

Pilsworth Lake, Heywood,
Greater Manchester
Ecological Assessment
2024



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Executive Summary

Development Details

The client is proposing to develop a café-shop and boathouse at Pilsworth Lake, Heywood, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Ecological Interest

The site has a moderate level of ecological interest. Ecological features of interest include standing and running water and suitable habitat for nesting birds.

Outcomes

No further survey work is required.

Measures to avoid the spread of Himalayan Balsam and Nuttall's Waterweed, and to avoid pollution during construction, should be included within a Construction Environment Management Plan.

Enhancement opportunities are identified.



1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Ltd was commissioned in 2024 by Planning Insight Ltd to undertake an ecological assessment, including a bird and Otter survey, at Pilsworth Lake, off Moss Hall Road, Heywood, Rochdale (the 'site'). The site is located at O.S. grid reference: SD 831086 (see Figure 1). The whole site currently comprises two lakes, run as a coarse fishery, with parking, storage containers and an access track. There is a landfill to the north of the site and agricultural land in the surrounding landscape.



Figure 1. Map showing the location of the site (Bing Maps)

Description of Development

- 1.1.2 The site will be the subject of a planning application for a café/shop and boathouse.

Relevant Planning History

- 1.1.3 An Extended Phase 1 Habitat Survey was undertaken in December 2022¹. This covered a wider area than the boundary of the proposed development.

¹ RHE (2023) Extended Phase 1 Habitat Survey at Pilsworth Lake, Heywood.

1.2 Scope of Work

- 1.2.1 The Client commissioned Rachel Hacking Ecology to carry out the following works:
- Desk-based study to obtain details of designated sites within a specified search area,
 - Record the extent, type, and condition of habitats within and next to the site,
 - Search for signs of protected species and assessment of the potential of habitats and features to support protected and notable species,
 - Carry out targeted surveys to assess the current value of the site for birds.

1.3 Site Visit Information

Survey Details

- 1.3.1 Simon Holden MCIEEM (Associate Ecologist) carried out the initial Extended Phase 1 Habitat Survey on 7th December 2022. The weather at the time of the survey was 2°C, dry and bright.
- 1.3.2 The Extended Phase 1 Habitat Survey was updated during three additional visits on 19th February, 14th March and 10th April 2024. Weather conditions are provided below, in relation to bird surveys.



2. Methods

2.1 Desk Study

- 2.1.1 The Magic website (Multi-Agency Geographical Information for the Countryside) was interrogated for the presence of Statutory Designated Sites within a 2km radius of the site.
- 2.1.2 The site was checked to determine if it is located within an Impact Risk Zone for any Site of Special Scientific Interest (SSSI) and if so, whether the Local Planning Authority will need to consult Natural England.
- 2.1.3 Greater Manchester Local Records Centre was contacted to provide details of non-statutory designated sites within a 1 km radius of the site.

2.2 Field Survey

Extended Phase 1 Habitat Survey

- 2.2.1 In accordance with JNCC guidelines² the site was walked over and the habitats and features of ecological interest were mapped and described. Habitats and features of particular interest were target noted.
- 2.2.2 During the walkover habitat and features were assessed for their suitability to support protected and notable species in accordance with CIEEM guidelines³. Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.

Bird Survey

- 2.2.3 Following consultation with Greater Manchester Ecology Unit (GMEU), it was agreed that bird surveys would be undertaken to establish the current importance of the site for birds and determine whether any impacts to birds are likely. Three survey visits were undertaken during February, March and April 2024. Conditions during the surveys are shown in Table 1.
- 2.2.4 During each visit the surveyor walked the perimeter of the main lake and recorded species and numbers of birds on the lake, and those seen or heard within surrounding habitats. A pair of 8 x 42 binoculars was used to assist observation. The bird surveys were undertaken by Simon Holden.

² JNCC (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Joint Nature Conservation Committee, Peterborough

³ CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.

Table 1. Details of the bird surveys	
Date (time)	Weather Conditions
19/02/2024 (10:00 – 10:45)	Dry, sunny intervals, breezy, 10°C.
14/03/2024 (09:00-09:45)	Overcast, very light rain, light breeze, 12°C.
10/04/2024 (08:30 – 09:15)	Overcast, dry, light breeze, 8°C

Otter Survey

- 2.2.5 The site was surveyed for field signs of Otter *Lutra lutra* on each of the above survey visits. The survey focussed on the habitats within 10m of the main lake. Field signs including spraint (faeces), prints, runs/pathways and feeding remains were searched for.

