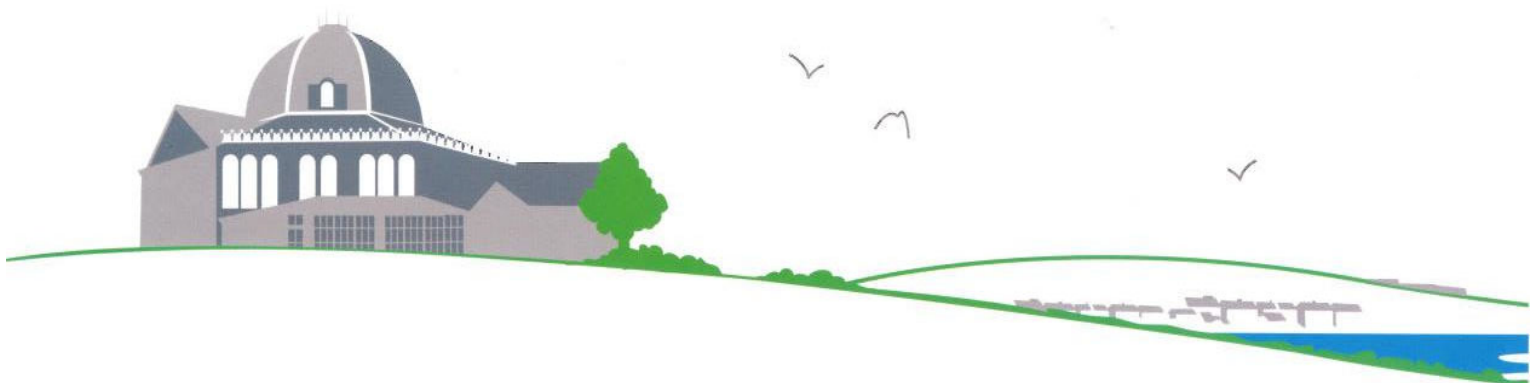




MANCHESTER (PORT STREET) LTD
PORT STREET, MANCHESTER CITY CENTRE
EXTENDED PHASE 1 HABITAT SURVEY



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PORT STREET, MANCHESTER CITY CENTRE

EXTENDED PHASE 1 HABITAT SURVEY

Penny Anderson Associates Limited
'Park Lea'
60 Park Road
Buxton
Derbyshire
SK17 6SN

Project Manager
Sarah Ross BSc (Hons), PhD, MCIEEM, CEnv (Associate Director)

Author
Beth Howes MZool (Hons)

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This project has been undertaken in accordance with PAA policies and procedures on quality assurance.

Signed:  _____

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1. INTRODUCTION

- 1.1 Penny Anderson Associates Ltd (PAA) was commissioned by Manchester (Port Street) Ltd to carry out an extended Phase 1 habitat survey at Port Street, Manchester City Centre (hereafter referred to as the 'site').
- 1.2 This report describes the methods and results of an extended Phase 1 habitat survey carried out on 23rd August 2021 and of the supporting desk study.

Site Location and Proposals

- 1.3 The site is located between Great Ancoats Street, Manchester and Manchester Piccadilly Station, at postcode M1 2FJ.
- 1.4 The survey area is an urban city centre site comprising hardstanding with sparse vegetation and some limited areas of self-seeded scrub. The wider surrounding land use is primarily urban development comprising roads, offices, residential buildings and car parking areas. The Rochdale Canal runs 40m south-east of the site.
- 1.5 The site extends to approximately 0.48 hectares (4845sqm) and is bound by Great Ancoats Street to the north, Brownsfield Mill and a surface car park to the east, a surface car park to the south and Port Street to the west. The site consists of an area of hard standing that is currently being used as a surface car park.
- 1.6 The proposals for the site are for a mixed use residential-led development at the site.

Legislative Context

- 1.7 A range of international and national legislation has been established in the UK to protect important nature conservation sites and priority species. At the international level, European Union (EU) Directives require individual member states to implement their conservation provisions nationally for the benefit of Europe as a whole. These Directives have been transposed into UK law by the Conservation of Habitats and Species Regulations 2017 (amended); further details can be obtained from the Joint Nature Conservation Committee (JNCC) web site at www.jncc.defra.gov.uk.
- 1.8 Other international conventions include: the Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979), which requires the maintenance of populations of wild flora and fauna, giving particular protection to endangered and vulnerable species; and the Bonn Convention on the Conservation of Migratory Species of Wild Animals (1979), which requires the protection of migratory species throughout their entire range. The above conventions are implemented in England and Wales via the Wildlife and Countryside Act (WCA) (1981) (as amended) and Countryside and Rights of Way (CROW) Act 2000. This legislation also protects important habitats and sites such as Sites of Special Scientific Interest (SSSI).
- 1.9 At the national level, the UK Post-2010 Biodiversity Framework published in 2012 is the Government's response to the Convention on Biological Diversity (2010). It describes the UK's biological resources, commits a detailed plan for the protection of these resources within the UK's devolved framework across England, Wales, Scotland and Northern Ireland. The document identifies future priorities for nature conservation and adopts a more strategic approach, including ecosystem services and sustainability alongside biodiversity. Despite administrative changes following devolution, there is still an underlying objective of protecting and enhancing a range of priority species and habitats, often still based on the objectives and classifications of the original UK Biodiversity Action Plan. Biodiversity 2020 is England's national biodiversity strategy. Building on the Natural Environment White Paper published in 2011, this provides a means of delivering the international and EU commitments to biodiversity. Under Biodiversity 2020, Priority Species and Habitats referred to are those of 'Principal Importance' for the conservation of biodiversity in

England listed on Section 41 (England) of the Natural Environment and Rural Communities (NERC) Act 2006.

- 1.10 Finally, the National Planning Policy Framework (NPPF 2021) provides guidance for local authorities on the content of the Local Plans and is a material consideration in determining planning applications. Briefly, with an overall focus on sustainable development, the NPPF states that developments should aim to engender positive outcomes for habitats and biodiversity, with a particular focus on the maintenance and creation of ecological networks.
- 1.11 The NPPF identifies the following principals that should be applied by local planning authorities when determining planning applications:
- a. if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b. development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSI;
 - c. development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d. development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 1.12 The NPPF states that the planning system should contribute to and enhance the natural environment through a range of actions, including:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
 - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and
 - minimising impacts on biodiversity and providing net gains for biodiversity including establishing coherent ecological networks that are more resilient to current and future pressures.
- 1.13 To protect and enhance biodiversity and geodiversity, plans should:
- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
 - promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 1.14 Relevant protected species legislation summaries are presented as Appendix 1.

Invasive Non-native Plant Species

- 1.15 Certain non-native plant species that have been introduced into the UK are regarded as being a threat to native biodiversity. Legislative measures have, therefore, been put in place to prevent the spread of these invasive species in the wild.
- 1.16 Under Section 14 of the WCA, 1981 (as amended), it is illegal to introduce plants listed under Part II of Schedule 9 of the WCA into the wild or sell these species. Offences include causing the spread of viable plant material or neglecting to contain or appropriately manage non-native species.
- 1.17 Commonly introduced Schedule 9 plant species include non-native cotoneaster species, specifically, small-leaved cotoneaster¹ (*Cotoneaster microphylla*) and wall cotoneaster (*C. horizontalis*), Himalayan balsam (*Impatiens glandulifera*) and Japanese knotweed (*Reynoutria japonica*).

¹ Plant names follow Stace 2019

2. METHODS

Desk Study

- 2.1 A request for details of protected and notable species and locally designated sites within 2km of the centre of the site was made to Greater Manchester Ecology Unit (GMEU), with data returned in September 2021. Additionally, the Multi-Agency Geographic Information for the Countryside (MAGIC²) website was consulted for details of statutory designated sites and Priority Habitats within a 2km search area from the centre of the site along with additional protected species data.
- 2.2 It is important to note that the desk study results provide an indication of the species present in and around the site, and do not confirm current presence or absence of any species. Protected species are often under-recorded in county wildlife databases.

