

PRELIMINARY ECOLOGICAL APPRAISAL

October 2021

Land at Atherton Street

Atherton Street

Manchester

M3 4FD

U R B A N
G R E E N



QUALITY MANAGEMENT

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NON-TECHNICAL EXECUTIVE SUMMARY

Euan Kellie are proposing to develop land at Atherton Street adjacent to Breeze Gardens in Manchester (hereafter referred to as ‘the site’). The proposals include the development of VIP parking in close proximity to the Great John Street Hotel, within Manchester City Centre.

Urban Green have been appointed to complete a Preliminary Ecological Appraisal of the site. The objectives of the assessment are to identify habitats on site and determine the suitability for any ‘protected and/or notable’ species may occur on site, with consideration of potential impacts on nearby designated sites. Ecological mitigation is recommended to aim to minimise potential impacts on ecology, due to the proposed development.

Following the survey work, the key recommendations are summarised in the following table:

Current Site Use and Adjacent Site Use	The site is currently unused public open space with access to Great John Street and Atherton Street, within Manchester City Centre.
Potential Impacts on Designated Sites	No potential impacts on designated sites are anticipated to occur as a result of the proposed development. The site is located at a sufficient distance from nearby designated sites, and the proposed development activities have been considered.
Habitats	The site comprised predominantly hardstanding with small areas of ornamental shrub and a hedgerow with trees.
Ecological Constraints	Suitable habitats for nesting notable bird species were identified as a potential ecological constraint to the development.
Recommended Ecological Mitigation	The following mitigation measures are recommended to minimise potential impacts due to the proposed development: • If any vegetation requires removal, it should be completed outside of the breeding bird season (March to September, inclusive). If this is not feasible, a Nesting Bird Check is to be completed by a qualified ecologist no more than 48 hours before vegetation removal commences. • Lighting considerations during the construction and operational phases to minimise impacts to commuting and foraging bats, and other nocturnal species.
Recommended Further Surveys and Reports	No further surveys are required to inform the planning application.
Recommended Ecological Enhancements	The National Planning Policy Framework (NPPF) (2021) highlights the requirement for planning policies and decisions to conserve and enhance the natural environment. The proposed development provides the opportunity to enhance the site and ecological enhancements have been recommended.

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1 Introduction

1.1 Background to the Scheme

Euan Kellie are proposing to develop land at Atherton Street adjacent to Breeze Gardens in Manchester (hereafter referred to as 'the site'). The proposals include the development of VIP parking in close proximity to the Great John Street Hotel, within Manchester City Centre. Urban Green have been appointed to undertake a Preliminary Ecological Appraisal (PEA) of the site.

The author of the report is Jake Healy, Qualifying CIEEM, Assistant Ecologist at Urban Green. Jake has experience providing ecological consulting services for a range of development schemes across the UK, including residential and commercial schemes.

1.2 Site Context

The site is located at National Grid Reference SJ 83196 97968 and comprises a total area of approximately 0.1 acres (see Figure 1).

