

7 July 2021

Vin Bamford, AECOM
By email: vin.bamford@aecom.com

Dear Vin,

Building 401 – Ecological Walkover Survey and Appraisal Letter Report**1. Introduction**

This letter report sets out the methods and results of an ecological appraisal undertaken by AECOM Limited in June and July 2021 for the proposed Building 401 development site, hereafter referred to as the “Site”. Four large warehouse units and associated offices will be constructed, shown on Figure 020598-RPS-SI-XX-DR-A-9015 Masterplan 14, Appendix A. The proposed development also includes areas of hardstanding for access and parking. Landscaping is proposed within, and adjacent to the existing woodland to the west of the Site.

The Site is located to the east of Manchester Airport, and is bounded by Avro Way to the north, Pinfold Lane to the east and Wilmslow Old Road to the south west. The A538 Wilmslow Road is located to the west. The Site is situated within a predominately urban area and comprises industrial units, offices and roads. The central grid reference of the Site is: SJ 8089 8483.

The ecological appraisal comprised a high-level desk-based study and an ecological walkover survey, the methods and results are presented below.

2. Methods

A desk study was carried out in July 2021 to identify any statutory nature conservation designations within 2 km of the Site using the MAGIC website¹. A search for granted Natural England European Protected Species Mitigation Licences (EPSMLs) for great crested newt (*Triturus cristatus*) (GCN) and bats within 1 km of the Site was also undertaken using the MAGIC website.

An ecological site walkover was carried out by a suitably experienced AECOM ecologist on 30th June 2021. The habitats present within the Site were recorded but were not mapped.

An appraisal was made of the potential suitability of the habitats present within the Site to support protected and notable species of plants or animals. Field signs, habitat features with potential to support protected species, and any sightings or auditory evidence were recorded when encountered, but no detailed surveys were carried out for any particular species.

A note was made of any visible instances of invasive non-native plant species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Locations of plants or stands of any such invasive non-native plant species if found were recorded.

Relevant wildlife legislation is provided at the end of this letter report within Appendix B.

3. Desk Study Results

One statutory designated site for nature conservation is located within 2 km of the Site. Cotteril Clough Site of Special Scientific Interest (SSSI) is located approximately 420 m south-east of the Site at its nearest point. Cotteril Clough SSSI comprises part of a ravine, or clough, cut into the Keuper Marl by the erosion of the Cotteril Brook.

¹ <http://magic.defra.gov.uk/>

The majority of the SSSI is woodland with associated stream habitat and is the most diverse clough woodland on base rich soils in Greater Manchester.

The SSSI also supports notable bird assemblage including spotted fly-catcher (*Muscicapa stia*), lesser spotted, greater spotted and green woodpecker (*Dryobates minor*, *Dendrocopos major*, *Picus viridis*), blackcap (*Sylvia atricapilla*) and whitethroat (*Sylvia communis*), and is noted for its diverse invertebrate assemblage.

A review of aerial photography and OS maps identified the following features of interest:

- A potential pond located approximately 340 m west of the Site;
- One potential pond located approximately 405 m, west of the Site;
- One potential pond located approximately 440 m south-west of the Site; and
- Three potential ponds located approximately 450 m west of the Site.

There are nine granted EPSMLs for GCN within 1 km of the Site; summarised in Table 1 below.

Table 1: Granted EPSMLs for GCN identified within 1 km of the Site

Dates	Case reference	Nature of Licence	Approximate Distance from Site
27/02/2009 to 30/09/2009	EPSM2009-663	GCN	225 m north-west
01/04/2009 to 30/09/2009	EPSM2009-731	GCN (breeding site and resting place)	420 m north-west
13/04/2015 to 31/03/2024	2015-8152-EPS-MIT	GCN (resting place)	516 m south-west
30/05/2013 to 31/03/2024	EPSA2012-5275	GCN (breeding site)	516 m south-west
06/03/2017 to 30/06/2024	2015-8152-EPS-MIT-1	GCN (resting place)	516 m south-west
06/03/2017 to 30/06/2024	2015-8152-EPS-MIT-2*	GCN (resting place)	516 m south-west
22/09/2010 to 31/07/2011	EPSM2010-2165	GCN (resting place)	660 m south-east
09/10/2013 to 30/06/2021	EPSM2010-2160	GCN (breeding site and resting place)	775 m south-east
20/03/2017 to 30/06/2021	2017-28423-EPS-MIT	GCN (breeding site and resting place)	775 m south-east