2.3 Mitigation Hierarchy

- 2.3.1 Mitigation measures should be embedded within the masterplan design and planning application process. This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:
- Aim to avoid negative effects through the design process.
 - Mitigate if negative effects cannot be avoided.
 - Use compensation measures to offset residual impacts.
 - Identify and implement opportunities to enhance biodiversity.

3. Results

3.1 Survey Constraints

- 3.1.1 Field survey results are valid for a limited duration and no investigation can provide a complete description and characterisation of a site. The composition of habitats and species can change depending on environmental variables and the mobility of species, so the results of a study become less reliable over time. In some cases, surveys that are 3 years old may be acceptable for a project assuming that habitats have not significantly changed in the intervening period, but for protected species it is likely that survey data will need to be no more than 18 months old.
- 3.1.2 The initial Extended Phase 1 Habitat Survey was undertaken in December, when many plant species have died back and may go unrecorded. Additional survey visits were undertaken (February to April) and, while still before the optimal period for recording plants, these allowed a robust assessment to be made.

3.2 Designated Sites

- 3.2.1 One statutory designated site is present within the study area. Hollins Vale Local Nature Reserve (LNR) is located approximately 700m west of the site. This is a farmland reserve with woodland, grassland and wetland habitats.
- 3.2.2 The site is within Pilsworth Site of Biological Interest (SBI). The qualifying features of the SBI are the Greater Manchester Biodiversity Action Plan priority habitats: Fw2 Ponds & Small Lodges; and Fw3 Large Areas of Standing Open Water (GMEU 2017). The citation also refers to the marginal vegetation and bird interest of the site (see Appendix 3).
- 3.2.3 Four additional non-statutory sites are present in the study area. These are summarised in Table 2.

Table 2. Non-statutory Designated Sites			
Name	Status	Location/distance	Interest
Hollins Vale	SBI	700m west	Grassland
Hollins Plantation	SBI	700m west	Plantation on ancient woodland site. Marginal vegetation.

Railway Cutting at Heywood	SBI	920m north	Grassland and woodland
Parr Brook	SBI	1.5km southwest	Running water

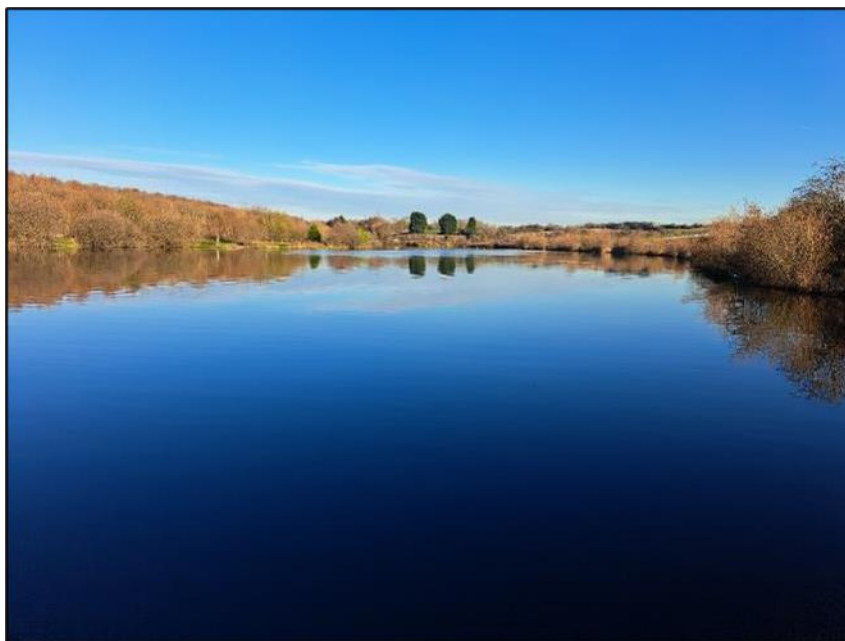
- 3.2.4 The site is located within the Impact Risk Zone of Rochdale Canal Site of Special Scientific Interest. The proposed development will not require the Local Planning Authority to consult with Natural England.