Extended Phase 1 Habitat Survey

- 2.3 An extended Phase 1 habitat survey was undertaken by Ecologist Beth Howes³ on 23rd August 2021.
- 2.4 All methods, equipment and assessment criteria were consistent with current good practice guidelines for each survey type and the surveyor was competent for the assigned tasks based on the CIEEM competency framework (CIEEM 2017).
- 2.5 The survey was carried out in accordance with the methodology in the *Handbook for Phase 1 Habitat Survey* (JNCC 2010). This entailed mapping, describing and collating plant species lists for habitats within the site boundary. The broad habitat types were mapped, with each habitat type coded according to the standard JNCC Phase 1 habitat survey procedure.
- 2.6 Each plant species was assigned abundance codes within each habitat. This was done using the 'DAFOR' scale (where: d = dominant; a = abundant; f = frequent; o = occasional; r = rare), which provides an indication of the relative abundance of each plant species present within a particular habitat. Common names and scientific names according to Stace (2019) are provided in the species list (Appendix 2) but common names only are referred to in the text.
- 2.7 The survey was 'extended' (Institute of Environmental Assessment 1995, CIEEM 2017) to include notes on fauna and habitats which could potentially support protected or notable species. The presence of, or potential for, protected or notable species was noted on the field map and in the written target notes (TN) during the survey.

Limitations

- 2.8 All parts of the site were accessed within the optimal timeframe for a survey of this type and no significant constraints on the assessment were noted.

² <https://magic.defra.gov.uk/MagicMap.aspx> (last accessed 16/09/2021)

³ Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM)

3. RESULTS

Desk Study

- 3.1 The desk study utilised data obtained from GMEU in September 2021, searching within a 2km radius of the site centre. The MAGIC search engine was also used to obtain additional data on European Protected Species (EPS) licences, as well as designated and non-designated sites and habitats. Results are presented below with selected data provided in Appendix 3.

Statutory Protected Sites

European Sites

- 3.2 European protected sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA), RAMSAR wetland sites, possible SAC, potential SPA and proposed RAMSAR sites.
- 3.3 The MAGIC search confirmed that there are no European Protected Sites within the 2km search area. A section of the Rochdale Canal is designated as a SAC for its populations of floating water-plantain (*Luronium natans*) and this is c.4.8km to the north-west of the site, however, the canal itself does continue on beyond the SAC designation to within 40m of the site. At the closest point to the site, the canal is designated as a Site of Biological Interest (SBI) (see below).

Sites of Special Scientific Interest

- 3.4 SSSI represent a selection of this country's best wildlife and geological sites, and cover approximately 7% of the terrestrial area of the country (with over 4,000 separate sites in England).
- 3.5 No SSSI sites were identified in the 2km search area.
- 3.6 The site does, however, fall within the Impact Risk Zone⁴ (IRZ) of two designated sites:
- Rochdale Canal SSSI/SAC (c.4.8km to the north-west of the site); and
 - Hollinwood Branch Canal SSSI (c.6km west of the site).
- 3.7 The SSSI IRZ maps indicate that Natural England should be consulted on proposals that include the following, however, none of these are associated with the current development proposals for this site:
- Airports, helipads and other aviation proposals;
 - Any industrial/agricultural development that could cause air pollution (incl: industrial processes, livestock and poultry units with floorspace > 500m², slurry lagoons > 750m² and manure stores > 3500t); and
 - General combustion processes > 50MW energy input. Including energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

⁴ The Impact Risk Zones are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.

National and Local Nature Reserves

- 3.8 No National Nature Reserves or Local Nature Reserves were identified within the 2km search area.

Non-Statutory Protected Sites

- 3.9 Two SBI were identified within the 2km search area, as summarised below with details presented in Appendix 3:
- Rochdale Canal – Stott's lane to Ducie Basin is the closest section of the canal to the site, located c.40m south-east of the site boundary. This SBI supports important populations of floating water-plantain, and pondweed species (*Potamogeton* spp.). The SBI also includes the nearby New Islington Marina. American pondweed (*P. epihydrus*), a Red Data Book species, is reported to be present in the Manchester section of the canal. The population of this species is considered the best in Great Britain; and
 - The Ashton Canal (West) is located 260m south of the survey area. It is a navigable canal containing a rich aquatic habitat supporting various species of conservation importance, including populations of floating water-plantain and grass-wrack pondweed (*Potamogeton compressus*). Grass-wrack pondweed is a species listed in Cheffings and Farrell (2005, as amended), A Vascular Plant Red List for England (Stroh *et al.* 2014) and is a Species of Principal Importance in England under Section 41 (S41) of the NERC Act 2006.

Regionally Important Geological Sites

- 3.10 Four Regionally Important Geological Sites (RIGS) are found within the 2km search area, however, all are some distance (>1km) from the site and two of the four are collections housed within museums.

Priority Habitats

- 3.11 Several areas of Priority Habitat deciduous woodland, as well as Priority Habitat wood-pasture and parkland were noted within the 2km search area. The closest of these habitats to the site boundary is located 1.01km east and is separated from the site by a major road and urban development land. All other areas of Priority Habitat deciduous woodland or wood-pasture and parkland are located over 1.05km from the site boundary.
- 3.12 Several areas of Open Mosaic Habitats on Previously Developed Land were also identified within the 2km search area. The closest of these areas to the site boundary is located 160m north-east and is separated from the site by a major road.

Protected and Notable Species

Granted European Protected Species Licence Applications

- 3.13 Fifteen granted EPS licence applications for bats were returned within the 2km search area on MAGIC. Twelve EPS licenses were granted for common pipistrelle (*Pipistrellus pipistrellus*), two for soprano pipistrelle (*P. pygmaeus*) and common pipistrelle, and one for brown long-eared bat (*Plecotus auritus*). Table 1 shows the location and date of each licence granted. The nearest is 225m to the north of the site, with two other licences granted at sites approximately 270m north-east.
- 3.14 No records were presented for EPS licenses for other species within the search area.

Table 1 Bat European Protected Species Licences

Species	License to Allow	Date License Granted	Date License Expires	Distance from Site Boundary
Common pipistrelle and soprano pipistrelle	Destruction of a resting place	2010	2012	1980m N
Common pipistrelle	Destruction of a resting place	2012	2013	1380m SW
Brown long-eared	Destruction of a resting place and breeding site	2012	2015	1380m SW
Common pipistrelle	Destruction of a resting place	2013	2015	230m N
Common pipistrelle	Destruction of a resting place	2013	2016	1515m SW
Common pipistrelle	Destruction of a resting place	2014	2015	1500m S
Common pipistrelle and soprano pipistrelle	Destruction of a resting place	2014	2017	530m SW
Common pipistrelle	Destruction of a resting place	2014	2019	270m NE
Common pipistrelle	Destruction of a resting place	2014	2020	1170m NW
Common pipistrelle	Destruction of a resting place	2015	2015	700m NW
Common pipistrelle	Destruction of a resting place	2015	2016	1935m S
Common pipistrelle	Destruction of a resting place	2015	2020	700m NW
Common pipistrelle	Destruction of a resting place	2016	2016	270m NE
Common pipistrelle	Destruction of a resting place	2016	2016	225m N
Common pipistrelle	Destruction of a resting place	2017	2019	1250m NW

Bats

- 3.15 Fifty-two bat roosts were recorded in the 2km search area within the GMEU dataset provided. It is likely that at least some of these overlap with the granted EPS licence records above. Table 2 shows the number of roost records of each bat species recorded in the 2km search zone and the proximity to the site of the closest record for each species. The nearest bat roost recorded is for a common pipistrelle roost 200m south-east of the site.
- 3.16 In addition, numerous records were returned for signs of bats within the 2km search area; these recordings were for brown long-eared bat (one record), common pipistrelle (over 100 records), Daubenton's bat (*Myotis daubentonii*) (one record), noctule (*Nyctalus noctula*) (one record), pipistrelle species (*Pipistrellus* sp.) (15 records), soprano pipistrelle (five records) and unidentified bat species (four records). The closest record to the site is for common pipistrelle, located 100m north-east of the site boundary.