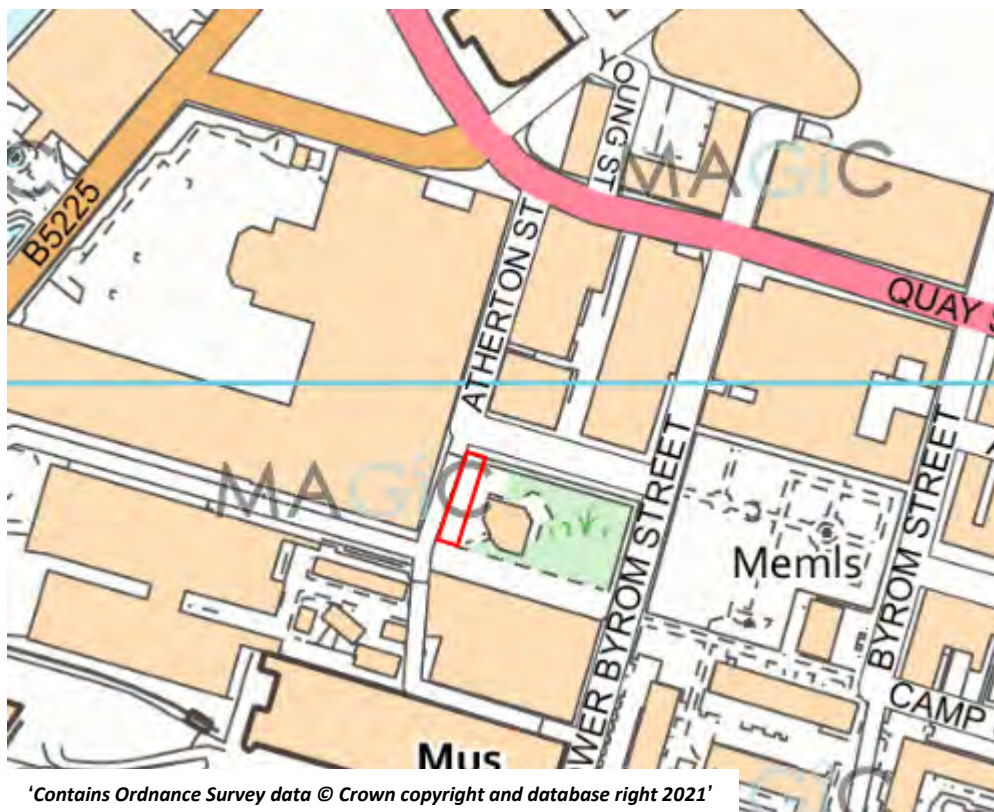


Figure 1 – Site Extent

The site is located in a densely urban area of Manchester, approximately 660m to the south-west of Manchester City Centre. The River Irwell is present approximately 250m west of the site, and Peel Park, a large managed urban park is situated approximately 1.4km to the north-west of the site. The site is surrounded by large residential and commercial properties at all sides and within the wider area.

Due to the sites location close to the city centre, there is a high level of disturbance present from main roads and railway lines which are present approximately 300m south and west of the site.

1.3 Purpose of this Report

This report has been produced to set out the methods, results, and conclusions of a PEA. The purpose of the PEA report is to be identify habitats on site and determine the sites potential value for protected and/or notable fauna and flora, with the addition of potential impacts on designated site. This will inform the need for any further ecological surveys and/or mitigation to minimise the potential impacts on ecology on site and within the local area.

Further information and details of UK legislation for those species which are formally protected is defined in Appendix 1, which are considered throughout the assessment.

The National Planning Policy Framework (NPPF) (2021) and other Local Planning Policies are considered with the PEA. Ecological enhancements are advised to be in line with relevant Planning Policies.

2 Methods

The PEA assessment and Report follows the good practice methodology as detailed within the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2019).

2.1 Desk Study

2.1.1 Online Resources and Local Records Centre

Due to the size and low impact of the proposed development and being located within a predominantly urban area of Manchester, a 1km Local Data Search was conducted as it is deemed an appropriate distance for the Zone of Influence.

Sources of information used in the desk study are presented in Table 1.

Table 1 – Desk Study Sources of Information

Source	Date Consulted	Information Sought
MAGIC website (www.magic.gov.uk)	11/10/2021	Locations of statutory designated sites within 1km of the site boundary. Locations of the designated sites within the National Site Network (Ramsar, Special Area of Conservation (SAC) and Special Protection Area (SPA) within 5km of the site boundary. Locations of European Protected Species Licences (EPSL) and Class Licences within 1km.
Natural England (https://designatedsites/nature.naturalengland.org.uk/)	11/10/2021	Relevant statutory designated site citations.
Joint Nature Conservation Committee (JNCC) (https://jncc.defra.gov.uk/)	11/10/2021	Information on European wildlife sites. Details of relevant Section 41 species and habitats.
Greater Manchester Ecology Unit	14/10/2021	Locally designated wildlife sites within 1km of site boundary. Records of protected and notable species within 1km of the site boundary.
Greater Manchester Local Biodiversity Action Plans	14/10/2021	Species and habitats which are given special conservation status at the local level.

MAGIC was also searched to assess whether the site fell within any Impact Risk Zones (IRZ) associated with a statutory designated site or a site forming part of the National Site Network. IRZ's have been identified by Natural England for use by Local Planning Authorities to assess planning applications for likely impacts on these sites and to determine when to consult Natural England for further advice.

2.2 Field Survey

2.2.1 Vegetation

The site was subject to a field survey on 11th of October 2021, by Assistant Ecologist Jake Healy Qualifying CIEEM. The weather conditions were 13°C, clear (2/8 oktas), with a wind speed of 1 Beaufort scale.

The methods were based on the standard methodology as detailed by *JNCC Handbook for Phase 1 Habitat Survey* (JNCC, 2010). A Phase 1 Habitat Plan has been produced to demonstrate habitats within the proposed development and the surrounding area. The mapping techniques are based on *the Phase 1 Habitat Survey* (JNCC, 2010) guidance. Plant common and latin names were taken from the *Online Atlas of British and Irish Flora* (<https://www.brc.ac.uk/plantatlas/>), a continually updated directory of plant nomenclature developed in partnership by the Botanical Society of Britain and Ireland, the Biological Records Centre, the UK Centre for Ecology and Hydrology, and the JNCC.

Flora species listed as protected in the *Wildlife and Countryside Act 1981* (as amended) and species which are indicators of important and/or uncommon habitats, were searched for during the survey.

Species abundance is described using the DAFOR scale as shown in Table 2. Percentages are an approximate indication rather than a quantitative measure.

Table 2 – Key to Species Abundance

		Description	Indicative Percentage Ranges
D	Dominant	Covers most of the area	90% or greater
A	Abundant	Very common throughout the area.	50 – 90%
F	Frequent	Common or with many individuals.	20 – 50%
O	Occasional	Occurs in several places but not throughout. Populations are not large.	5 – 20%
R	Rare	Occurs in low numbers in relation to size of area.	Less than 5%
“L” will be used to indicate abundance in a localised area, e.g., LA = Locally abundant			

Any invasive species, including those listed on the revised (April 2010) Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended) were noted during the field survey when sighted.