3.3 Habitats

- 3.3.1 The habitats survey plan is contained in Appendix 2.

Standing Water

- 3.3.2 The Main Lake extends to approximately 4ha and is considered likely to be eutrophic (of high productivity/nutrient levels) (see Photograph1). The Main Lake was originally created as a source of water for a bleach works but has been stocked with coarse fish and managed as a day ticket fishery for many years. The Main Lake discharges via a spillway at the dam wall in the west.



Photograph 1 showing the main lake viewed from the dam wall (southwest end)

- 3.3.3 During the initial visit (December 2022) the lake was clear and it was considered likely to be mesotrophic (of moderate nutrient levels). However, by April 2024 algal blooms were apparent, indicating nutrient levels are high.

- 3.3.4 One other water body is present on the site. A smaller fishery (the Match Lake) is present to the northeast of the Main Lake (see Photograph 2). The surface was covered with ice during the initial survey but the water was obviously turbid, indicating a high level of nutrients and disturbance from fish. Two small islands are present, both with trees and shrubs on them.



Figure 2 showing the Match Lake

Tall Ruderal Herb

- 3.3.5 Tall ruderal vegetation is present across the site in areas where vegetation has been previously cleared, as well as around the margins of the Main Lake (see Photograph 3). Species include Teasel *Dipsacus fullonum*, Mugwort *Artemisia vulgaris*, Rosebay Willowherb *Chamaenerion angustifolium*, Common Nettle *Urtica dioica*, Himalayan Balsam *Impatiens glandulifera* and Common Hogweed *Heracleum sphondylium*.



Photograph 3 showing tall ruderal herb north of the car park

Bare Ground

- 3.3.6 The car park area consists of bare ground (see Photograph 4). The access track is also mapped as bare ground.



Photograph 4 showing bare ground in the car park and footpath

Amenity Grassland

- 3.3.7 Amenity grassland is present alongside the footpaths around the lakes (see Photograph 5). This is species-poor and managed by mowing. Species present include Perennial Rye-grass *Lolium perenne*, Red Fescue *Festuca rubra* and Yorkshire Fog *Holcus lanatus*.



Photograph 5 showing amenity grassland along the footpath on the west bank of the Main Lake

Marshy Grassland

- 3.3.8 Species-poor grassland dominated by Soft Rush *Juncus effusus* is present on the higher ground to the north of the car park (see Photograph 6).



Photograph 6 showing marshy grassland

Neutral Grassland

- 3.3.9 Small areas of species poor neutral grassland are present within the area of Gorse *Ulex europaeus* scrub and on the recently cleared sloping ground to the northwest of the Match Lake (see Photograph

7). Species include Yorkshire Fog, False Oat-grass *Arrhenatherum elatius*, Cock's-foot *Dactylis glomerata* and Red Fescue *Festuca rubra*.



Photograph 7 showing neutral grassland and Gorse scrub

Scrub

- 3.3.10 Scattered scrub is present around the perimeter of the lakes. This is dominated by Bramble *Rubus fruticosus* agg. with Hawthorn *Crataegus monogyna*, Alder *Alnus glutinosa* and Goat Willow *Salix caprea*.
- 3.3.11 Dense scrub dominated by Gorse *Ulex europaeus* is present on the sloping ground to the east of the site (see Photograph 7).

Species-poor Hedgerow

- 3.3.12 A short section of Blackthorn *Prunus spinosa* hedgerow is present by the car park. Hawthorn hedgerows are associated with the improved grassland and access track in the east of the site.

Individual Trees

- 3.3.13 Scattered trees are present within the red-line boundary. Species include Silver Birch *Betula pendula*, Cherry *Prunus avium* and Leyland Cypress *Cupressus x leylandii* (see Photograph 8).



Photograph 8 showing scattered trees

Ornamental Shrub

- 3.3.14 Small areas of Coralberry *Symphoricarpus orbiculatus* are present along the site boundaries.

Running Water

- 3.3.15 Brightley Brook flows through the site from the northeast to the southwest. The channel is an average width of 1.5m and is extensively straightened and culverted in several areas. Depth ranges from 5cm to over 30cm. The banks are heavily modified, largely comprising stone walls (see Photograph 9).