Table 2 Bat Roost Records

Common Name	Scientific Name	No. of Roost Records	Closest of these Records (approx. distance and direction from site boundary)
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	45	200m SE
Daubenton's bat	<i>Myotis daubentoni</i>	1	1950m W
Myotis species	<i>Myotis</i> sp.	1	675m S
Pipistrelle species	<i>Pipistrelle</i> sp.	4	297m SW
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	1	431m SW

Badger

- 3.17 A single record of a badger (*Meles meles*) sett was identified within the 2km search area. This record is located over 900m from the site boundary.
- 3.18 Sixteen signs of badger were recorded within the 2km search area. The closest of these records is located over 900m from site boundary.
- 3.19 Due to the sensitive nature of this information the precise locations are not presented in this report.

Otter and Water Vole

- 3.20 A single record for otter (*Lutra lutra*) was returned within the 2km search area. The record dates from 2013 and is located 1560m north-west of the site boundary.
- 3.21 No records of water vole (*Arvicola amphibius*) were returned within the 2km search area.

Other Mammals

- 3.22 Eight records for hedgehog (*Erinaceus europaeus*) were identified within the 2km search area, the closest record to the site boundary dates from 2020 and is located 280m south.

Birds

- 3.23 All nesting birds, their nests and eggs are protected from harm under the WCA, 1981 (as amended). In addition, species listed under Schedule 1 of the WCA are further protected against disturbance when breeding.
- 3.24 A number of bird species are listed under Section 41 in the NERC Act (2006) as species 'of principal importance for the purpose of conserving biodiversity'. These species are often known as the 'S41 species'. There is a legal requirement for a public body to 'have regard to' these species in relation to maintaining biodiversity. The S41 list overlaps somewhat with the UK Biodiversity Action Plan species, with national or local targets to maintain and enhance populations.
- 3.25 Furthermore, the Birds of Conservation Concern (BoCC) report lists those bird species that are classed as being of High (Red listed) and Medium (Amber Listed) conservation concern based on population monitoring (Eaton *et al.* 2015). This Red and Amber classification helps guide the assessment of bird species of conservation interest on or near to a site, alongside legislative and policy requirements.
- 3.26 A small number Schedule 1 species, including peregrine falcon (*Falco peregrinus*) and black redstart (*Phoenicurus ochruros*), were recorded within the 2km search area but due to the confidentiality of these data the locations are not presented in this report. All other protected and notable bird species records within the 2km search area are listed in Table 3, along with their conservation status.

Table 3 Bird Species of Principal Importance

Common Name	Scientific Name	Amber ⁵ Listed	Red Listed	Section 41 Priority Species ⁶
Bullfinch	<i>Pyrrhula pyrrhula</i>	X		X
Cuckoo	<i>Cuculus canorus</i>		X	X
Curlew	<i>Numenius arquata</i>		X	X
Dunnock	<i>Prunella modularis</i>	X		X
Herring gull	<i>Larus argentatus</i>		X	X
House sparrow	<i>Passer domesticus</i>		X	X
Lapwing	<i>Vanellus vanellus</i>		X	X
Lesser redpoll	<i>Acanthis caberet</i>		X	X
Linnet	<i>Linaria cannabina</i>		X	X
Skylark	<i>Alauda arvensis</i>		X	X
Song thrush	<i>Turdus philomelos</i>		X	X
Starling	<i>Sturnus vulgaris</i>		X	X
Yellow wagtail	<i>Motacilla flava</i>		X	X

Amphibians and Reptiles

- 3.27 No great crested newt (*Triturus cristatus*, GCN) records were returned within the 2km search area. Consultation with Natural England's GCN Geoportal revealed no known locations with confirmed presence of GCN within 2km of the central grid reference.
- 3.28 An Ordnance Survey map search revealed a section on the Manchester Canal 35m south-east of the site. No ponds were found within 500m of the site boundary.
- 3.29 No records for other amphibians or reptiles were returned in the 2km search area.

Terrestrial Invertebrates

- 3.30 Seven records for the Section 41 moth species cinnabar moth (*Tyria jacobaeae*) were returned from the 2km data search. The closest record to the site boundary is located 154m south-west and dates from 2017.

White-clawed Crayfish and Notable Fish

- 3.31 No records of white-clawed crayfish (*Austropotamobius pallipes*) or notable fish species were returned from the 2km search area, however, the SBI information sheet for Rochdale Canal notes the presence of several fish species and the use of Islington Wharf Marina as a coarse fish nursery.

⁵ The UK's birds can be split in to three categories of conservation importance - red, amber and green. Red is the highest conservation priority, with species needing urgent action. Amber is the next most critical group, followed by green.

⁶ Species of Principal Importance under Section 41 of the NERC Act 2006.

Notable Plant Species

- 3.32 Three notable plant species records were returned within the 2km search area;
- 3.33 Grass-wrack pondweed is a nationally scarce and endangered plant, a species of Principal Importance. A single record was returned, located 1.3km south-west of the site boundary at Bridgewater Basin. This record dates from 2005.
- 3.34 Two records for yellow bird's nest (*Hypopitys monotropa*) were returned within the 2km search area. These records both date from 2017 and are located 1.25km north-east of the site boundary, adjacent to St Catherines Primary School.
- 3.35 Two records for floating water-plantain (a EPS) were returned within the 2km search area. These records both date from 2001 and are located along the Aston Canal. The closest record to the site boundary is 695m to the east.

Phase 1 Habitat Survey

- 3.36 Figure 1 presents the habitat map. Botanical species lists for the habitats encountered are presented in Appendix 2 and site photographs in Appendix 4.
- 3.37 The site comprised hardstanding with ephemeral/short perennial species growing along the edges. The parking area comprised two levels with a brick wall surrounding much of the lower level. Scrub species, including self-seeded butterfly-bush, were scattered along the tops of the walls and growing within crevices in the brickwork. A narrow strip of tall ruderal plant species was present along the boundary of Great Ancoats Street.

Self-seeded Vegetation

- 3.38 The edges of the hardstanding areas are colonising with a mixture of forbs and grasses typical of urban areas in Manchester, with occasional bittercress species, dandelion, herb-Robert, ribwort plantain, Yorkshire-fog, sweet vernal grass, smooth hawk's-beard, pineappleweed and locally frequent jointed rush, field horsetail and white clover.
- 3.39 The vegetation comprised a range of plant species typical of unmanaged urban grassland and ruderal self-seeded habitats.

Tall Ruderal

- 3.40 A narrow strip of tall ruderal vegetation, dominated by common nettle, was present along the north-eastern boundary of the site which runs adjacent to Great Ancoats Street. Other species present included broad-leaved willowherb, broadleaved dock, Michaelmas-daisy, mugwort, red valerian and hemp agrimony.

Hardstanding

- 3.41 Much of the site is dominated by hardstanding (including compacted rubble/stone, concrete and asphalt), currently used for car parking. These areas have very little vegetation developed across them either because of recent regular use or due to the relatively intact nature of the hardstanding.

Scrub and Trees

- 3.42 The more well-developed vegetation on site comprises a small area of bramble-dominated scrub with hedge bindweed and honeysuckle. This occurs within the western corner of the site (Figure 1).