2.2.2 Fauna

A site search for field signs of protected and notable fauna was undertaken, and incidental sightings are detailed. The searches completed were as follows:

- Suitability of any ponds to support notable and protected amphibians, and the suitability of the site’s terrestrial habitats to support amphibians.
- Suitability of the site to support reptiles by way of habitat structure and refuge piles, as well as links to the wider landscape.
- Search of any watercourses for signs or suitability for white clawed-crayfish (*Austropotamobius pallipes*), water vole (*Arvicola amphibius*) and otter (*Lutra lutra*) by way of burrows, resting places, holts and foraging signs.
- Suitability of the site to support notable bird species. Bird nests and droppings of notable and protected bird species.

- Suitability of the site to support notable invertebrates.
- Search of the site for any invasive species.
- Badger (*Meles meles*) field signs such as setts, mammal, paths, snuffle holes and latrines.
- Suitability of the site to support notable terrestrial mammals including harvest mouse (*Micromys minutus*) and brown hare (*Lepus europaeus*).

2.3 Bat Assessment

2.3.1 Preliminary Roost Assessment

A Preliminary Roost Assessment (PRA) was carried out on the trees on site using a high-powered torch and close-focussing binoculars.

The PRA methodology is based on information contained within the Bat Conservation Trust (BCT) guidelines, 3rd edition (Collins, 2016). The categorisation within this report is based on that set out in Table 3, which is used as a basis for determining the requirement for further surveys.

Table 3 – Suitability of Buildings and Trees for Roosting Bats (adapted from Collins, 2016)

Category of Suitability	Typical Characteristics	Further Survey Requirements
High Roost Suitability	A tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	Three separate survey visits. At least one dusk emergence and a separate dawn re-entry survey. Surveys can be undertaken between May and September, with at least two surveys between May and August.
Moderate Roost Suitability	A tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but are unlikely to support a roost of high conservation status.	Two separate survey visits. One dusk emergence and a separate dawn re-entry survey. Surveys can be undertaken between May and September with at least one survey between May and August.
Low Roost Suitability	A tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate condition and/or suitable surrounding habitat to be used on a regular basis by larger numbers of bats.	No further survey required but precautionary methods of felling recommended.
Negligible Suitability	Negligible habitat features on site likely to be used by roosting bats.	No further work required.

2.3.2 Commuting and Foraging Bats

The site was assessed for its suitability for use by commuting and foraging bats.

The commuting and foraging assessment methodology is based on information contained within the Bat Conservation Trust guidelines 3rd edition (Collins, 2016). The categorisation within this report is based on that set out in Table 4, which is used as a basis for determining the requirement for further surveys.

Table 4 – Suitability of Site for Foraging and Commuting Bats (adapted from Collins, 2016)

Category of Suitability	Typical Characteristics
High Suitability	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting or foraging bats such as; river valleys, streams, hedgerows, lines of trees or woodland edge. Site is close to or connected to known roosts.
Moderate Suitability	Continuous habitat connected to the wider landscape that could be used by commuting bats such as lines of trees, scrub or linked back gardens. Habitat connected to wider landscape that could be used for bats for foraging such as; trees, scrub, grassland or water.
Low Suitability	Habitat that could be used by small number of commuting bats such as; defunct hedgerow, isolated features not well connected to surrounding habitat or Isolated habitat that could be used by a small number of foraging bats such as a lone tree or patch of scrub.
Negligible Suitability	No features on site suitable for use by commuting and foraging bats.

2.4 Constraints to the Survey

Whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment.

This PEA does not constitute a full botanical survey. The protected species assessment provides a view of the likelihood of protected species occurring on the site based on the known distribution of species in the local area and the suitability of the habitat.

It should not, however, be taken as providing a full and definitive survey of any protected species group.

Where a lack of records is found during the desk search for a defined geographical area, it does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded.

October is a suboptimal time for carrying out a Phase 1 Habitat Surveys due to being outside of the optimal plant growing season. Therefore, it is likely that some plants are present on the site but were not evident at the time of the survey and were not recorded. This is not considered to be a significant constraint with regards to the general Phase 1 Habitat Survey results due to the size and location of the site and limited extent of the habitats, it is considered very unlikely that any rare or priority plant species were missed.

The conclusions and recommendations detailed in this report are based upon the site redline boundary and the development proposals as outlined by the client at the time of writing. Should there be any

changes to the site redline boundary or development proposals at a later stage, this assessment should be reviewed to determine whether any amendments or additional survey work is required.

The findings of this report represent the professional opinion of qualified ecologists and do not constitute professional legal advice. The client may wish to seek professional legal interpretation of the relevant wildlife legislation cited within this document.

2.5 Lifespan of Report

In accordance with CIEEM's Advice Note on the Lifespan of Ecological Reports and Surveys (CIEEM, 2019), the details of this report will remain valid for a period of **18 months** from the date of the survey (i.e. until 11th April 2023). After this date, this assessment should be reviewed to determine whether any updated surveys are required.

