
From: Teresa Hughes
Sent: 26 April 2021 12:27
To: Paul Slater
Cc: 'Jennifer Atkinson'
Subject: RE: Silk Street - Canal - Ecology

Paul

Thank you for the additional information on the above site (Illustrative Aerial View and Sunpath Analysis – both taken from a DAS?). As I indicated I have copied in Jennifer Atkinson at Manchester Planning so she is aware of our dialogue.

I can provide the following commentary and opinion: -

- The sunpath analysis shows that during the height of summer (usually taken to be the solstice) there is little to no shading of the waterbody for the majority of the day. The canal will become shaded for a few hours each day (between noon and 5pm) when the sun swings round to the west in the afternoon. Note that by 5pm the fall of shading has travelled well away from the open water. This represents a relatively small impact during the daylight hours which could inhibit photosynthesis and the growth of the plant should they be present.
- During the depths of the winter period the shading of the canal waterbody is considerable as the sun's path is lower in the sky. However, it is considered that the aquatic plants in the Canal, if present, will be largely dormant during this time and therefore, this is not an ecological issue.
- During the intervening periods there will be some shading of the canal for parts of most days, but it is my opinion that there will be sufficient insolation to allow any plants to grow. The separation of the development into 3 blocks of two allows insolation to fall on all parts of the abutting portion of the canal as the sun swings round. In my view the clarity of the water column, which is generally low in this part of the canal, will be a greater inhibitor on plant growth than the shadow cast by the proposed buildings.
- I am of the opinion therefore that given the location of the site, there is no need for an aquatic grapnel survey as justified by the sunpath analysis. Should the scheme alter and the building heights change, I would recommend that you come back to me to further consider this conclusion. However, I am aware that the number of storeys has been reduced to accommodate other planning matters.

I would suggest that you report on GMEU's dialogue within your submission to demonstrate that you have considered this ecological matter to a satisfactory resolution.

I will be interested to see biodiversity enhancements incorporated into the submission of the scheme as directed by the NPPF (paras 170d. and 175d.). I would suggest integral/building mounted swift boxes or bat boxes, along with appropriate landscaping within the development footprint.

If you have any further queries, please do let me know.

Teresa

Teresa Hughes
Senior Ecologist
Planning
Planning and Transport

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From: Paul Slater
Sent: 20 April 2021 11:25
To: Teresa Hughes
Subject: RE: Silk Street - Canal - Ecology

Hi Teresa,

Thanks for your time earlier, it was good to talk.

I have attached the following –

- Sun Path Analysis
- Aerial View (Isometric)

I have reviewed the SI and Archaeological reports and the site next to the canal bounded by Silk Street was ever only a single storey building, later becoming a market so I don't think it offers any historical interest.

As discussed your advice would be appreciated, as to whether or not further investigation works need to be undertaken to ensure our planning submission includes any other reports needed.

Kind regards

Paul

Paul Slater
Senior Estimator

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From: Teresa Hughes
Sent: 14 April 2021 09:41
To: Paul Slater
Cc: Derek Richardson ; David Dutton
Subject: RE: Silk Street - Canal - Ecology

Paul

Mandy has passed this query across to me and I have considered the information that you supplied along with comments of my colleague by way of preapplication advice (David Dutton see email attached 8.8.2019).

Additional survey requirements

- David's comments are still of relevance to the design of the proposal, in particular shading of the scheme. Given that your scheme design has probably developed you may have already had a shading assessment undertaken of the proximity of the properties and the shade they cast over the canal. If there is a significant shading during the growing season then an aquatic survey of the emergent and submerged vegetation would be necessary to assess if the rare species were present. This would be a grapnel survey of the areas impacted by the shade of the development. A shading study may have already been produced and we could advise on an informal basis on the need for the aquatic surveys. **GMEU are not currently in a position to quote or undertake the aquatic study** should the shading assessment indicate that one is needed.
- The other matters raised in David's response (lighting and native species landscaping) are design matters and do **not** require the input of an ecologist.
- The survey is now 2 years old and in normal circumstances would generally require an update, but given that the site is now totally cleared and appears to be used for car parking this would be considered unnecessary in this particular case. Photographs of the site in any submission could confirm and justify this.

Habitat Regulations Assessment Screening The attached report (Ecological Survey 16.4.2019) is slightly misleading regarding the need for a HRA (Conservation of Habitats & Species Regulations (Amendment) (EU Exit) 2019). A Screening Opinion is **not** required as the site and the proposal (78 units) does not meet the necessary Impact Risk Zone threshold for consultation with Natural England (100 residential unit). For more information please see Impact Risk Zone [map](#), using the menu bar; Land-based Designations – Statutory – select SSSI Impact Risk Zones. This does **not** require further input from an ecologist and this email can be used as a record of our professional opinion. The Planning Statement supporting an application may wish to refer to the IRZ and that the need for a HRA is screened out on a procedural basis, however the explanation below provides further justification.

Hydrological Connectivity with the SAC and need for HRA

- The Ecological Survey appears to have misinterpreted the direction of flow in this case. The Canal is flowing towards the City Centre from the proposed site and the designated SAC is upstream and through 3 locks. Therefore there is extremely limited hydrological connectivity with the SAC as the impacts from the scheme will all flow downstream into the City Centre. Even diffuse pollution will not spread up through the locks to the SAC, as the water transport downstream - the canal 'flow' - is generated by a single volume of upstream water entering a lock and being discharged into the next downstream pound (stretch of water between locks). In relation to the need for a HRA (Appropriate Assessment) it has been established in case law *'it is not that significant effects are probable, a risk is sufficient, but there must be credible evidence (objective information) that there is 'a real, rather than a hypothetical, risk'* (Boggis v Natural England & Waveney District Council [2009] EWCA Civ 1061.). In this case purely on the dynamics of the engineering of the canal the risk in this case is simply hypothetical.
- However, the proposal should clearly demonstrate how construction impacts are to be managed as a matter of best practice as would be required for any proposal in such close proximity to a waterbody. This does **not** require further input from an ecologist.

I hope that this is of assistance. If you require a view on the shading assessment prior to submission please let me know.

Teresa

Teresa Hughes
Senior Ecologist
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From: Mandy Elford
Sent: 14 April 2021 08:00
To: Teresa Hughes
Subject: FW: Silk Street - Canal - Ecology

Hi Teresa

I haven't had an email back from Derek on this one, what do you think?

**Mandy Elford BSc (Hons) MCIEEM
Ecologist**

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From: Paul Slater
Sent: 09 April 2021 09:33
To: Mandy Elford
Subject: Silk Street - Canal - Ecology

Hi Mandy,

I have been given your name by Paul Waite from MCC, he is the projects manager for the above scheme.

My name is Paul Slater and we are engaged by MCC to take the scheme through planning and onto site next year.

Within the reports I have been given there is reference to “Luronium natans” and Rochdale Canal is to the north of the site which is designated as a “Special Area of Conservation” page 8 of the attached report. It also recommends that a Habitat Regulations Assessment (HRA) Stage 1 Screening is undertaken. I am currently having a BAT survey undertaken, the tree removal will take place in Jan/Feb 2022.

I would ask that your review the attached and, if interested, provide the following –

- Fee Proposal for the HRA Stage 1 Assessment, require by the end of the month
- Any comments on the attached in regards to reports that may be needed for planning

I hope the above is self-explanatory and look forward to your response.

Regards

Paul

Paul Slater
Senior Estimator

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