- 3.43 There are occasional butterfly-bush shrubs self-seeded along the tops and within the brickwork of the walls within the site. Young tree species such as field maple and silver birch were also infrequently scattered along the tops of the brick walls.

Non-native Invasive Plants

- 3.44 Wall cotoneaster, the Schedule 9 Invasive Non-native Species (INNS), in the WCA, 1981 (as amended) was recorded within the site boundary (Figure 1, TN1).

Protected Species

- 3.45 Given the relative isolation of the site from larger areas of semi-natural habitat, and the lack of suitable refugia for protected species, it was concluded that the only species considered relevant to this assessment were bats, breeding birds potentially nesting in the denser vegetation and foraging black redstart.

Breeding Birds

- 3.46 Several bird species were recorded in the local area. There is potential for bird nesting in the denser shrub/scrub areas.
- 3.47 There are no suitable features to support nesting black redstart, however, there is some limited opportunity for this species to forage on site. The suitability is limited by the dominance of intact hard standing and frequent disturbance. Occasional use of the site by foraging black redstarts cannot be ruled out, as there are some localised areas of sparsely vegetated stony ground that the species can be associated with in the UK. The site is, however, unlikely to form an important forage resource.
- 3.48 Parts of the site are suitable for ground foraging birds of open habitats, such as dunno⁷ (*Prunella modularis*), house sparrow (*Passer domesticus*) and starling (*Sturnus vulgaris*), which can be present in urban habitats. The level of general activity on site is likely to deter foraging, however, as indicated by the limited observations of birds on site during the survey.

Bats

- 3.49 The site contains no potential tree roost sites for bats as there are no mature trees or larger trees with suitable features such as rot holes, cankers or splits. Similarly, no buildings are present on site, however, the brick walls which surround the lower level of the car park do contain some gaps in the mortar. Due to the low level of these gaps and the use of lighting within the car park it is considered unlikely that the walls provide suitable roosting opportunities for bats.
- 3.50 Overall, there is **negligible** potential for bats to be roosting on site.
- 3.51 The hardstanding and scattered vegetation provides only very limited foraging habitat for bats. Street lighting, together with the lack of vegetation and connectivity to other semi-natural habitats, significantly diminishes its potential for bat foraging.
- 3.52 Adjacent to the site there are two red brick buildings with pitched tile roofs that offer some potential for roosting bats due to their age and construction. These buildings were not accessed during this survey as they are off-site.

⁷ The names of birds follow British Ornithologists' Union 2017

4. SUMMARY AND RECOMMENDATIONS

Summary

Desk Study

- 4.1 The desk study identified that the site is within the IRZ of Rochdale Canal SSSI and Hollinwood Branch Canal SSSI. Natural England should be consulted if development proposals are to include certain activities that might impact the features of the designated site, however, no such activities are associated with the proposed development.
- 4.2 The nearest Priority Habitat to the site is an area of open mosaic habitat which is located 160m north-east from the site boundary. This habitat is separated from the site by a major road and is sufficiently distant not to be impacted by any development within the site boundary.
- 4.3 A small number of protected plant species were identified as being present within the local area during the desk study. Those associated with the canals (grass-wrack pondweed and floating water-plantain) have not, however, been recorded within the section of the canal closest to the site.

Habitats

- 4.4 The extended Phase 1 habitat survey highlighted no features of significant nature conservation interest within the site. The plant species list was limited to species that are common and typical of early successional/ephemeral vegetation communities of urban sites. None of the plant species recorded within the site are either Nationally Scarce or Nationally Rare (Hill *et al.* 2004) or of any other conservation significance (Cheffings and Farrell 2005, Stroh *et al.* 2014).
- 4.5 The Schedule 9 listed invasive non-native plant, wall cotoneaster, was recorded within the site boundary in a single location at TN1.

Protected Species

Bats

- 4.6 The site provides a small area of low quality bat foraging habitat and is unlikely to be used by significant numbers of foraging bats. The loss of or disturbance to the vegetation due to predicted increased public use and lighting of the site under the proposed development is, therefore, predicted to have a negligible impact on the conservation status of bats within the local area and Greater Manchester.
- 4.7 The brick walls within the site are generally in good condition and any crevice features present are considered to be too low to the ground and too well-lit for use by roosting bats. No other structures of buildings were present on the site.
- 4.8 Brownsfield Mill, adjacent to the site, has some potential features capable of supporting roosting bats and the nearby Rochdale Canal likely acts as a commuting and foraging route for bats. The landscape scheme for the proposed development is focussed on the southern side of the application site and as such creates a green 'buffer zone' to the adjacent mill building. The mix of trees, shrubs and grassland areas includes some linear planting features and are all considered to provide additional potential foraging habitat for local bat populations.

Breeding Birds

- 4.9 Some areas of dense scrub provide suitable nesting habitat for a range of common bird species. As such, any necessary vegetation clearance should be undertaken outside of the breeding

season for birds. The site is considered to provide a relatively limited foraging resource for local populations of birds.

- 4.10 The site lies within the Greater Manchester Black Redstart Priority Area (Greater Manchester Biodiversity Partnership 2008). The site is also considered to have only very limited foraging potential for black redstart and, therefore, is unlikely to form a key part of the foraging habitat for any local populations of black redstart. No features suitable for nesting black redstart were present.
- 4.11 Overall, the proposals include areas of ground level landscape planting, including lawns and trees, that will improve the habitat quality of the site for local populations of birds (for nesting, shelter and foraging) and bats (for foraging). There may be some opportunity for use of lawned areas by foraging hedgehog (closest record within 300m of the site), although the hedgehog population appears to be sparse and links to additional greenspace are limited in terms of this species. The more mobile species (birds and bats) will, however, be able to readily access this new green space and use the site once planting is established. The planting within the landscape scheme will link to and support the network of green and blue habitats within the local area, most of which are focussed on or close to the Rochdale Canal that is within 50m to the south of the site (Manchester City Council 2015).

Recommendations

- 4.12 Any vegetation clearance of the dense scrub areas should be undertaken outside of the breeding season for birds (i.e. avoiding the March to August inclusive period).
- 4.13 If vegetation clearance within the March to August (inclusive) period is unavoidable then a suitable experienced Ecologist should carefully inspect the vegetation for active nests no more than 48 hours before clearance starts. If no active nests are present, then vegetation clearance can proceed. If an active birds' nest is found, then the nest would need to be protected and retained undisturbed until the nest became inactive. An undisturbed area of approximately 2m around the nest is usually sufficient to maintain a suitable buffer, however, this can vary with the species of bird and advice would be given by the Ecologist.
- 4.14 The removal of wall cotoneaster from site should be undertaken in such a way as to avoid incidental spread of this INNS, as required under Schedule 9 of the WCA.
- 4.15 Preparing and implementing an ecologically sensitive lighting plan to avoid excessive illumination of the building roofs and the canal area during construction phases of the proposal would maintain the use of the area by foraging bats. The lighting plan should also consider maintaining some darker corridors at tree canopy height to support future use of the new greenspace by local bat populations.

Enhancement Opportunities

- 4.16 The site is currently of limited ecological value and development presents an opportunity to further increase biodiversity. Potential enhancement measures comprise:
- Use of British native or wildlife-friendly tree, shrub and herbaceous species in any landscape planting, for example, inclusion of species that provide nectar/pollen for invertebrates or berries to provide a food source for birds;
 - Placement of insect habitat ('bug hotels') within the landscape scheme, where possible. Care should be taken to ensure the placement of any features are appropriate, such as close to suitable planting and in sunny sheltered locations, and away from areas where they may be subject to disturbance or appear to cause a nuisance.