Photograph 9 showing Brightley Brook behind the car park

- 3.3.16 Immediately upstream of the site extensive areas of sewage fungus were recorded, indicating organic pollution (see Photograph 10). A wastewater treatment works is located approximately 150m upstream of this location.



Photograph 10 showing sewage fungus in Brightley Brook

- 3.3.17 A small tributary, Hareshill Brook, flows in a southwesterly direction from the site entrance to its confluence with Brightley Brook. The channel is an average of 0.75m wide. The banks are extensively reinforced with stone in the lower reaches. Towards the site entrance the stream is heavily laden with silt runoff from the adjacent arable field.

3.4 Fauna

Invertebrates

- 3.4.1 The habitats on site are likely to support an assemblage of common and widespread invertebrates. No habitats on site are associated with rare invertebrate species or diverse communities, such as species rich grassland or open mosaic habitat. The Main Lake offers suitable habitat for aquatic invertebrates such as dragonflies, damselflies and beetles. High densities of predatory fish in the Main Lake and the Match Lake are likely to limit invertebrate diversity and biomass. The lack of diverse aquatic vegetation also limits the value of the waterbodies for aquatic invertebrates.

Reptiles

- 3.4.2 Habitats on site offer limited suitability for reptiles. The presence of southeast-facing slopes and ecotones where woodland transitions into tall ruderal or grassland, as well as fish-stocked water bodies

means the presence of species such as Grass Snake *Natrix helvetica* and Slow Worm *Anguis fragilis* cannot be fully discounted. However, reptiles are sparsely distributed in Greater Manchester and Lancashire, and it is considered reasonably unlikely that reptiles will be present on the site.

Great Crested Newt

- 3.4.3 The water bodies on the site are unsuitable breeding habitat for Great Crested Newt *Triturus cristatus* due to the presence of coarse fish stocks. Several large water bodies within the landfill site to the north are visible on aerial mapping; no access was made to survey these. Woodland and tall ruderal vegetation on site offers suitable terrestrial habitat. Great Crested Newt is considered unlikely to be present on the site.

Birds

- 3.4.4 The habitats on site offer suitable foraging, roosting and nesting resources for a range of bird species.
- 3.4.5 Species recorded during the bird surveys are shown in Table 3.

Table 3 Bird Survey Results		
Date	Species on the Main Lake (number)	Species in Surrounding Habitats
19/02/2024	Black-headed Gull (13) Coot (5) Great Crested Grebe (2) Mallard (4) Tufted Duck (10)	Blackbird Black-headed Gull Blue Tit Carrion Crow Goldfinch Jackdaw Long-tailed Tit Magpie Robin Wren
14/03/2024	Black-headed Gull (6) Canada Goose (12) Great Crested Grebe (2) Goosander (2) Mallard (6) Tufted Duck (8)	Blackbird Blue tit Dunnock Great Tit Reed Bunting Robin Song Thrush

		Wren
10/04/2024	Coot (2) Tufted Duck (5) Great Crested Grebe (2) Mallard (7) Swallow Sand Martin	Blackbird Chiffchaff Cormorant Dunnock Goldfinch Greenfinch Long-tailed Tit Magpie Reed Bunting Robin Song Thrush Treecreeper Willow Warbler Wren

Badger

- 3.4.6 No evidence of Badger *Meles meles* was recorded during the surveys. Badgers are likely to be present in the wider area.

Bats

- 3.4.7 No structures or trees within the red-line boundary offer potential to support roosting bats.
- 3.4.8 The water bodies on site and woodland within the wider area offer suitable bat foraging habitat.

Otter

- 3.4.9 Evidence of Otter *Lutra lutra* was recorded during the initial survey. An accumulation of old spraint (faeces) was recorded within a cavity in the drystone wall to the south of the Main Lake (outside of the red-line boundary) (see Photograph 11).





Photograph 11 showing Otter spraint

- 3.4.10 No further spraint was recorded during any of the later surveys. However, feeding remains likely to be from Otter were recorded by the dam wall (outside the red line boundary) on 10th April. The water bodies on site offer suitable foraging habitat for Otters, which mainly eat fish. The site is well connected by woodland and watercourses.