2.6 Definitions

For the purposes of this report, the term 'protected and notable species' relates to:

- Species included on Schedules 2 and 4 of *The Conservation of Habitats and Species Regulations 2017*;
- Species included on Schedules 1, 5 and 8 of the *Wildlife and Countryside Act 1981* (as amended), excluding species that are only protected in relation to their sale (see section 9[5] and 13[2]);
- Invasive non-native species included on Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended);
- Species of principal importance for the conservation of/maintaining and enhancing biodiversity as required under: Section 41 of the *Natural Environment and Rural Communities Act 2006* (England), Section 7 of the *Environment (Wales) Act 2016*, Section 2[4] of the *Nature Conservation (Scotland) Act 2004*;
- Local species of importance as identified within various local biodiversity action plans; and,
- Badgers, which are protected under the *Protection of Badgers Act 1992*.

3 Baseline Ecological Conditions

3.1 Desk Study

3.1.1 Site Location

The site lies within an urban area of Manchester, with commercial and residential buildings present in the immediate vicinity and the wider area. The River Irwell is present 250m west of the site and St. John's Gardens, a small urban park, is present approximately 70m to the east of the site. It is anticipated these habitats may provide suitable foraging, resting, and commuting resources within the local area for a variety of birds, bats and other terrestrial mammals.

Habitats within the surrounding area are limited to urban street planting and urban parks.

3.1.2 Designated Sites

No sites within the National Site Network were located within 5km of the site boundary and no statutory sites were located within 1km of the site. One non-statutory designated site was located within 1km of the site and is detailed in Table in 6.

Table 6 – Designated Sites within the Search Areas

Designated Site	Approx. Distance from Site	Details
Non-statutory designated sites		
River Irwell Site Biological Importance (SBI)	980m north-west	A 5km long section of the River Irwell which passes through a range of habitats, comprising urban, woodland, and wetland.

The site also falls within the Impact Risk Zone of the Rochdale Canal SAC and Site of Special Scientific Interest (SSSI). This site is located approximately 6.4km north-east of the site. This site is designated for the significant populations of floating water-plantain (*Luronium natans*) and diversity of pondweed species (*Potamogeton* sp.) supported within the predominantly mesotrophic waters.

3.1.3 Flora and Fauna

The following section summarises protected and/or notable species records that have been recorded within 1km of the site.

Vascular Plant

The data search returned one record of grass-wrack pondweed (*Potamogeton compressus*). The record was located approximately 700m east of the site in 2005.

Invertebrates

Three records of cinnabar moth (*Tyria jacobaeae*) were returned, with the closest record located 300m west of the site from 2013.

The species is listed on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2009 and the UK BAP.

Birds

A total of 378 records of protected or notable birds were returned within 1km of the site as detailed in Table 6.

Table 6 – Protected or notable birds recorded within 1km

Scientific Name	Common Name	Protection	Closest Record to Site	
			Approx. Min. Distance (m)	Date
<i>Pyrrhula pyrrhula</i>	Bullfinch	BoCC4**, S41****	350m	2014
<i>Cuculus canorus</i>	Cuckoo	BoCC4*, S41****	900m	2017
<i>Numenius arquata</i>	Curlew	BoCC4*, S41****	150m	2020
<i>Prunella modularis</i>	Dunnock	BoCC4**, S41****	210m	2016
<i>Larus argentatus</i>	Herring gull	BoCC4*, S41****	700m	2015
<i>Passer domesticus</i>	House sparrow	BoCC4*, S41****	875m	2009
<i>Vanellus vanellus</i>	Lapwing	BoCC4*, S41****	450m	2012
<i>Carduelis cabaret</i>	Lesser redpoll	BoCC4*, S41****	900m	2012
<i>Carduelis cannabina</i>	Linnet	BoCC4*, S41****	700m	2010
<i>Alauda arvensis</i>	Skylark	BoCC4*, S41****	400m	2012
<i>Turdus philomelos</i>	Song thrush	BoCC4*, S41****	300m	2012
<i>Muscicapa striata</i>	Spotted flycatcher	BoCC4*, S41****	900m	2014
<i>Sturnus vulgaris</i>	Starling	BoCC4*, S41****	375m	2012
<i>Phoenicurus ochruros</i>	Black redstart	BoCC4*, LBAP	300m	2010
<i>Falco subbuteo</i>	Hobby	Sch.1***	900m	2008
<i>Alcedo atthis</i>	Kingfisher	BoCC**, Sch.1***	200m	2020
<i>Charadrius dubius</i>	Little ringed plover	Sch.1***	450m	2011
<i>Falco peregrinus</i>	Peregrine	Sch.1***	200m	2003

* Listed Red on the Bird of Conservation Concern 4 (2015)

** Listed Amber on the Bird of Conservation Concern 4 (2015)

*** Wildlife & Countryside Act (Sch 1, 5 & 8)

****Previously UKBAP species now Section 41 (NERC Act, 2006),

Bats

A total of 32 records relating to bat roosts were returned during the data search, within 1km of the site. Including common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*), unidentified pipistrelle species (*Pipistrellus* spp.) and Daubenton's bat (*Myotis daubentonii*). The closest record was that of a common pipistrelle located approximately 250m south of the site in 2018.