- Inclusion of integrated bat roost features such as bat bricks or bat tubes to increase roosting opportunities for local populations of bats, coupled with a suitable lighting strategy to avoid unnecessary lighting of roost features. Four to six (4no. to 6no.) boxes are recommended to be built into masonry away from any opening windows. Suitable bat box designs include (final locations and specifications to be developed in consultation with the Ecologist):
 - Integrated Eco Bat Box;
 - Ibstock Enclosed Bat Box 'C';
 - Schwegler 1MF Bat and Swift nest box with additional Bat Slope; and
- Including a green/brown roof design would enhance forage opportunities for any local populations of black redstart, if the design allows.

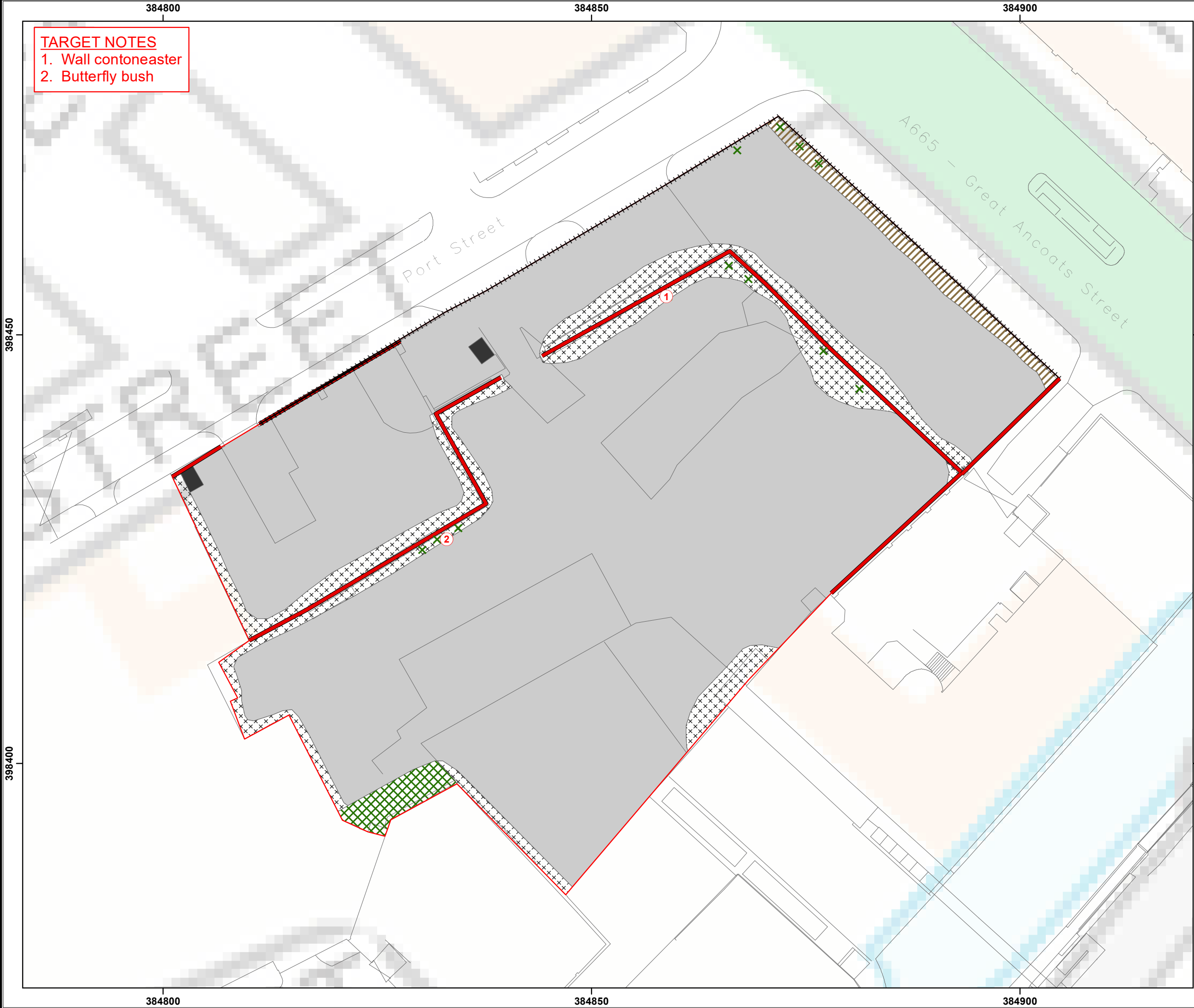
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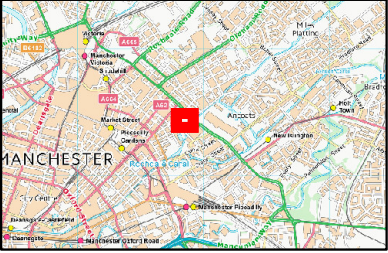
6. ABBREVIATIONS

BoCC	Birds of Conservation Concern
CIEEM	Chartered Institute of Ecology and Environmental Management
CRoW	Countryside and Rights of Way
EPS	European Protected Species
EU	European Union
GCN	Great Crested Newt(s)
GMEU	Greater Manchester Ecology Unit
INNS	Invasive Non-Native Species
IRZ	Impact Risk Zone(s)
JNCC	Joint Nature Conservation Committee
MAGIC	Multi Agency Geographic Information for the Countryside
NERC	National Environment and Rural Communities
NPPF	National Planning Policy Framework
PAA	Penny Anderson Associates Ltd
RIGS	Regionally Important Geological/geomorphological Site(s)
SAC	Special Area(s) of Conservation
SBI	Site(s) of Biological Importance
SPA	Special Protection Area(s)
SSSI	Site(s) of Special Scientific Interest
TN	Target Note(s)
WCA	Wildlife and Countryside Act

FIGURE



TARGET NOTES
1. Wall contoneaster
2. Butterfly bush



Legend

— Survey boundary

Habitat

- Dense scrub
- Tall ruderal
- Ephemeral/short perennial
- Hardstanding
- Pay station
- Fence
- Wall
- Scattered scrub
- Target note

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: 2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

ISO A3

0 2.5 5 10 15 Metres

Penny Anderson Associates Ltd
CONSULTANT ECOLOGISTS

Penny Anderson Associates Ltd,
Parklea, 60 Park Road,
Buxton, Derbyshire, SK17 6SN.
Telephone 01298 27086

Project Name
Port Street, Manchester

Discipline
Ecology

Title:
**PHASE 1
HABITATS**

Scale 1:418	Drawing No. Figure 1	
Drawn By CC	Originator BH	Date 03/09/2021
PAA Ref.	Revision 1.0	

APPENDICES

APPENDIX 1

Relevant Protected Species Legislation Summaries

SUMMARY OF THE LEGISLATION RELATING TO BATS

All wild species of bat are protected under the Wildlife and Countryside Act (WCA) 1981, which has also been amended by later legislation, including the Countryside and Rights of Way (CROW) Act 2000 and the Conservation of Habitats and Species Regulations 2017 (amended), and this legislation is applicable to England and Wales. Bats are listed on Schedule 5 of the WCA and are therefore subject to some the provisions of Section 9 which, with the amendments, make it an offence to:

- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection (S9:4b).
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a bat (S9:4c).

There are additional offences in relation to buying and selling (S9:5) any live or dead animal of this species or anything derived from them.

Bat species are also listed under Annexes IIa and IVa of the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, also known as the 'Habitats Directive'. Inclusion on Annex IVa means they are consequently identified as European Protected Species (EPS) and protected under the Conservation of Habitats and Species Regulations 2017 (amended).

