

From: David Dutton
Sent: 20 November 2024 11:34
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: [EXTERNAL] Planning application 70903 Pyramid Park

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Hi Dean

Thank you for consulting the GMEU on the updated biodiversity net gain assessment and information on bat foraging areas and lighting.

Bats

A plan has been provided highlighting the key areas for foraging and commuting bats where illumination should be avoided. Given the application is for site remediation only, I assume no external lighting is actually proposed post development and therefore a condition not actually required. The information should however be carried forward if permission is granted to any future development proposals.

I would also note that the proposed planting plan and habitat retention now shows these features retained and enhanced (though not necessarily for bats). I am therefore satisfied that no further information on bats is required.

Biodiversity Net Gain

A revised proposal has been provided which now retains and enhances the SBI wetland to the east of Market Street and includes habitat enhancements on the embankment to the north of the SBI. The revised metric now shows a shortfall of 4.75 units to achieve 10% net gain.

This is clearly an improvement, which the GMEU welcomes, but still a loss of a significant part of the SBI. My original comment re. loss of an SBI, now part of an SBI dated 29th July 2024, therefore still applies. It is our preference is for retention of the SBI, whilst acknowledging the conflicting local plan policies for this site and long history of development proposals. We are also concerned that if the site is remediated, based on the previous history of development proposals and permission, the SBI could be lost and then the site not developed. The LPA should therefore carefully weigh the material considerations on both sides prior to approval.

Notwithstanding our recommendation not to develop, I have the following minor issues with the metric primarily relating to strategic significance

- Under habitat creation, some of the proposed modified grassland is down as strategically significant. This will no longer be the case as it will have lost its ecological value. This area should have no strategic significance;
- Under habitat enhancements they have identified an area of fen outside the SBI for enhancement. This is an error on our part for not realising the fen had extended beyond the original lake boundary and as a result not extending the SBI. I would therefore regard the strategic significance for this area as medium distinctiveness (baseline and post remediation) as continuous with the SBI fen;
- Finally good condition is proposed for the fen and woodland habitats. These have relatively high risk of failure, particularly for the woodland. The fen is potentially

achievable but reliant in the hydrology being ok, which is unknown for this site and likely very difficult to control and remediate if any future development effects it.

None of the above issues are however in my opinion reasons to delay a decision any further, though changes to the strategic significance can be done now, with no delay, with finalised metric, biodiversity gain plan and HMMP for on-site proposals provided in order to discharge the statutory general biodiversity gain condition. Off-site credits will also need to be purchased, I am now satisfied that the shortfall is small enough that the applicant could secure the units, for wetland creation/enhancement elsewhere, preferably in the borough but given the shortage of registered habitat banks, likely elsewhere.

With regards that actual landscape and biodiversity enhancement proposals, I currently have no issues with the planting proposals, though I would note the proposed wetland introduction, whilst appearing appropriate, may be unnecessary with enhancement of the existing habitats and translocation of existing fen vegetation from the area proposed for loss preferable. I would also suggest that the proposed woodland and scrub planting whilst appropriate in terms of habitat, look at the opportunities to enhance for foraging bats.

I would also note that the HMMP for the fen will need to identify what the target lowland fen habitat will be and will need to provide a hydrological assessment, monitoring and management plan.

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