A further 74 records relating to field signs were returned in the data search, including, unidentified bat species (*Chiroptera* spp.), brown long-eared bat (*Plecotus auritus*), common pipistrelle soprano

pipistrelle and unidentified pipistrelle. The closest record was that of a common pipistrelle located approximately 150m east of the site in 2012.

All species of bat (other than the common pipistrelle) returned are listed on Section 41 of the NERC Act (2006), and all species are listed on the Greater Manchester Local Biodiversity Action Plan (LBAP)

MAGIC also detailed the presence of seven granted EPSL within 1km of the site. The closest was located approximately 320m to the east of the site (Ref: EPSM2011-3912). This licence was to allow destruction of a resting place for common pipistrelle between 2012 - 2013.

Hedgehog

Two records of hedgehog (*Erinaceus europaeus*) were returned with 1km of the site, with the closest record located approximately 850m north of the site from 2016. Hedgehog are listed on Section 41 of the NERC Act (2006).

No Records Returned

The data search returned no records for:

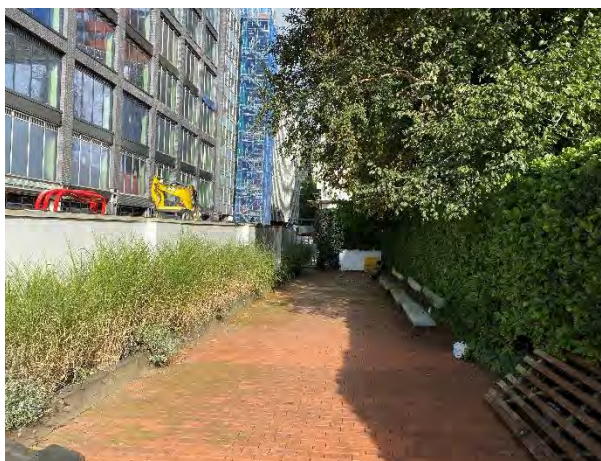
- Invasive non-native species
- Great crested newt (or ESPL records within 1km)
- Common amphibians
- Reptiles
- Hazel dormice (*Muscardinus avellanarius*)
- Harvest mouse
- Red squirrel (*Sciurus vulgaris*)
- Water vole
- White-clawed crayfish
- Brown hare
- Badger
- Otter

3.2 Field Survey

The site habitats and accompanying Target Notes are presented in the Phase 1 Habitat Map in Appendix 2.

3.2.1 Hardstanding

Hardstanding comprises the majority of the site, with red brick paving running through the centre of the site from north to south (Photograph 1 and 2)



Photograph 1 – northern end of the site



Photograph 2 – southern end of the site

3.2.2 Introduced Ornamental Shrub

The western and southern boundaries of the site are occupied by ornamental planters. The planter on western boundary is dominated by teasel sedge (*Carex dipsacea*) with rare occurrences of English lavender (*Lavandula angustifolia*) and dandelion (*Taraxacum* spp.) (Photograph 3 and 4). While the southern planter is dominated by wall cotoneaster (*Cotoneaster horizontalis*) (Photograph 5).



Photograph 3 – western planter with teasel sedge and English lavender



Photograph 4 – western planter with dandelion



Photograph 5 – southern planter with wall cotoneaster

3.2.3 Hedgerow with trees

The eastern boundary of the site was lined by a hedgerow with trees. The hedgerow was dominated by cherry laurel (*Prunus laurocerasus*) and holly (*Ilex* spp.), with a row of trees integrated within the hedgerow comprising birch (*Betula* spp.) and liquid amber (*Liquidambar* spp.). The ground flora associated with the hedgerow was dominated by English ivy (*Hedera helix*), with rare occurrences of wall cotoneaster also present (Photograph 6.)



Photograph 6 – Wall cotoneaster within ground flora of hedgerow

3.3 Site Suitability for Protected and Notable Species

3.3.1 Species Discounted from Assessment

Water vole and white-clawed crayfish have been discounted from assessment as no aquatic habitats are located on site or within proximity. The closest aquatic habitat is located approximately 250m west of the site boundary, relating to the River Irwell. The habitats present on site offer no value to these species.

Hazel Dormouse mainly occur in southern counties, especially in Devon, Somerset, Sussex and Kent. There are few recorded localities north of the Midlands, though they are present in parts of the Lake

District and in scattered Welsh localities (Matthews *et al.*, 2018). The species are not generally known to be present within the Manchester area (Wembridge *et al.*, 2016). The habitats on site are of limited value due to limited areas of extensive woodland and scrub. As such, the species are reasonably discounted from site.

Red squirrel have been discounted from the assessment. Red squirrel populations are limited to small areas of northern England and are not known to be present in the Manchester area; with no previous records returned in the data search. It is anticipated that high abundances of grey squirrel are present within this region (Shuttleworth/RSST n.d.). This species will displace red squirrel through competition as well as cause increased red squirrel mortality through the spread of squirrel pox (The Mammal Society, 2020).

3.3.2 Invertebrates

No deadwood, aquatic habitats or high floristic diversity was located on site which would provide an important resource for invertebrates during their life cycle. It is anticipated common species will be present due to the minimal management on site.