The Conservation of Habitats and Species Regulations 2017 (amended) state that a person commits an offence if they:

- (a) deliberately capture, injure or kill any wild animal of a European protected species,
- (b) deliberately disturb wild animals of any such species, in such a way as –
 - (i) to impair their ability to survive, to breed or reproduce, or to rear their young, or
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or
 - (iii) to affect significantly the local distribution or abundance of the species to which they belong;
- (c) deliberately take or destroy the eggs of such an animal, or
- (d) damage or destroy a breeding site or resting place of such an animal.

Under these Regulations it is an offence to damage or destroy a breeding site or resting place whether the animal is in occupation or not, and protection extends to all life stages of the animal in question. There are additional offences relating to possession, control and sale of a live or dead bat or part of such an animal.

In addition, seven native British bat species, including the soprano pipistrelle (*Pipistrellus pygmaeus*) and the brown long-eared bat (*Plecotus auritus*), that are frequently found in buildings, are listed as a 'Priority Species' under the 2011 biodiversity strategy for England, *Biodiversity 2020: A strategy for England's wildlife and ecosystem services*, under the 2012 UK Post-2010 UK Biodiversity Framework. These Priority Species are also referred to as 'species of principal importance' for the conservation of biodiversity in England and Wales within Section 74 of the CROW Act 2000, and Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006.

In addition, the National Planning Policy Framework (NPPF 2019) has an overall focus on sustainable development, and states that developments should aim to engender positive outcomes for habitats and biodiversity, with a particular focus on the maintenance and creation of ecological networks. Furthermore, the NPPF also states that any planning proposals for which significant negative impacts on biodiversity cannot be avoided, mitigated or compensated for should be refused. Reference is made to Circular 06/2005 *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System* in respect of statutory obligations for biodiversity and geodiversity conservation.

The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Please note: the above text provides a brief summary of the legislation in relation to bats in England and Wales and the original Acts, Regulations and any amendments should be referred to for the precise wording.

SUMMARY OF LEGISLATION RELATING TO BLACK REDSTART

All wild species of breeding birds and their nests are protected under Part 1 of the Wildlife and Countryside Act (WCA) 1981, as amended by later legislation including the Countryside and Rights of Way (CROW) Act 2000.

Black redstarts (*Phoenicurus ochruros*) are additionally protected as they are listed on Schedule 1 of the WCA. Therefore, black redstarts, their nests, eggs and young are fully protected at all times throughout England and Wales.

Part 1 (Section 1:1) of the WCA states that:

'If any person intentionally,

- (a) kills, injures or takes any wild bird;
- (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- (c) takes or destroys an egg of any wild bird,

he shall be guilty of an offence.'

Part 1 (Section 1:5) of the WCA (amended by the CROW Act 2000) states that:

'If any person intentionally or recklessly,

- (a) 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
- (b) disturbs dependent young of such a bird,

he shall be guilty of an offence and liable to a special penalty.'

In addition, the black redstart is identified as a bird species of moderate conservation concern ('Amber' listed) due to its declining breeding population and its rarity as a breeding species within Britain.

Please note: the above text provides a brief summary of the legislation in relation to black redstart for England and Wales and the original Act and any amendments should be referred to for the precise wording.

SUMMARY OF THE LEGISLATION RELATING TO BREEDING BIRDS

All wild species of breeding birds and their nests are protected under Part 1 of the Wildlife and Countryside Act (WCA) 1981, as amended by later legislation including the Countryside and Rights of Way (CROW) Act 2000. This legislation applies in England and Wales.

Part 1 (Section 1:1) of the WCA states that:

'If any person intentionally,

- (a) kills, injures or takes any wild bird;
- (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- (c) takes or destroys an egg of any wild bird,

he shall be guilty of an offence.'

Part 1 (Section 1:5) of the WCA (amended by the CROW Act 2000) refers to specific birds listed on Schedule 1 of the WCA, and states that:

'If any person intentionally or recklessly,

- (a) 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
- (b) disturbs dependent young of such a bird,

he shall be guilty of an offence and liable to a special penalty.'

Schedule 1 includes birds such as Western barn owl (*Tyto alba*), black redstart (*Phoenicurus ochrurus*), woodlark (*Lullula arborea*) and Cetti's warbler (*Cettia cetti*). Please refer to the WCA for a complete list of Schedule 1 species.

Some provisions are made to allow the killing and taking of certain species under certain circumstances, as follows:

- Birds listed on Schedule 2 (Part 1) of the Act may be taken or killed outside of the 'close season' for each individual species (the 'close season' is defined by the Act). This includes various wild duck and geese species.
- Birds listed on Schedule 2 (Part 2) of the Act may be killed or taken by authorised persons at all times. This includes species such as carrion crow (*Corvus corone*), Eurasian magpie (*Pica pica*), feral pigeon¹ (*Columba livia*) and greater Canada goose (*Branta canadensis*). An 'authorised person' is defined as a person who has written authorisation to undertake the act from the relevant statutory authority. The written authority is in the form of a licence, either a general licence which covers a number of the more typical 'pest' species, or an individual licence for other individual species. In England these licences are issued by Natural England and in Wales by the Welsh Assembly Government.

Please note: the above text provides a brief summary of the legislation in relation to breeding birds in England and Wales and the original Act and any amendments should be referred to for the precise wording.

¹ Also known as rock dove

APPENDIX 2
Botanical Species List

Appendix 2 Botanical Species List

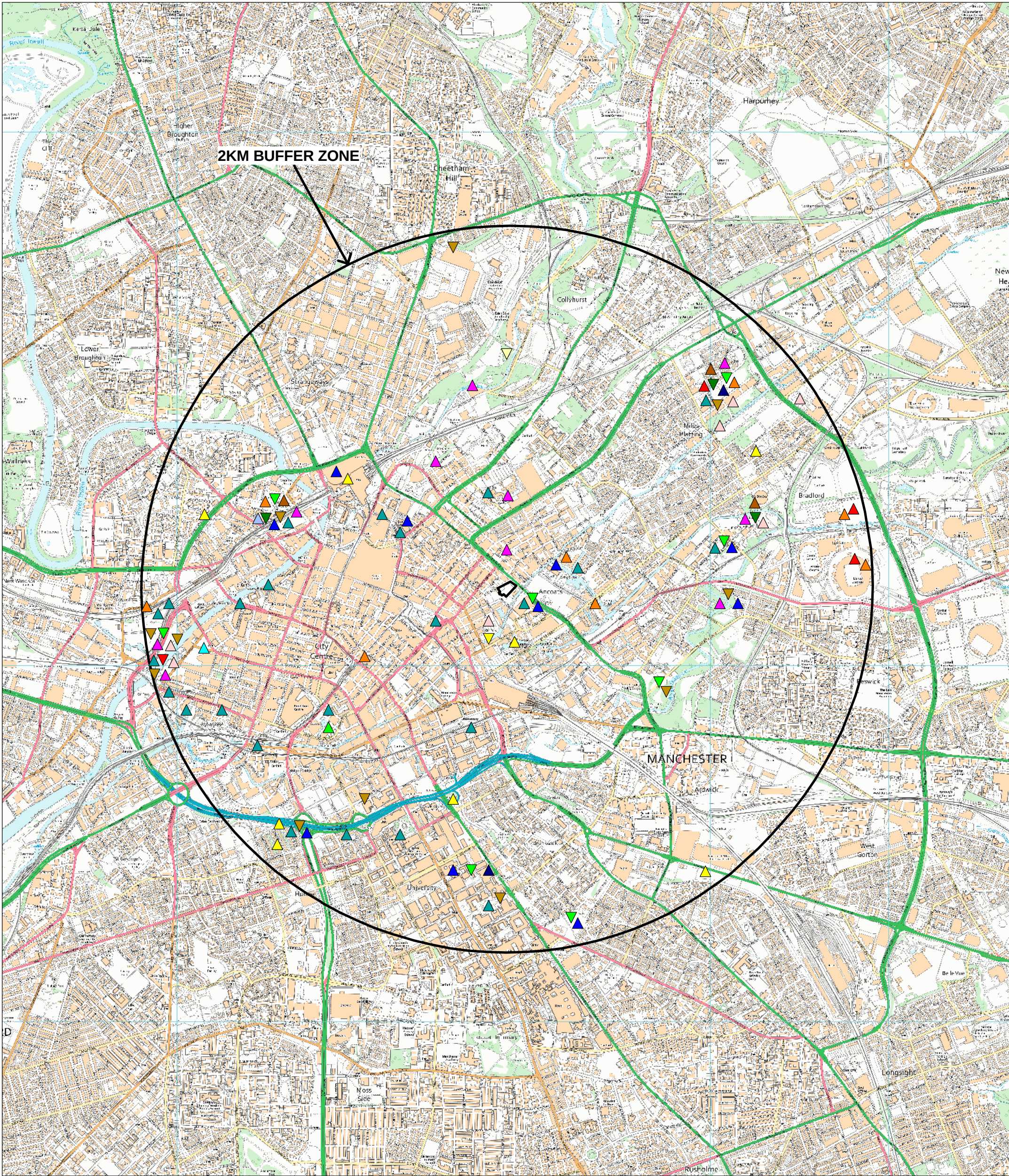
Common Name	Scientific Name	DAFOR
Woody Species		
Bramble	<i>Rubus fruticosus</i> agg.	LA
Butterfly-bush	<i>Buddleja davidii</i>	F
Field maple	<i>Acer campestre</i>	R
Goat willow	<i>Salix caprea</i>	O
Honeysuckle	<i>Lonicera periclymenum</i>	LF
Silver birch	<i>Betula pendula</i>	O
Wall cotoneaster	<i>Cotoneaster horizontalis</i>	R
Herbs, Grasses and Ferns		
Bittercress species	<i>Cardamine</i> sp.	O
Broad-leaved dock	<i>Rumex obtusifolius</i>	O-LF
Broad-leaved willowherb	<i>Epilobium montanum</i>	LF
Common dog-violet	<i>Viola riviniana</i>	O
Common nettle	<i>Urtica dioica</i>	LA
Creeping buttercup	<i>Ranunculus repens</i>	O
Dandelion	<i>Taraxacum officinale</i> agg.	O
Field horsetail	<i>Equisetum arvense</i>	LF
Greater plantain	<i>Plantago major</i>	F
Hedge bindweed	<i>Calystegia sepium</i>	LA
Hemp-agrimony	<i>Eupatorium cannabinum</i>	O
Herb-Robert	<i>Geranium robertianum</i>	O
Jointed rush	<i>Juncus articulatus</i>	LF
Late cotoneaster	<i>Cotoneaster lacteus</i>	R
Meadow buttercup	<i>Ranunculus acris</i>	R
Michaelmas-daisy	<i>Aster schreberi</i>	O
Mugwort	<i>Artemisia vulgaris</i>	O-LF
Perennial rye-grass	<i>Lolium perenne</i>	O-LF
Pineappleweed	<i>Matricaria discoidea</i>	O
Red valerian	<i>Centranthus ruber</i>	O
Redshank	<i>Persicaria maculosa</i>	O
Ribwort plantain	<i>Plantago lanceolata</i>	O
Rough meadow-grass	<i>Poa trivialis</i>	O-LF
Smooth hawk's-beard	<i>Crepis capillaris</i>	O
Spear thistle	<i>Cirsium vulgare</i>	O
Sweet vernal-grass	<i>Anthoxanthum odoratum</i>	O
Wall barley	<i>Hordeum murinum</i>	O
Weld	<i>Reseda luteola</i>	O
White clover	<i>Trifolium repens</i>	LF
Yorkshire fog	<i>Holcus lanatus</i>	O

KEY

D-Dominant, A-Abundant, F-Frequent, O-Occasional, R-Rare, L-Locally

APPENDIX 3

Desk Study Data



KEY
SECTION 41 SPECIES

- | | |
|--------------------|----------------------|
| ▲ BULLFINCH | ▲ LESSER REDPOLL |
| ▲ CUCKOO | ▲ LINNET |
| ▲ CURLEW | ▲ S41 MOTH |
| ▲ DUNNOCK | ▲ SKYLARK |
| ▲ GRS-WRK PONDWEED | ▲ SONG THRUSH |
| ▲ HEDGEHOG | ▲ SP. FLYCATCHER |
| ▲ HERRING GULL | ▲ STARLING |
| ▲ HOUSE SPARROW | ▲ YELLOW BIRD'S-NEST |
| ▲ LAPWING | ▲ YELLOW WAGTAIL |

GREATER MANCHESTER ECOLOGY UNIT
ECOLOGICAL SEARCH - SJ 84834 98428
PORT STREET - MAP 5

SCALE 1:20,000

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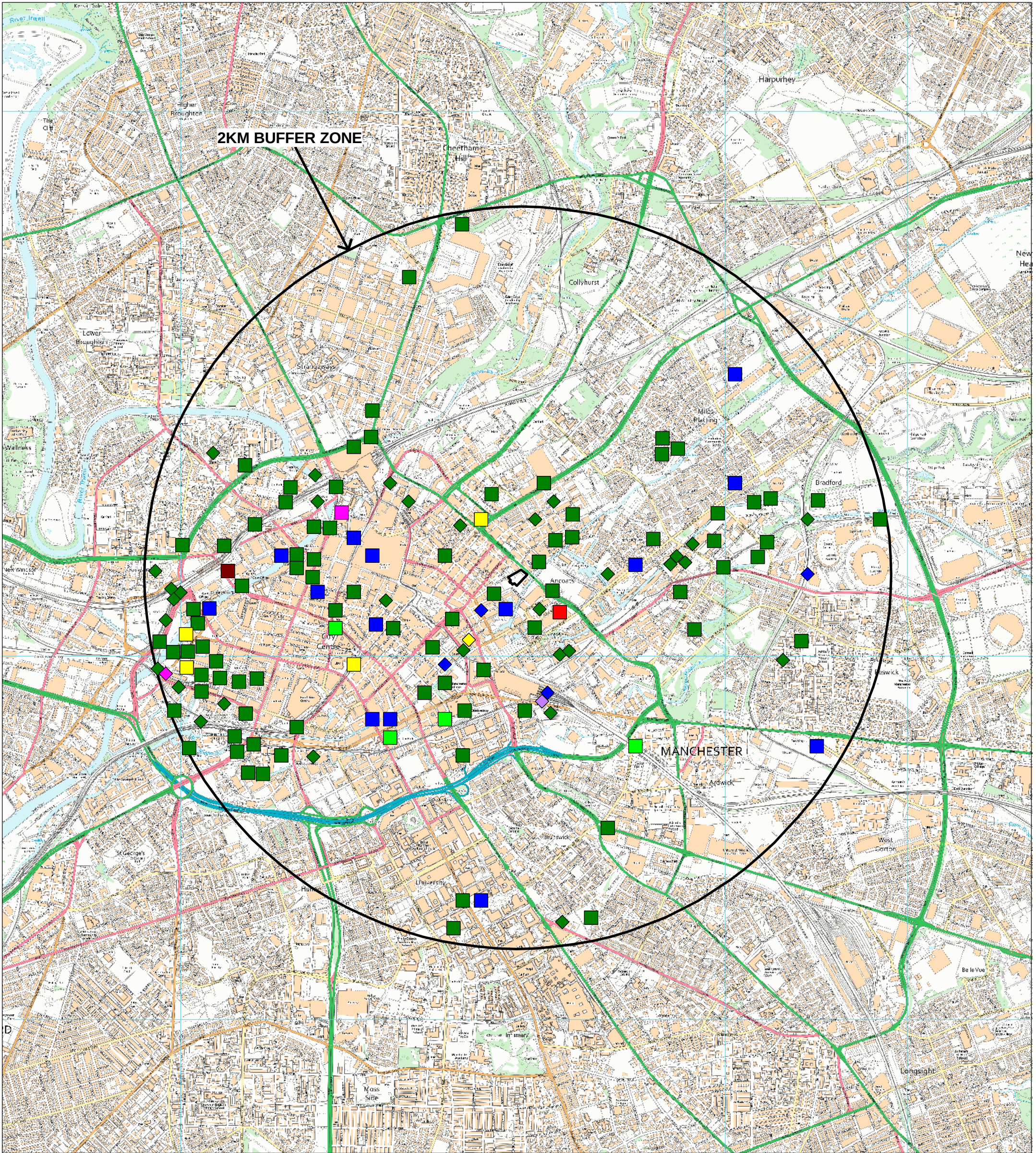
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Greater Manchester
Ecology Unit