Water Vole

- 3.4.11 No evidence of Water Vole *Arvicola amphibius* was recorded during the surveys. The running water habitats are considered unsuitable due to extensively reinforced banks, with negligible opportunity for burrowing. The banks of the Main Lake and the match lake offer suitable habitat for Water Vole, due to the presence of steep earth banks and marginal vegetation.
- 3.4.12 Water Vole is unlikely to be present on the site and is not considered further.

3.5 Invasive Non-native Species

- 3.5.1 Himalayan Balsam is widespread on the site. It was recorded adjacent to the footpath along the north of the Main Lake and is likely to be present elsewhere on site.
- 3.5.2 Nuttall's Waterweed *Elodea nuttallii* was recorded towards the eastern end of the Main Lake.

4. Assessment

4.1 Development Context

- 4.1.1 The following assessment is based on information provided in the Design and Access Statement⁴.

4.2 Impacts on Designated Sites

- 4.2.1 The site is likely to be hydrologically linked to Hollins Vale LNR. This is a potential pathway for pollutants resulting from construction, although the likelihood of this is considered to be very low.
- 4.2.2 The proposed development is unlikely to adversely affect the features for which Pilsworth Lake SBI is notified. Increased visitor numbers may result in additional recreational pressure such as trampling, but footpaths exist and will be improved to reduce impacts. Drainage of surface and foul water has the potential to result in adverse impacts to the water quality of the aquatic habitats on site.
- 4.2.3 No impacts to any other designated sites are anticipated due to the distance and lack of impact pathways.

4.3 Impacts on Habitats

Standing Water

- 4.3.1 No habitat loss will occur. A small area of decking will extend out onto the northeastern edge of the Main Lake. In the absence of mitigation there is potential for pollution during construction.

Species-poor Hedgerow

- 4.3.2 The short section of hedgerow will be lost. This will be compensated for by the creation of new species rich native hedgerows.

Running Water

- 4.3.3 In the absence of mitigation there is potential for pollution to enter Harehills Brook and Brightley Brook during construction.

⁴ Atelier Architecture & Design Ltd (2024) Café-Shop and Boathouse at Pilsworth Lake, Moss Hall Road, Heywood, OL10 2RF, Lancashire, United Kingdom. Town Planning Application. January 2024.



Other Habitats

- 4.3.4 Areas of bare ground, tall ruderal herb, scattered trees and scrub will be lost to facilitate the proposed development. These habitats are of ecological importance at the site level only and no specific mitigation is required.

4.4 Impacts on Fauna

Invertebrates

- 4.4.1 No significant impacts to invertebrates are anticipated. The water bodies will be retained and their usage is unlikely to change. The inclusion of species-rich grassland on site will benefit terrestrial invertebrates.

Birds

- 4.4.2 Only common species and small numbers of birds were recorded. The bird surveys indicate that the Main Lake is unlikely to support important bird assemblage. Impacts from increased recreational pressure are unlikely to be significant.
- 4.4.3 Removal of trees, shrubs and dense scrub could result in impacts to nesting birds, should these be present.

Badger

- 4.4.4 Impacts to Badgers are considered unlikely. There is a low risk of Badgers being harmed should they access a construction zone.

Bats

- 4.4.5 No impacts to roosting bats are anticipated.
- 4.4.6 It is understood that no external lighting or night-time operations are proposed, therefore no impacts to foraging or commuting bats are anticipated.

Otter

- 4.4.7 No evidence of any resting sites within 50m of the red-line boundary was identified during the surveys. The dense Gorse scrub could potentially be used by resting Otters. Impacts to Otters are considered unlikely.

Invasive Species

- 4.4.8 The proposed development could result in the spread of Himalayan Balsam through the transport of earth and movement of vehicles and plant. Under the Wildlife and Countryside Act (Section 14 and Part II of Schedule 9) 1981 (as amended), it is an offence to plant or otherwise cause this species to grow in the wild.
- 4.4.9 There is potential for Nuttall's Waterweed to be disturbed and transported during the development.