Overall, the presence of notable invertebrates within the site is reasonably discounted and not discussed further within this report.

3.3.3 Amphibians

No ponds were located within site or within 250 m of the site boundary. As great crested newts' upper dispersal limit is generally considered to be up to 250 m from a waterbody (though occurrence of greater distances does exist), great crested newts are not anticipated to be present on site (English Nature, 2001).

The site comprised predominantly hardstanding with limited foraging resources, and no ornamental water bodies are anticipated to be located within the wider area due to the industrial and urban nature and therefore limited suitable breeding opportunities are expected to be present. There were no records of great crested newts or common amphibians returned in the data search.

The presence of great crested newts and common amphibians within the site is reasonably discounted and not discussed further within this report.

3.3.4 Reptiles

Generally, reptiles require a mosaic of habitats. However, much of the site comprised hardstanding with limited opportunities present for reptiles.

Overall, the habitats on site were of limited value and no records of the species group were identified. Reptiles are not considered to be present on site and not discussed further within this report.

3.3.5 Birds

Ground Nesting

The data search returned records of ground nesting birds in the local area, such as lapwing and little ringed plover. However, as the site is predominantly hardstanding, this area offers limited suitability for the species to use the site for this purpose.

The hedgerow on site is of most value for ground nesting birds that nest within hedgerow bases, such as yellowhammer and grey partridge. However, the urban setting, lack of habitat connectivity and the high levels of anthropogenic disturbance, it is anticipated that the hedgerow is of limited value.

Overall, it is anticipated that the site does not have the potential value to support notable ground nesting birds, as the site is in a highly urbanised area with lots of anthropogenic disturbance, limiting the value that the site offers.

Passerine

The hedgerow with trees on site may provide value to nesting birds. Bird species observed within the site boundary and surrounding area during the field survey included feral pigeon (*Columba livia*). In addition, several passerine bird records within 1km were returned including dunnock, house sparrow, linnet, song thrush, and starling.

Therefore, it is possible the site provides nesting value to passerine birds within the local area.

Birds of Prey

Two birds of prey species were returned in the data search, comprising hobby and peregrine falcon. The site itself is anticipated to provide limited foraging and nesting value for these birds. The site is small in extent and not likely to offer suitable foraging habitat for these species which would use higher quality foraging habitat present in the wider area preferentially over the site. The site does not offer optimal nesting habitat such as trees and open woodland or buildings for either species.

3.3.6 Bats

Preliminary Roost Assessment

A PRA was completed on the trees located on site. All trees contained no PRFs or suitable holes/crevices deep enough for roosting opportunities.

As such, the site has been assessed as having negligible bat roosting potential.

Commuting and Foraging Bats

The site comprises habitat which offers limited potential to commuting and foraging bats, with areas of higher quality habitat within the wider vicinity.

As such, the site has been assessed as having negligible commuting and foraging value.

3.3.7 Hedgehog

The hedgerow with trees on site will provide suitable cover and foraging habitat for the species. However, the site has little connectivity to suitable habitats offsite and the closest record returned within the data search was approximately 850m north.

As such, it is unlikely that hedgehog are present within the site and are not discussed further within this report.

3.3.8 Otter

The River Irwell is present 250m to the west of the site and therefore otter have been considered within the report. However, there is limited connectivity between the River Irwell and the site, and the site offers no value to otters. There were no records of otter returned within the data search.

As such, otter are reasonably discounted from the site and not discussed further within this report.

3.4 Invasive Species

3.4.1 Flora

Wall cotoneaster was present within the area of ornamental shrub to the south of the site and the hedgerow with trees bordering the east of the site (please refer to the Habitat Map in Appendix 2). This species is listed under Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended) as an invasive non-native species.

4 Ecological Constraints and Recommended Mitigation

4.1 Proposed Development

Euan Kellie are proposing to develop land at Atherton Street adjacent to Breeze Gardens. The proposals include the development of VIP parking in close proximity to the Great John Street Hotel.

4.2 Designated Sites

The site is located within the impact risk zone of the Rochdale Canal SSSI, located approximately 6.5km to the north-east of the site. It is anticipated that the designated sites are a sufficient distance away and are separated by anthropogenic barriers such as the residential areas, such that no impacts as a result of development are anticipated.

The River Irwell SBI was located approximately 980m north-west of the site boundary. However, the nature of the development is not expected to have any impacts to the nearby site due to limited connectivity and overall size of the development.

4.3 Habitats

The site comprised habitats that were found to be widespread within the local area; however, they did contain value for wildlife such as birds. The hedgerow with trees is of highest value within the site.

4.4 Fauna

4.4.1 Birds

Vegetation removal should be undertaken outside of the breeding bird season (March to September, inclusive). If this is not possible, a suitably experienced ecologist should check the habitat for breeding bird activity no more than 48 hours before clearance. If nesting activity is found, nests must be left in situ until the young have fledged.