There is one granted EPSML for bats within 1 km of the Site; summarised in Table 2 below.

Table 2: Granted EPSML for bats identified within 1 km of the Site

Dates	Case reference	Species on Licence	Approximate Distance from Site
03/10/2013 to 30/09/2016	EPSM2013-6330	Common pipistrelle (<i>Pipistrellus pipistrellus</i>) (resting place)	250 m west

4. Ecological Walkover Results

Habitats

The following habitats are present within the Site:

- Hardstanding and bare ground;
- Buildings/structures;
- Semi-mature broadleaved woodland;
- Scattered trees, introduced shrub and scrub; and
- Poor semi-improved neutral grassland.

Hard-Standing and Bare Ground

The majority of the Site comprised hard-standing in the form of roads, pavements and car-parks/vehicle storage areas (Plates 1, 2, 3 & 4). Some small areas of bare ground were present within amenity grassland adjacent to pavements (Plate 5).



Plate 1



Plate 2



Plate 3



Plate 4



Plate 5

Buildings/Structures

Several large warehouse/commercial buildings are present within the Site (Plates 6, 7 and 8). The buildings are comprised of a combination red brick bases, glass windows and metal sheet walls and roofs. Other structures include metal storage containers and metal shelters (Plates 2 and 5).



Plate 6



Plate 7



Plate 8

Semi-Mature Broadleaved Woodland

A woodland is located along the western side of the Site, adjacent to Wilmslow Old Road and contains semi-mature broadleaved trees with species including oak (*Quercus* sp.), ash (*Fraxinus excelsior*), maple (*Acer* sp.), hawthorn (*Crataegus monogyna*), horse chestnut (*Aesculus hippocastanum*), birch (*Betula* sp.) and holly (*Ilex aquifolium*).

Ground flora within the woodland includes broad-leaved dock (*Rumex obtusifolius*), herb Robert (*Geranium robertianum*), ivy (*Hedera helix*), field horsetail (*Equisetum arvense*), common nettle (*Urtica dioica*) and cleavers (*Galium aparine*). A public footpath runs through the woodland on to Wilmslow Old Road (Plates 9, 10, 11, 12, 13 and 14). Mature trees are located along the edges of the woodland including a number of mature oak trees located adjacent to Wilmslow Old Road and Pinfold Lane (Plates 15, 16, 17 and 18).



Plate 9



Plate 10



Plate 11



Plate 12



Plate 13

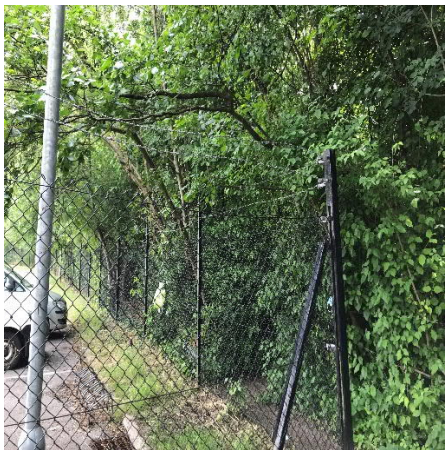


Plate 14



Plate 15



Plate 16



Plate 17



Plate 18

Scattered Trees, Introduced Shrub and Scrub

Scattered trees and shrubs are present within the Site, with the majority forming hedgerows along metal boundary fencing adjacent to amenity grassland and hardstanding. Scattered tree species include semi-mature rowan (*Sorbus aucuparia*), hawthorn, elder (*Sambucus nigra*), silver birch (*Betula pendula*), and ornamental planted trees (Plates 19 and 20).

