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Sent: 13 September 2022 17:52
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: Planning application 68174 Land at Burns Avenue, Bury

Summary

Potential ecological issues include nesting birds, invasive species and mitigation for loss of trees.

Protected Species

The site is a very small plot, consisting of an ecologically isolated overgrown garden. It is very unlikely that there will be any protected species issues with this site, though bats likely will forage on occasion over it. No further information or measures are required.

Nesting Birds

Whilst some site clearance has clearly already occurred, trees and shrubs still appear to be present, 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

The site is low to moderate risk for species such as japanese knotweed, though none is visible in the photographs provided. I therefore recommend an informative along the following lines is applied to any permission.

The applicant is reminded that It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

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 site consists of a small to moderate overgrown garden of around 250 square meters including what appear to be ornamental trees. The only likely species impact is loss of bird nesting habitat. No mitigation is provided, though a small lawn area is provided. Technically more mitigation should be provided. I would recommend an integrated bird and bat bricks to for the new build if permitted and at least one native tree such as a silver birch. ***The details can be conditioned.***

David Dutton

Ecologist

Planning

Planning and Transportation

Place