Telephone 0161 342 4409
Email: gmeu@tameside.gov.uk

Date Produced: 03/09/2021



KEY

BAT ROOSTS

- ◆ COMMON PIPISTRELLE
- ◆ DAUBENTON'S BAT
- ◆ MYOTIS SP
- ◆ PIPISTRELLE SP
- ◆ SOPRANO PIPISTRELLE

BATS OTHER SIGNS

- BAT SP
- BROWN LONG-EARED BAT
- COMMON PIPISTRELLE
- DAUBENTON'S BAT
- NOCTULE BAT
- PIPISTRELLE SP
- SOPRANO PIPISTRELLE

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ECOLOGICAL SEARCH - SJ 84834 98428
PORT STREET - MAP 4

SCALE 1:20,000

BAT DATA COURTESY OF SOUTH LANCS BAT GROUP

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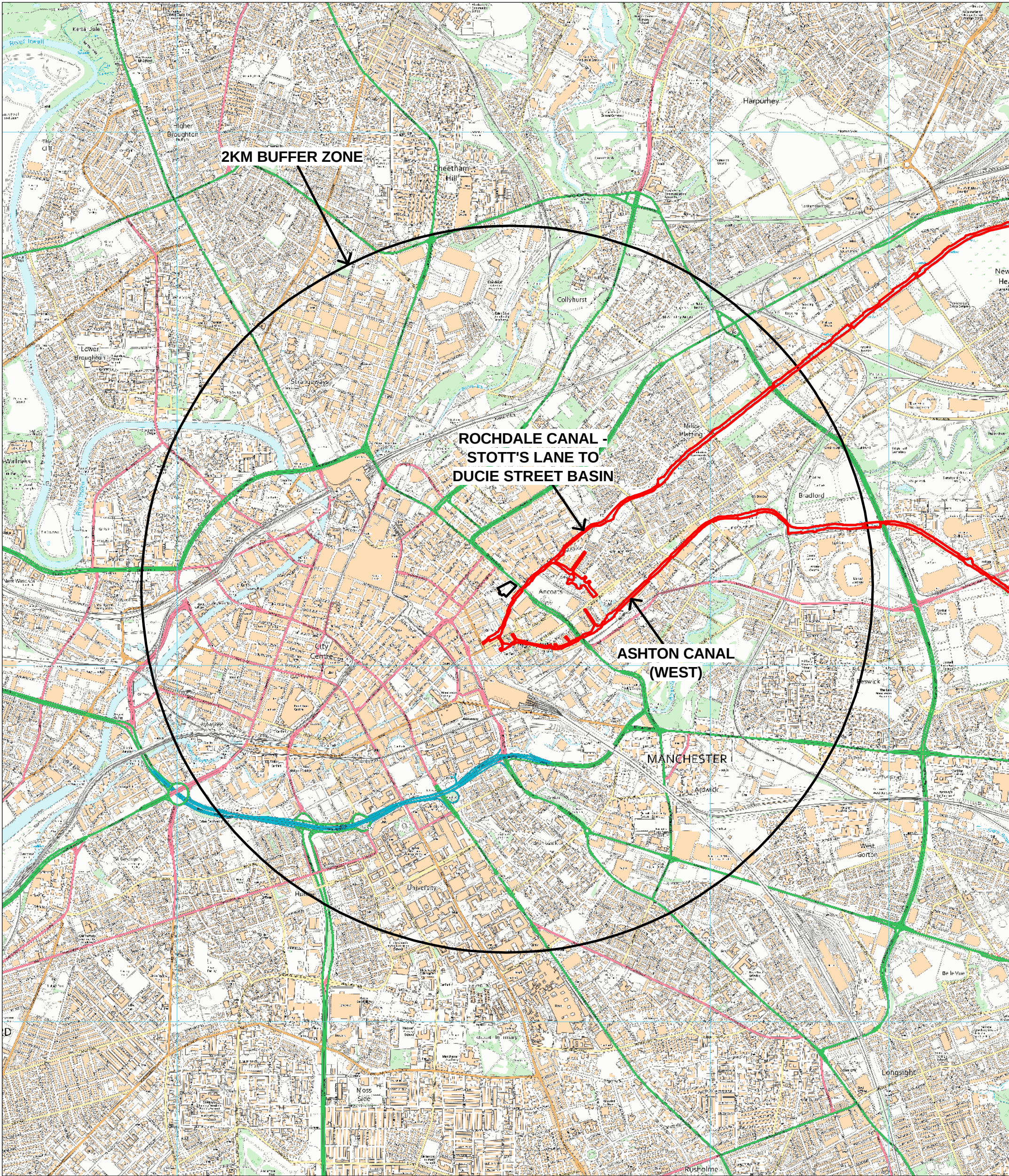
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Greater Manchester
Ecology Unit

Telephone 0161 342 4409
 Email: gmeu@tameside.gov.uk

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**GREATER MANCHESTER ECOLOGY UNIT
ECOLOGICAL SEARCH - SJ 84834 98428
PORT STREET - MAP 1**

KEY
SITE OF BIOLOGICAL IMPORTANCE

 **SBI BOUNDARY**

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**Greater Manchester
Ecology Unit**

Telephone 0161 342 4409
Email: gmeu@tameside.gov.uk

Date Produced: 03/09/2021

APPENDIX 4

Photographs



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

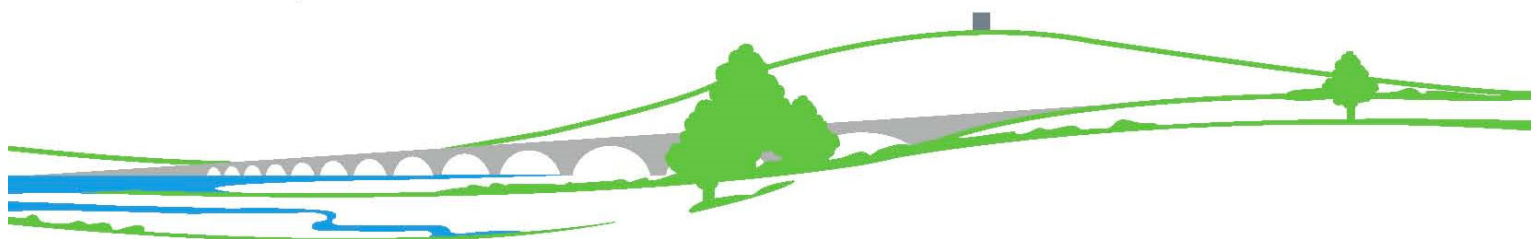


Photo 7



Photo 8

Penny Anderson
Associates Ltd
CONSULTANT ECOLOGISTS



Park Lea, 60 Park Road, Buxton, Derbyshire SK17 6SN