Shrubs including ornamental planting of introduced shrubs found within the trees include hawthorn, bramble (*Rubus fruticosus*), buddleia (*Buddleja*), privet (*Ligustrum* sp.), ivy and Wilson's honeysuckle (*Lonicera nitida*) (Plates 21 and 22). A cotoneaster (*Cotoneaster* sp.), was identified along the fence line on the north western boundary of the Site (Plate 23). Some species of cotoneaster are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).



Plate 19



Plate 20



Plate 21



Plate 22



Plate 23

Poor Semi-Improved Neutral Grassland

The Site contains several areas of species poor semi-improved neutral grassland with the majority being grass verges adjacent to roads and pavements within the Site, particularly along Avro Way and Pinfold Lane. The verges comprised of species including creeping buttercup (*Ranunculus repens*), white clover (*Trifolium repens*), cat's ear (*Hypochaeris radicata*), perennial rye grass (*Lolium perenne*), annual meadow grass (*Poa annua*), Yorkshire fog (*Holcus lanatus*), cock's foot (*Dactylis glomerata*), ribwort plantain (*Plantago lanceolata*), dandelion (*Taraxacum* agg.) and selfheal (*Prunella vulgaris*) (Plates 24, 25 and 26).

The majority of the grass verges were closely mown at the time of survey, however an area along Pinfold Lane had not been mown recently and other species identified within that area include thistle (*Cirsium* sp.), field horsetail (*Equisetum arvense*), creeping bent, herb Robert (*Geranium robertianum*) and broad-leaved dock (*Rumex obtusifolius*).

Two areas of long semi-improved grassland are located within the centre of the Site and include additional species to the grass verges including thistle, ragwort (*Senecio jacobaea*) and tall ruderals such as common nettle and broad-leaved dock (Plates 27 and 28).



Plate 24



Plate 25



Plate 26



Plate 27



Plate 28

Potential for Protected/Notable Species

Badgers

No evidence of badger activity or setts were recorded during the site walkover. The habitats within the Site boundary are not considered suitable due to being predominantly comprised of hard standing with very limited areas of semi-natural habitat.

Bats

The buildings within the Site do not contain any features considered suitable for bats, however the mature oak trees located within the Site along Pinfold Lane and Wilmslow Old Road could provide features for roosting bats. There is limited foraging and commuting habitats for bats within the hardstanding/urban areas of the Site but the broadleaved semi-mature woodland could offer potential habitat for foraging and commuting bats.

Breeding Birds

Habitats present within the Site have potential to support common nesting bird species.

Great Crested Newts

There are several potential ponds within 500 m of the Site, these ponds are separated from the Site by a large industrial area and the A538 Wilmslow Road, and it is reasonable to assume that this represents a substantial barrier to the movement of GCN onto the Site, should they be present in these ponds. Additionally, there are no suitable breeding habitats and limited suitable terrestrial habitat that may support this species within the Site.

Schedule 9 Invasive Plants

Cotoneaster (*Cotoneaster sp.*), was recorded in one area within the Site during the survey. Some species of cotoneaster are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

5. Limitations

There were no limitations to the survey or desk study.

6. Recommendations

Designated Sites

Based on available information, the identified statutorily designated nature conservation site identified in the desk study is not considered to be relevant to the proposed development. This is due to the distance from the Site to the SSSI, nature of the designated site and lack of apparent ecological connectivity or potential impact pathways between the proposed development and the designated site. No effects are therefore anticipated on this designated site as a result of the proposed development.

Habitats

The broadleaved woodland, and trees located along the south eastern boundary and along Pinfold Lane should be protected and retained during the proposed development. If this is not possible then mitigation for the loss of these habitats would be required.