4.4.2 Bats

Foraging and Commuting Bats

Habitats on site were of limited suitability for foraging bats due to their small extent and lack of floristic diversity which would attract invertebrates. As a result, no further surveys are required, due to the negligible value for foraging and commuting bats.

Bats are sensitive to lighting and may be impacted by the proposed development, should no mitigation for lighting be considered.

Lighting mitigation should follow the guidance outlined in the Institute for Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and BCT’s “Bats and Artificial Lighting in the UK” (2018). The construction lighting may impact bats which are sensitive to light. Directional lighting will be achieved by angle and orientation of beam, use of a cowl, louvre or other light shield, or a combination of these.

An External Lighting Scheme had not been produced on the writing of this report. As such, the following recommendations are to be considered within the scheme during its condition, to minimise impacts of lighting. The recommendations are as follows:

- Keep site lighting to minimum levels.

- Luminaries should lack UV elements and preferably LED lighting with a warm white light should be used over cool white light (ideally <2700Kelvin).
- Lighting should feature peak wavelengths greater than 550nm.
- Internal lighting should be positioned away from windows to minimise light spill.
- Light placement should be downward facing to prevent excess horizontal or vertical light spill.
- The use of integrated fittings such as cowls, shields, louvres, and hoods, that effectively contain light spill from unintended areas.
- The use of hard landscaping features to block light and create dark corridors.
- Avoid illuminating any suitable bat habitats, particularly retained scattered trees, that are likely valuable commuting and foraging habitat for bats.
- Use of timed security lights should be set on motion-sensors and using short, 1-minute timers, to minimise light use.
- Column heights of lighting can be considered to minimise light spill.

4.5 Invasive Species

Non-native invasive flora species were identified during the site walkover. As such, it is recommended, prior to the development, that the species should be eradicated following the most current guidance set out by the Environment Agency by a qualified contractor.

5 Further Surveys

No further surveys are required for the development to proceed. This is based on the development plans available at the time of writing. If these plans should change then an ecologists advice should be sought to understand if further survey work is required.

6 Opportunities for Enhancement

The National Planning Policy Framework (NPPF) (2021) highlights the requirement for planning policies and decisions to conserve and enhance the natural environment.

Paragraph 174 states that this should be achieved by (in terms of this assessment only):

- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

It is recommended that, as the habitat of highest value on site, the hedgerow with trees along the eastern boundary is retained within the development.

It is also recommended that the non-native invasive wall cotoneaster is completely eradicated from the site by a professional prior to construction of the development.

7 Conclusion

The PEA has met the objectives of the report, by demonstrating the following:

- The major habitats identified on site included hardstanding, ornamental shrub and hedgerow with trees.
- Potential ecological constraints identified included birds and bats and are detailed in Section 4.
- Mitigation recommendations to be completed prior and during the construction phase for birds and bats have been detailed in Section 4.
- No further surveys are required to inform the proposed planning application.
- General ecological enhancements are listed within Section 6.

8 References

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Appendix 1 – Relevant Legislation

Legislation relating to European Protected Species (e.g. bats, otter, great crested newt)

European Protected Species and their resting places (e.g. bat roosts) are protected under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way (CROW) Act 2000, and the Conservation of Habitats and Species Regulations 2017.

The Conservation of Habitats and Species Regulations 2017 transpose the European Union's 'Habitats Directive' (Council Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora (EC Habitats Directive) into UK law. The Regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' (EPS), and the adaptation of planning and other controls for the protection of European Sites. EPS are listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to:

- Intentionally kill, injure or take certain animals listed in Schedule 5;
- Intentionally or recklessly damage or destroy any structure or place which any wild animal specified in Schedule 5 uses for shelter or protection;
- Intentionally or recklessly disturb any such animal while it is occupying a structure or place which it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any structure or place which any such animal uses for shelter or protection.

In addition, under this legislation there are offences relating to sale, possession and control of wild animals listed in Schedule 5.

- Under the Conservation of Habitats and Species Regulations 2017 it is an offence to:
- Deliberately capture, injure or kill any wild animal listed as a European Protected Species;
- Deliberately disturb wild animals of any such species in such a way as to be likely:
- to impair their ability:
 - to survive, to breed or reproduce, or to rear or nurture their young, or;
 - in the case of animals of a hibernating or migratory species, to hibernate or migrate, or;
- to affect significantly the local distribution or abundance of the species to which they belong.
- Deliberately take or destroy the eggs of such an animal, or;
- Damage or destroy a breeding site or resting place of such an animal.

In addition, under this legislation there are offences relating to possession, control sale and exchange of an EPS.

Great crested newt, otter and several species of bat are listed as a Species of Principle Importance (SoPI) under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

Legislation relating to breeding birds

All birds, their nests and eggs are protected by the Wildlife and Countryside Act 1981 (as amended) and it is an offence, with certain exceptions, to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy the egg of any wild bird; and
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building or is in, on or near a nest with eggs or young; or disturb the dependent young of such a bird.

Schedule 1 of the Wildlife and Countryside Act 1981 provides further protection for selected species (including peregrine falcon (*Falco peregrinus*), barn owl (*Tyto alba*), little ringed plover (*Charadrius dubius*) and black redstart (*Phoenicurus ochruros*) during the breeding season. If any person intentionally or recklessly disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or disturb dependent young of such a bird. That person shall be guilty of an offence.

