RE: Planning application 129020/FO/2020 USDAW Oakley 188 Wilmslow Rd

David Dutton <[redacted]
Wed 03/03/2021 11:59
To: Robert Griffin <[redacted]

Hi Robert

Sorry I am not aware of any research on impact of shading on mature trees. I would doubt it would be significant and would vary species to species dependent on the shade tolerance of each species. Mature trees are however primarily impacted upon only when overtopped in my experience. I have seen many examples of trees that were grown in open habitat, then swallowed up by natural regeneration on all sides ie shaded laterally but apparently suffering no harm to the canopy

David Dutton
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From: Robert Griffin [redacted]
Sent: 03 March 2021 11:14
To: David Dutton <[redacted]
Subject: Re: Planning application 129020/FO/2020 USDAW Oakley 188 Wilmslow Rd

Hi David
I hope you are well.

I have a question relating to the above application. I have received a number of objections to the above application and potential impacts of the proposed tall building on existing mature trees on the boundary of the site but within Platt Fields Park to the immediate north. Are you aware of any research or other evidence relating to overshadowing impacts from buildings on mature trees? My arborist colleagues are aware of impacts on newly planted trees in dense urban areas but they do not have any knowledge on what potential impacts on mature trees could be.

If you are able to assist I would be grateful for any guidance you may be able to provide.

Regards

Rob Griffin
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From: David Dutton [redacted]>
Sent: 20 January 2021 10:52
To: Robert Griffin [redacted]
Subject: Planning application 129020/FO/2020 USDAW Oakley 188 Wilmslow Rd

Hi Robert

Hope you are well

Summary
Ecological issues relating to bats, nesting birds, small mammals, rhododendron and mitigation for loss of trees can be dealt with via condition.

Bats
Buildings and trees on site were surveyd by an experience consultancy, for bat roosting potential and one emergence survey, late in the survey season carried out on one building. No evidence of bats was found with all buildings proposed for demolition assessed as having negligible bat roosting potential, with the building for retention assessed as moderate risk, downgraded to low risk following the emergence survey owing to a high level of external lighting. In addition as this building with low to moderate potential is to be retained, reasonable avoidance measures can be applied. I recommend a condition along the following lines is applied to any permission.

Works associated with the building to be retained including demolition of extensions shall be carried out in accordance with the details contained in the Ecological Appraisal, Bowland Ecology reference BOW17/1126 Section 5.7 as already submitted with the planning application and agreed in principle with the LPA prior to determination. If works associated with this building are not commenced prior to 1st May 2022 an additional emergence survey will be carried out.

In addition three trees proposed for removal were assessed as having low bat roosting potential and requiring further survey. Labelled as BT4 a semi-mature yew, BT5 a holly nd BT7 a semi-mature yew, in the ecological report. Given they are low risk further and based on the photographs I am happy for further assessment to occur via condition along the following lines.

The removal of tree called BT4, BT5 and BT7 may have the potential to cause harm to bats as identified in the Bowland Ecology reference BOW17/1126 sections 5.8 and appendix E and shall not in any circumstances occur unless further information on the risk potential to bats has been provided to and agreed in writing by the local planning authority

Nesting Birds
Trees and shrubs will be lost as a result of the development, 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.

Mammals
Habitats on site were assessed as providing potential nesting habitat for hedgehog and grey squirrel dreys were recorded in some of the trees on the site.

Hedgehog are a UK Biodiversity priority species and therefore a material consideration. I recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a resonable avoidance measures method statement for hedgehogs shall be supplied to and agreed in writing by the LPA

Grey squirrels are included within schedule 9 part 1 of the Wildlife & Countryside Act 1981 (as amended) ie they are regarded as a pest species. However it is still illegal to cause them unnecessary suffering. Ie any control has to be humane. Felling a tree with an occupied drey would be an offence under the Wild Mammal (Protection) Act 1996. I 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
Rhododendron was recorded on the site. Rhododendron ponticum is 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.

It is quite probable that the Rhododendron on site are ornamental varieties not included under schedule 9 part 2. They are also unlike japanese knotweed unlikely to propagate from plant fragments or to have a seed bank within the soil like himalayan balsam, plus it is not illegal to grow rhododendron on a site such as this. I am therefore satisfied that the risks of an offence are very low and can be covered by an informative along the following lines.

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 Rhododendron ponticum (purple flowered species) are included within this schedule. If any Rhododendron or soil contaminated with Rhododendron is to be taken off site a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and Enhancing the Natural Environment
Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The main ecological impacts are loss of trees, loss of associated bird nesting habitat and loss of associated bat foraging habitat. (The site had high levels of common pipistrelle activity associated with the trees). Replacement tree planting should therefore be provided to mitigate for tree loss and in the long term restore bat foraging and bird nesting habitat.

Significant levels of new tree planting are proposed along the boundaries, as well as other planting that will be an improvement ecologically even if ornamental on the existing habitats on site. The proposals are likely to be adequate to mitigate and enhance the site in the long term and includes some native species such as beech and field maple. I would however recommend that the ecological value is improved further by substituting non-native birches with silver birch *(B. pendula).*

In terms of the short-term mitigation whilst the trees mature, I recommend provision of bird boxes on mature retained trees for typical urban/suburban species and to enhance the site for foraging bat by ensuring that any new external lighting has less unnecessary impacts than the existing external lighting on the retained trees and retained building. The details can be conditioned via a landscape condition and a separate external lighting strategy condition along the following lines.

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

- ***Identify areas/features on site that are potentially sensitive to lighting for bats;***
- ***show how and where lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on bats is negligible/less than that previously present on site;***
- ***Specify frequency and duration of use.***

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