As there are areas of grassland, scattered trees and scrub, albeit isolated in nature, they do provide green space within a largely urban environment, as much of this habitat as possible should be protected and retained during development of the Site.

There are no other notable or particularly diverse habitats present within or immediately adjacent to the Site that potentially represent a constraint on development. The other habitats present within the survey area i.e. hard-standing, bare ground and buildings are considered to be of limited ecological value.

Bats

There are several mature oak trees within the broadleaved woodland which may have features which support roosting bats. If any of these trees are required to be removed, subject to pruning works or will be subject to activities that may cause disturbance to roosting bats, should they be present, a preliminary bat roost appraisal will need to be undertaken by an appropriately experienced AECOM ecologist. The assessment can be undertaken at any time of year and must be undertaken prior to such works.

The broadleaved woodland may also support foraging and commuting bats. This area should be retained and protected. It is important that the proposed development does not have an adverse impact upon the local bat population through construction and operational impacts and it is therefore recommended that if lighting is proposed within the Site, this should be sensitive to bats and where possible the woodland should be protected from light spillage. Night working should also be avoided where possible.

Nesting Birds

All species of bird are protected under Section 2 of the Wildlife and Countryside Act 1981 (as amended).

This legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take, destroy an egg of any wild bird.

Due to the limited amount and type of vegetation on Site, no dedicated breeding bird surveys are required. Clearance of the Site to facilitate development works during the bird breeding season carries a risk of an offence under the Wildlife and Countryside Act 1981 (as amended) due to the likelihood that ground and tree/scrub nesting bird species are likely to be using such habitats for nesting purposes.

It is proposed that building demolition and vegetation clearance is undertaken outside of the period March to August inclusive when bird species are likely to be breeding. If this is not possible, all vegetation/structures will be checked for presence of active nests by an ecologist no more than 24 hours prior to clearance. If active nests are found, vegetation clearance must stop and an exclusion zone established (depending on species) until any young have fledged.

Schedule 9 Invasive Plant Species

During the survey, cotoneaster was recorded within one area of the Site. Some species of Cotoneaster are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is illegal to plant or otherwise cause to grow in the wild any plant listed on Schedule 9 Part II of Section 14(2) of the Wildlife and Countryside Act 1981 (as amended).

If the habitats where this species are potentially present are to be impacted by the development of the Site, then manual removal by hand pulling or digging using hand tools should be undertaken and any seeds removed from Site and disposed of as green waste (for incineration) or taken to a suitably licenced landfill. If no seeds are present, removed plants can be chipped onsite or removed from Site as green waste.

The constraints outlined here will need to be reassessed if there is a significant change to the type or scale of development proposed, or if there are any significant changes in the use or management of the land that would affect the habitats and species. If the proposed development is made two years or more after this letter report (July 2021) it is advisable to review and update the survey data.

Please do not hesitate to contact me should you have any queries regarding this letter report.

Yours sincerely,



Liz Mattison
Consultant Ecologist
AECOM Limited
M: 07469 906 325
E: elizabeth.mattison@aecom.com

Appendix A – Figure

Appendix B – Wildlife Legislation**The Conservation of Habitats and Species Regulations 2017 (as amended)**

The original Regulations transposed the EU Directive on Natural Habitats, and Wild Fauna and Flora 9/43/EEC) into domestic legislation. Amendments in 2007 and 2009 addressed a number of gaps and inconsistencies in the original legislation and provided a greater legal certainty and clarity in a number of areas. In April 2010 the Regulations were brought up to date to consolidate changes made since 1994. The Regulations afford a high level of protection to a variety of species that are considered important at a European scale. The Regulations identify European Protected Species and various habitats of importance within the European Union, with important sites for these habitats/species or both being designated as special Areas of Conservation (SAC). Any proposed works that may have a significant effect on a SAC or Special Protection Area (SPA) should be assessed in relation to the site's 'conservation objectives', i.e. the reasons for which the site is designated.

