

From: David Dutton
Sent: 24 July 2023 13:25
To: Booth, Claire
Subject: Planning application 69559 Land adj to 3 Thorndyke Walk

Hi Claire

Apologies for the slow response. The application does not appear to have been allocated.

Summary

As you note no ecological survey information has been provided. I have some knowledge of this site having worked with Park View Primary and I am therefore aware that there were buildings on this site. The applicant appear to be retaining the majority of the existing trees the main feature of ecological value.

Therefore whilst preliminary ecological appraisal ideally should have been provided for a development of this scale, potential issues such loss of the trees, associated bird nesting habitat and issues such as invasive species and potential for mammals are low enough that I would expect resolution via conditions. There is however a significant question mark over whether full mitigation and enhancement can be achieved on the site, with 10% biodiversity net gain now a material consideration for Greater Manchester given the policy has been through the Pfc enquiry and not challenged. A biodiversity net gain assessment is therefore recommended prior to determination.

Protected Species

It is very unlikely that there are any protected species issues on this site. This is a very urban location, with no records of badger or great crested newts in the locality and the trees of an age that is very low risk for bat. I am satisfied that any risks relating to bats and badger can be dealt with via informatives along the following lines.

Whilst the development is very low 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). Natural England should also be informed.

And

The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.

Nesting Birds

Trees and scrub will be lost 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.

Other Wildlife

Sites such as this can provide suitable habitat for species such as fox. Whilst not protected under wildlife legislation they are protected under mammal welfare legislation. I therefore recommend an informative along the following lines is applied to any permission.

The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.

Invasive Species

Sites such as this are moderate risk for species such as Japanese knotweed and Himalayan balsam the latter I have a memory of recording in this area. I therefore recommend that as part of any permission a condition along the following lines is applied.

Prior to any earthworks a survey for invasive plant species including japanese knotweed and himalayan balsam will occur and the finding supplied to and agreed in writing to the LPA. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be supplied to and agreed in writing by the LPA, prior to any earthworks.

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 some young trees and tall ruderal vegetation and scrub that has developed on the site of the former buildings, to be replaced primarily with buildings and hardstanding. It is not clear whether or not full mitigation and enhancement can be achieved on the site. I therefore recommend that prior to determination a biodiversity net gain plan is provided including a defra metric. If net gain cannot be achieved further information should be provided on how the shortfall would be provided.

David Dutton

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Planning

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Place

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