

70222 – Former Mondi Mill, Bridge Street, Ramsbottom

Thank you for consulting the GMEU

Summary

Further surveys and a biodiversity net gain assessment are recommended prior to determination.

Bats

Previously bats were recorded as roosting in buildings B1 & B2. An updated bat assessment has been provided that indicates the buildings still have high bat roosting potential with a very late bat emergence survey in 2023 confirming that bats are still present in B1. Further surveys are however required as the 2020 survey are no longer valid and high-risk survey require 3 surveys with a survey also required for B3.

Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005).

I therefore recommend that prior to determination all surveys recommended by the ecological consultant are carried out and the findings supplied to and agreed in writing by the LPA.

Two trees on the site were also assessed as having low bat roosting potential. I recommend a condition along the following lines is applied to any permission.

The removal of trees with low bat roosting potential may have the potential to cause harm to bats as identified in the Preliminary Ecological Appraisal Ascerta ref. P.1202.19 drawing P.1202.19.03 rev.A and shall not in any circumstances occur unless further information has been provided to and agreed in writing by the local planning authority

There may also be the risk of negative effects post development from external lighting. The risk however appears to be restricted primarily to mitigation and enhancement measures for bats i.e. the bat boxes/bricks as there is a significant buffer between the development site and the river. I recommend a condition along the following lines is applied to any permission.

Prior to development an external lighting strategy shall be submitted to and approved in writing by the LPA. The strategy shall:

- *Identify existing areas and proposed features for bats that are potentially sensitive to lighting;*
- *show how and where external lighting will be installed and through appropriate isolux plans demonstrated clearly that any impacts on bats will be negligible;*
- *Specify frequency and duration of use.*

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

Otter

Otters are now present in the river Irwell, though the majority of the sightings are to the south of Bury, primarily due to survey effort in this locality resulting from flood alleviation and other development proposals. Surveys in 2019 found no evidence of otter along this section of the

river. The 2023 PEA notes that updated otter surveys are required, but this is contradicted in the review of the 2019 otter, water vole and white-clawed crayfish report, which states no otter were found to be present during the 2023 update. There is however no evidence of a detailed otter survey in the review document, and I would not have regarded September as a good time to carry out an otter survey owing to the density of the riparian habitat at this time of year.

I therefore recommend that prior to determination clarification on whether or not the full otter survey recommended in the PEA was subsequently carried out and if yes a separate report provided.

Other Protected Species

Updated surveys for white-clawed crayfish and water vole are also recommended in the PEA, but in the case of water vole this is then contradicted in the review of the 2019 survey. Whilst no evidence that an updated water vole survey was carried out, I am satisfied that water vole are very unlikely to be present and can be dealt with via an informative along the following lines.

Whilst there is only a low risk of water vole being present, the applicant is reminded that under schedule 5 of the Wildlife & Countryside Act 1981 (as amended) it is an offence to kill or recklessly damage, destroy or obstruct habitat utilised by water vole. If a water vole is found during the development, all work should cease immediately, and a suitably licensed ecologist employed to assess how best to safeguard the water voles(s).

With regards white-clawed crayfish, I would again regard it as very unlikely that they are present owing to the known large population of signal crayfish. There is, however, a record of a dead individual on Nuttall Park following storm Denis, Nuttall Park flooding during that storm. There is therefore a risk that they could be present and a pre-cautionary approach reasonable.

I therefore recommend that prior to determination an update white-clawed crayfish survey is provided.

No evidence of any other protected species was found or suspected during the 2023 PEA review. It was however noted that badger could colonise the site and a precautionary survey recommended prior to development. I accept that this is reasonable. I therefore recommend a condition along the following lines is applied to any permission.

Within six months of the commencement of earthworks or vegetation clearance a survey of the site for badger setts will occur and the findings supplied to and agreed in writing by the LPA.

Kingfisher are also present on the River Irwell, therefore whilst nesting on site is extremely unlikely, I recommend an informative along the following lines is applied to any permission.

The applicant is reminded that Kingfishers are protected under schedule 1 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to take, injure or kill a kingfisher or destroy its nest, eggs or young. It is also an offence to recklessly disturb the birds close to their nest during the breeding season. If a kingfisher is found to be nesting on or near the site during the development work should cease and a suitably experienced ecologist employed to how best to safeguard the kingfisher(s).

Nesting Birds

The site has been colonised by dense scrub. The development will also require removal of existing trees and ornamental shrubs and the majority of the remaining buildings where nesting is suspected. There is therefore a significant amount of bird nesting habitat on the site. 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 or building work or demolition commence 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 or a reasonable avoidance measure method statement been provided and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Invasive Species

Japanese knotweed, Himalayan balsam, monbretia and Cotoneaster spp are present on the site, all included within this 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. Previously an invasive species method statement was agreed.

This has been updated following an updated survey in September 2023, where amendments were made owing primarily to the discovery of monbretia. I have no objection to the new proposed measures for monbretia.

I therefore have no objection to the invasive species method statement being conditioned.

Protection of the River Irwell

Whilst I am satisfied that negative impacts can be avoided and the overall scheme will likely be positive due to the creation of the public open space (POS) in partnership with the Environment Agency along the Irwell, protection during construction and laying out of the POS should still be provided. This could be conditioned either as part of a Construction and Environmental Management Plan (CEMP) or separately along the following lines.

No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, dust and debris has been 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.

Measures should also be applied post-development, but I am not qualified to assess the technical details of how measures to prevent increased surface water run-off and pollutants entering the Irwell. I will rely on the EA's, UUL and the Council's own drainage engineer to determine whether there will be net benefits from the proposal.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Large parts of the site are hard standing, but colonisation by scrub is occurring, and increased since the previous application. Losses of higher value habitat is restricted to the woodland and scrub along the tributary watercourse and some mature trees along the river. Wildlife issues relate primarily to nesting birds and bats, with potential issues relating to otter and kingfisher that forage along the Irwell adjacent to the site.

Since the previous application the planning weight behind the requirement to produce a biodiversity net gain has increased and would have been mandatory if the government had not slipped the date from the 1st November to 2024. In addition, at a GM level, Now Places for Everyone (PfE) has been

through Inquiry, thematic policies in the plan can be given 'weight' in planning decisions. This includes the BNG Policy.

The ecological consultant's have also recommend that a biodiversity net gain assessment be carried out.

I therefore recommend that prior to determination a biodiversity net gain assessment is provided including a copy of the excel defra metric.

It is therefore premature to discuss the landscape proposals in detail, (though I previously accepted the proposals, which were broadly similar to then new proposal), in case the development does not achieve adequate net gain and on-site landscape amendments made.

Ecologist

GM Ecology Unit