4.5 Biodiversity Net Gain

- 4.5.1 The baseline habitats within the red-line development score 2.18 area units, 0.4 hedgerow units and 4.09 watercourse units.
- 4.5.2 The proposed development is predicted to deliver 2.41 area units, 2.69 hedgerow units and 4.68 watercourse units (refer to the Statutory Biodiversity Calculation Metric for details).
- 4.5.3 This represents a net gain in excess of 10% across habitats, hedgerows and watercourses, and is therefore compliant with current policy and legal Biodiversity Net Gain requirements.



5. Recommendations

5.1 Further Surveys

- 5.1.1 No further surveys are required.

5.2 Mitigation and Enhancement Measures

- 5.2.1 Protection of ecological features (habitats and species) during the construction phase will be described in a Construction Environmental Management Plan (CEMP). Mitigation measures to protect, maintain and enhance ecological features during the operational phase of development will be described in a Biodiversity Management Plan (BMP). Management Plans will contain Operational Aims and Objectives, Rationale for management, Prescriptions and schedules detailing the timing and responsibility for delivering the prescriptions. It is anticipated that the CEMP and BMP will be provided as a planning condition in advance of the commencement of the proposed development.

Habitats

- 5.2.2 Standard pollution prevention measures will include safe storage of hazardous materials, provision of spill kits and use of silt fencing. These will protect aquatic habitats from pollution during construction.
- 5.2.3 Retained trees will be protected by fencing in accordance with a tree protection plan.
- 5.2.4 New habitats will be created as part of the landscape design.

Birds

- 5.2.5 Impacts on nesting birds should be avoided by carrying out site clearance and similar operations outside of the bird breeding season (March- August). If vegetation has to be cleared during the bird breeding season checks immediately before clearance by a suitably qualified ecologist will be required. If nesting activity is detected work in that area will need to stop until the ecologist considers that nesting activity is finished.

Badgers

- 5.2.6 To ensure that Badgers (and any other mammals) are not trapped or harmed during the construction work, smaller excavations should be covered if left overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.

Bats

- 5.2.7 No lighting should be directed towards the lakes or woodland edges to avoid potential impacts to foraging bats.



- 5.2.8 Bat boxes installed on the new buildings and suitable retained trees would enhance roosting opportunities for bats.

Otter

- 5.2.9 A pre-construction check should be undertaken prior to clearance of any dense scrub to check for evidence of resting Otters.

Invasive Species

- 5.2.10 An Invasive Species Eradication/Management Plan will be required prior to development commencing, to ensure that Himalayan Balsam and Nuttall's Waterweed are dealt with appropriately and are not spread on site. This should include ensuring that construction personnel are familiar with the identification of the species, and appropriate techniques to remove and secure the plant material.



Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2023) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 180 and 186, shown below:

- 180. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 186. When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments),



should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;



- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.