A number of bird species are listed as SoPI under Section 41 of the NERC Act 2006.

Conservation status - Birds of Conservation Concern (Eaton et al., 2015)

The UK's leading bird conservation organisations have worked together on the third quantitative review of the status of the birds that occur regularly in the UK, updating the last review in 2011. The status of birds within the UK have been regularly monitored through a series of surveys, including the national Breeding Bird Survey, Common Bird Census, sea bird monitoring programs and wetland monitoring programs. The result of this review and continued monitoring is The Population Status of Birds in the UK, Birds of Conservation Concern 4: 2015.

Birds are assessed against criteria to place each species on one of three alert lists, red, amber or green. Red list species are considered to be of high conservation concern, being either globally threatened, having historical UK population declines, having a rapid population decline or breeding range contraction of 50% or more in the last 25 years.

Amber list species are considered to be of medium conservation concern as they meet one or more of the following criteria (but none of the red list criteria): Red listed for historical decline in a previous review but with substantial recent recovery (more than doubled in the last 25 years), a UK breeding range contraction of between 25% and 49%, a reduction of breeding or non-breeding population of 25-49% in the last 25 years, a 5-year mean of 1-300 breeding pairs in the UK, an unfavourable European conservation status, at least 50% of the UK breeding population found in 10 or fewer sites, or where the breeding population in the UK represents 20% or more of the European breeding populations.

Green list species are considered to be of low conservation concern. They include all regularly occurring species that do not qualify under any of the red or amber criteria are green listed. The green list also includes those species listed as recovering from Historical Decline in the last review that have continued to recover and do not qualify under any of the other criteria.

Legislation relating to invasive plant species

Several non-native invasive plant species including (but not limited to) Himalayan balsam (*Impatiens glandulifera*), giant hogweed (*Heracleum mantegazzianum*), Japanese rose (*Rosa rugosa*), variegated yellow archangel (*Lamium galeobdolon*), rhododendron (*Rhododendron ponticum*) and Japanese

knotweed (*Fallopia japonica*) are listed under Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended), which makes it an offence to ‘...plant or otherwise cause the species to grow in the wild’. This includes spreading or transferring contaminated soil from one area to another.

Estate Managers and landowners have a duty to pro-actively treat knotweed outbreaks. Under the Natural Environment and Rural Communities Act 2006 (NERC), subsection 14ZA (1), makes it an offence to sell, offer or expose for sale, or to have in one’s possession or transport for the purpose of sale, any Schedule 9 animal or plant or anything from which such an animal or plant can be propagated, including rhizomes of Japanese knotweed. Under subsection 14ZA (2) it is also an offence to publish or cause to be published any advertisement for the purchase or sale of these animals and plants.

The Environmental Protection Act 1990 (EPA 1990) contains a number of legal provisions concerning controlled waste. Any Japanese knotweed contaminated soil or plant material that is intended for discard is likely to be classified as controlled waste.

The Environmental Protection (Duty of Care) regulations 1991 also imposes a ‘duty of care’ on persons concerned with controlled waste, which includes any materials incorporating Japanese knotweed including soil, grass cuttings, general wastes and ash arising from the burning of knotweed. The duty applies to any person, who produces, imports, carries, keeps, treats or disposes of controlled waste. Failure to appropriately dispose of any material containing Japanese knotweed may lead to prosecution under Section 33 and 34 of the EPA 1990 and Section 14 (2) of the Wildlife & Countryside Act 1981 (as amended).

If knotweed stands are to be treated with herbicides, The Control of Pesticides Regulations (1986) applies. These regulations require any person who uses a pesticide to take all reasonable precautions to protect the health of human beings, creatures and plants, safeguard the environment and in particular avoid the pollution of water. If pesticides are to be used in or near to a watercourse, the Environment Agency should be contacted, and approval must be sought (application to use herbicides in or near water).

Waste leaving the site must be handled responsibly and in accordance with the law at all stages between its production and final recovery or disposal. Waste must be transferred to an authorised person, who is either a registered waste carrier or exempted from registration by the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991.

Additional legislation regarding the transport of Japanese knotweed contaminated materials is covered by the Hazardous Waste Regulations 2005 (HWR, 2005). This contains provisions about the handling and movement of hazardous waste. Consignment notes must be completed when any hazardous waste is transferred, which includes details about the hazardous waste properties and any handling requirements. Untreated Japanese knotweed is not classed as hazardous waste, but material containing knotweed which has been treated with certain herbicides, may be classified as hazardous waste.

If any waste soil or knotweed is sent for landfill either before or after treatment, it must go to a landfill that is authorised to receive it.

Appendix 2 – Habitat Map and Target Notes



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TN1 - Cotoneaster

Hedgerow with trees

Hardstanding

Ornamental Shrub

Red Line Boundary

04.5918

Meters

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Project:

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Title:

Phase One Habitat Map

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01

Drawn:

MC

Checked:

JH

Approved:

MB

Project:

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Scale @ A3:

NTS

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