

David Dutton <david.dutton@tameside.gov.uk>

Summary

The developer's ecological consultant identified no significant ecological issues. Issues relating to bats, nesting birds, invasive species and impacts on the watercourse can be resolved via condition. I recommend more information on how the development will enhance the Natural Environment is provided prior to determination.

Bats

The buildings and trees on the site were visually surveyed for bats and two trees subject to two further emergence surveys. No evidence of roosting bats was found with no activity identified until well after dusk. I am satisfied that it is very unlikely that the conservation status of bats will be impacted upon by the development. The building which had negligible potential is also being retained. Reasonable avoidance measures have been recommended for the felling of the two trees with moderate bat roosting potential. I recommend a condition along the following lines is applied to any permission.

The removal of trees called T1 & T4 have the potential to cause harm to bats as identified in the Ecological Survey and Assessment ERAP ref. 2021-283b and shall be carried out in accordance with the details contained section 5.4.9 and 5.4.10 of the assessment as already submitted with the planning application and agreed in principle with the LPA.

Nesting Birds

Trees, shrubs, scrub and ivy will be lost as a result of the current proposal 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.

Invasive Species

Japanese knotweed and wall cotoneaster were recorded on the site. Both are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. The Japanese knotweed was recorded as already undergoing treatment. Wall cotoneaster is relatively easy to control being primarily an issue on calcareous land and would not be regarded as growing in the wild at this location. I recommend however a condition along the following lines is applied to any permission.

Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed and wall cotoneaster should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Alternatively the developer could provide details of the current Japanese knotweed control programme to be conditioned.

Culverted Watercourse

A stream is culverted under the site. There are risks of negative impacts on the water quality and flow rates of the Brook during and post construction if there are any surface water connections directly in to the Brook.

I recommend that any such drainage is identified prior to any earthworks and capped and that any new surface water drainage directly in to the Brook subject to measures to ensure no increase in flow to the Brook, with suitable interceptors to prevent increased levels of sediment and pollution entering the watercourse. The details can be conditioned.

No development, site clearance, earth moving shall take place or material or machinery brought on site until a survey of existing surface water drainage has occurred and if any direct connectivity to the culverted brook identified a method statement to protect the Brook from contamination shall also be supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

And

No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological potential of the culverted Brook resulting from the disposal of foul water and surface water post-development submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.

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 around 0.1ha of mixed scrub a moderate ecological value in what appears to be poor condition, just over 0.2ha of amenity grassland a low ecological value habitat automatically regarded as poor condition, a number of mature trees and associated bird nesting and bat roosting opportunities. Around 0.2ha of amenity space and a small area of private garden along with replacement tree planting is proposed. Whilst theoretically enough land is being set aside to provide adequate mitigation, the current proposal does not in my opinion appear to achieve this and there appears to be no detail on measures to mitigate for nesting birds and roosting bats.

I am also unclear why all the existing trees need to be removed as some appear to be retainable, located in amenity space where new tree planting is proposed, particularly north of the sub-station.

I recommended at pre-app use of the defra metric to demonstrate compliance with the NPPF. Given that since pre-application, the Environment Bill has been passed with net gain due to become mandatory by November 2023, this site exceeding what would fall under the small site metric (currently proposed to fall around the 0.5ha or 10 house threshold) the weight behind the use of the metric has increased.

I therefore recommend that prior to determination, information on why certain mature trees cannot be retained and more evidence that the development will enhance the Natural Environment, preferably through use of the defra metric is provided.

David Dutton

Ecologist

Planning

Planning and Transportation

Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Dukinfield Town Hall | King Street | Dukinfield | Tameside | SK16 4LA

Tel. 0161 342 2895

Mobile. 07583961784