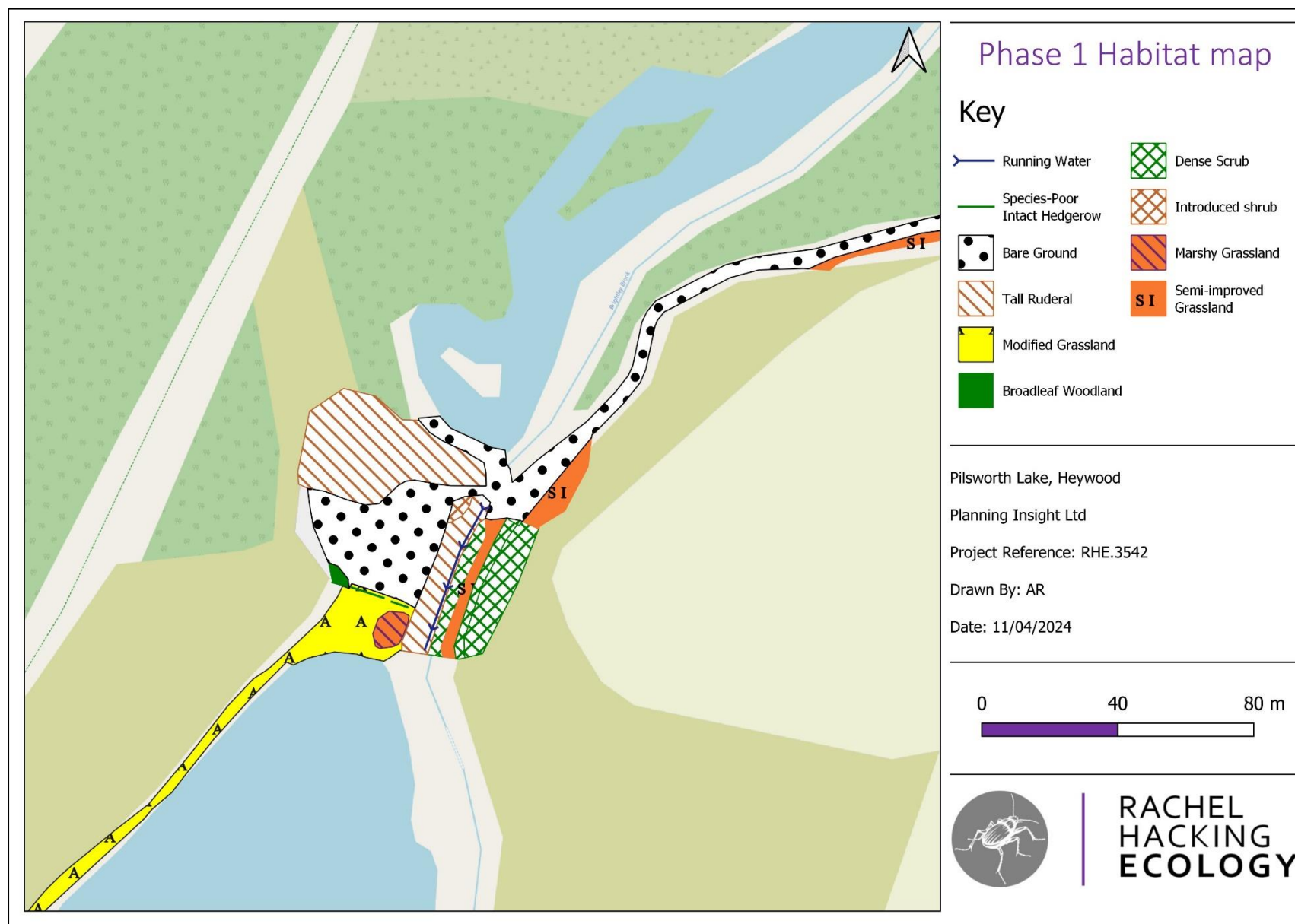
The Environment Bill 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Bill 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Bill 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other satisfactory solution' and that granting the licence is 'not detrimental to the survival of any the population of the species concerned'. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

Appendix 2: Plans







Appendix 3: SBI Citation

SITES OF BIOLOGICAL IMPORTANCE IN GREATER MANCHESTER Greater Manchester Ecology Unit Council Offices, Clarence Arcade, Stamford Street, Ashton-under-Lyne, OL6 7PT (Private & Confidential)		
SITE NAME : Pilsworth		District : Bury
LOCATION : Unsworth	GRID REF : SD830084	GRADE : B
SITE DESCRIPTION		
The site includes a number of water bodies of differing character, of value for their marginal vegetation and bird interest. Ponds and Lodges are Greater Manchester Biodiversity Habitats. Over habitats include broadleaved woodland, scrub and tall ruderal. The main reservoir is one of the largest areas of open water in the Borough. The marginal vegetation includes abundant reed sweet-grass and yellow flag-iris with frequent reed canary-grass, bulrush, great willowherb and hemp agrimony with occasional common reed, lesser pond-sedge, hard rush, marsh thistle, angelica, hemlock water-dropwort, clustered dock, gypsywort, tufted loosestrife and skullcap. Purple loosestrife is also present. Water horsetail is recorded. Woody vegetation includes alder regeneration and goat willow. The invasive himalayan balsam is abundant. The invasive nuttall's waterweed is locally abundant and the invasive monbretia is rare. Vegetation between the reservoir and the Brightly Brook includes false oat-grass, creeping thistle, bramble, meadow vetchling and ragwort. The area is recorded as important for its bird interest with breeding coot, mallard, moorhen and great crested grebe recorded. Winter visitors recorded include coot, tufted duck, golden-eye, wigeon and goosander. Heron, kingfisher, swifts and swallows visit to feed. Canada geese are present. To the west are a number of smaller stone lines lodges. Aquatic plants include the invasive nuttall's waterweed and locally abundant white water-lily recorded as introduced. Broad-leaved pondweed is also present as is filamentous algae. Marginal vegetation includes lady fern, male fern, reed canary-grass, lesser pond-sedge, hemp agrimony, marsh woundwort, great willowherb, skullcap and yellow loosestrife. Water horsetail and gypsywort are recorded. The northern side of the lodges consists of broadleaved woodland with locally abundant sycamore and occasional beech and birch with an understorey of hawthorn, elder and bramble. Ash is also recorded. Broad buckler-fern and ivy are present in the ground flora. The invasive Himalayan balsam is abundant. A small pond recorded to the north is now swamp with reed sweet-grass dominant and bulrush occasional. Branched bur-reed, great willowherb, nodding bur-marigold, gypsywort, tufted hair-grass and bittersweet are recorded. The pond supported common frog and smooth newt. A match lake was created in the early 1990's. This now supports abundant rigid hornwort with the invasive nuttall's waterweed frequent. Fringed water-lily is also frequent and duckweed occasional. Marginals include frequent reed canary-grass, soft rush and yellow flag-iris with occasional tufted hair-grass, bulrush, wild angelica and greater bird's-foot-trefoil. Other species include broad buckler-fern and bramble. The lake contains several small islands which have been planted with willow, silver birch, alder and spruce. Grey willow is also present. The invasive Himalayan balsam is abundant. An area of grassland previously recorded has been lost to tall ruderal vegetation and scrub. Other birds observed include goldcrest and carrion crow. Long-tailed tit are recorded. Odonata observed include brown hawker, blue-tailed damselfly and common blue damselfly. The lodges are actively fished and managed and patrolled by a bailiff. <i>The habitat figures given are an approximation and are only intended to give an indication of the relative proportions of each habitat.</i>		