The new Regulations simplified the species protection regime to better reflect the Habitats Directive, providing a clear legal basis for surveillance and monitoring of European Protected Species (EPS). The Regulations also amended the WCA, updating Schedules 5 and 8 to consider provisions made by the Habitats Regulations 1994 in relation to the protection of EPS. They also offered further clarification to Part 4 of Section 9 considering "reckless" offences on wild animals, which was previously amended by the CROW Act 2000.

In 2012, the Regulations were further amended to place new duties on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds. They were also amended to ensure certain provision of the Habitats Directive and the Birds Directive were transposed clearly and Section 15 was amended to make clear that Local Nature Reserves can be designated for re-establishing bird habitat

Please note that These Regulations (cited as the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018) came into force on 28th December 2018. They amend the Conservation of Habitats and Species Regulations 2017, the Neighbourhood Planning (General) Regulations 2012, the Town and Country Planning (Permission in Principle) Order 2017 and the Town and Country Planning (Brownfield Land Register) Regulations 2017.

Regulation 2 amends the Conservation of Habitats and Species Regulations 2017 ("the Habitats Regulations") applicable to special development orders, local development orders, neighbourhood development orders, simplified planning zones, enterprise zones and the conversion of footpaths into cycle tracks to incorporate the habitats assessments provisions in regulation 63 of the Habitats Regulations. With the exception of the conversion of footpaths into cycle tracks, this regulation also incorporates regulations 65 and 66 for the review of existing decisions and consents.

Regulation 2 also amends the Habitats Regulations to allow for the application of regulation 63 to applications for permission in principle.

Regulation 3 amends the Neighbourhood Planning (General) Regulations 2012 to change the prescribed condition relating to habitats for the purpose of examination of neighbourhood development plans to require that a neighbourhood development plan complies with the provisions applicable to land use plans in Chapter 8 of Part 6 of the Habitats Regulations.

Regulation 4 amends the Town and Country Planning (Permission in Principle) Order 2017 to change the definition of habitats development (for which a local planning authority may not grant permission in principle) to incorporate the habitats assessment process under regulation 63 of the Habitats Regulations.

Regulation 5 amends the Town and Country Planning (Brownfield Land Register) Regulations 2017 to change the definition of habitats development (which a local planning authority may not enter onto Part 2 of the Brownfield Land Register) to incorporate the habitats assessment process under regulation 63 of the Habitats Regulations.

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 is the major domestic legal instrument for wildlife protection in the UK, and is the primary means by which the following are implemented:

- The Convention on the Conservation of European Wildlife and Natural Habitats ('the Bern Convention'); and

- The Council Directive 79/409/EEC on the Conservation of Wild birds (the 'Bird Directive')

Wild Birds

The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally:

- kill, injure, or take any wild bird,
- take, damage or destroy the nest of any wild bird while that nest is in use or being built (also [take, damage or destroy the nest of a wild bird included in Schedule ZA1] under the Natural Environment and Rural Communities Act 2006), or
- take or destroy an egg of any wild bird.

Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of

Special Protection (subject to exceptions) to provide further protection to birds. The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.

Other Animals

The Act makes it an offence (subject to exceptions) to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Flora, Fungi and Lichens

The Act makes it an offence (subject to exceptions) to intentionally pick, uproot or destroy:

- any wild plant listed in Schedule 8, or
- unless an authorised person, to intentionally uproot any wild plant not included in Schedule 8,
- to sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Non-native Species

The Act contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 in England and Wales. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities.

Natural Environment and Rural Communities (NERC) Act 2006

Section 41 of the NERC Act requires the listing of habitats and species that are considered to be of principle importance for the conservation of biodiversity in England, including habitats and species in England that have been identified as priorities within the UK Biodiversity Action Plan (UKBAP).

The NERC Act requires that the Section 41 list be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions.