory, I would recommend that all that is required to

satisfy me that biodiversity net gain would be achieved is provision of some native tree planting in addition to the new hedge. This could be off-site on other land within the control of the developer. *I recommend that the details of soft landscaping and biodiversity enhancement measures are conditioned.*

David Dutton

Ecologist

Planning

Planning and Transportation

Place