Ref: CURRENT SBIS/Bury/C45/C45-1

Date: 10.8.17



SITES OF BIOLOGICAL IMPORTANCE IN GREATER MANCHESTER Greater Manchester Ecology Unit Council Offices, Clarence Arcade, Stamford Street, Ashton-under-Lyne, OL6 7PT (Private & Confidential)				 Greater Manchester Ecology Unit
SITE NAME : Pilsworth			District : Bury	
LOCATION : Unsworth			GRID REF : SD830084	
GRADE : B	AREA (HA) : 6.9	ALTITUDE (M) : 90	DATE : 10.8.17	
STATUS : BAP		SURVEYOR : D Dutton		INITIAL SURVEY DATE : 8.81
No OF REVISIONS : 4		OWNER : Private		District REF : C45
HABITATS PRESENT	Area (ha)	HABITATS PRESENT	Area (ha)	
Woodland broadleaved (semi-nat)	0.4	Woodland plantation	0.1	
Scrub	0.2	Acid grassland		
Neutral grassland – species rich	0.4	Neutral grassland – species poor		
Marshy grassland/flush		Calcareous grassland		
Tall ruderal	0.4	Ericaceous heath lowland/upland		
Bog		Swamp/Fen/Reedbed	0.1	
Pond/small lodge	1.1	Reservoir/large area of open water	4.1	
Canal		Running water - River/stream/ditch	0.1	
Quarry/cliff/rock/wall	0.01	Other		
Areas of habitat covering less than 0.1ha. recorded as 0.01				
Qualifying Features Code (taken from Part 2 or Part 3 of the Greater Manchester SBI Selection Guidelines 2016). Fw2 - Ponds & Small Lodges Fw3 - Large Areas of Standing Open Water				
Supplementary Features Code - for other features that are not the primary reason for SBI selection, but are identified either as a supplementary attribute (taken from Part 1) and/or by almost reaching the Guideline threshold (Parts 2 & 3). Intrinsic Appeal – Sense of Ownership				
COMPLETE FOR GAINS AND PARTIAL LOSSES ONLY				
Loss since Last Survey : 0.6		Loss since First Survey : 0.6		
Primary cause : Habitat degradation		Secondary cause :		
Gain since Last Survey : 0		Gain since First Survey : 1.5		
Primary cause : Habitat Gain		Secondary cause :		
Net change since Last Survey : -0.6		Net change since First Survey : +0.9		

Ref: CURRENT SBIS/Bury/C45/C45-3

Date: 10.8.17

