AMENITYTREE

ENVIRONMENTAL PLANNING CONSULTANTS

Ground Level Tree Assessment (GLTA)

Version One. 03.06.2025
Prepared for: Jigsaw Homes

Site: Apollo Public House

NAME OF SITE:	**Apollo Public House**
PROJECT No:	**12351**
CLIENT NAME:	**Jigsaw Homes**
SPECIALIST:	**Amenity Tree Care Ltd**
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VERSION CONTROL:	**Version 1**

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Appendix 1 Legislation

1.0 Introduction

Site description, location, context, and development proposal

1.1 Amenity Tree Care was commissioned by the client to undertake GLTA of potential roost features (PRF's) on a single tree to be removed for a planning application. The site is located within the Miles Platting area of Manchester in an urban environment and enclosed by existing residential land uses and is proposed for development resulting in the loss of the tree subject to this survey.

1.2 The purpose of this report is to establish the potential of the affected tree to offer foraging and roosting potential/features for protected bat species, and to identify if the tree affected by development which may contain features that will require further survey effort.

1.3 The objective of the report is to assess those tree habitats affected by development to support roosting bats, and to rate (none, negligible, low, moderate or high) potential of the tree to offer shelter for bats.

1.4 The objectives include the provision of any applicable mitigation measures and / or further survey recommendations in relation to the extent and use of the site by protected species as is required by the current BCT guidelines section (Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good practice Guideline (4th Edn).

2.0 Methodology

2.0 Summary of survey methods

2.1 An external inspection (Ground Level Tree Roost Assessment, GLTA) walkover was carried out on the habitats and tree in relation to their potential features which could be used by bat species and assessment of potential roost features rated low, Medium and High in accordance with the 2023 BCT guidelines section 6 surveying trees and woodlands for bats (and in particular 6.5). This was carried out on the 2nd of June 2025 by Ryan Whitmarsh acting as an accredited agent using Simon Brain Natural England Class 2 license (2015-17334-CLS-CLS).

2.2 The following signs may indicate a bat roosting within trees.

Droppings can be found internally within PRF's and may be found externally around roost features on bark, or below the entrances to roost sites. Evidence of access and egress by bats to a roost site may include droppings below the entrance to the roost site or staining around the access to the roost feature. Where bats are present in large numbers there may be evidence of urine stains. Typical roost features consist of cavities in the trunk or branches, hazard beams, Woodpecker holes, loose and lifted bark, fluting, cracks, splits, crevices, and thick Ivy stems.

2.3 Pre-existing data on local bat species

The closest granted European Protected Species (EPS) license application by Natural England was for bat species located approximately 250m to the southwest for C-Pip dating from 2019. http://www.natureonthemap.naturalengland.org.uk/MagicMap.aspx

3.0 Results

Summary

3.1 A single Lime tree located to the left of the site entrance was surveyed and did not contain PRF due to the age and form of the tree and was denoted as being negligible due to the lack of features to support roosting Bats. (see images in appendices).

4.0 Assessment and Summary

4.1 An assessment was made of the habitat that surrounds the survey area and its suitability for foraging and commuting bats. Bats use key features in the landscape such as hedgerows, rivers, ponds, and woodland edges to navigate from one area to another. These features are also used by bats for foraging insects. The landscape that immediately surrounds the site provides limited habitat for commuting and foraging as the site is surrounded by predominantly urban buildings, industrial areas and roads. Waterways and park areas containing high value foraging and commuting habitat exist to the south and northeast within 400mm of site.

5.0 Recommendations and mitigation

No further survey effort is required due to the lack of suitable PRF's on the tree to be removed.

5.1 Mitigation measures and mitigation licenses

Mitigation measures and the need for Natural England licensing are not required for the tree to be removed.

Appendix One – Legislation

All bat species in the UK are fully protected under The Conservation (Natural Habitats, &c.) Regulations 2010 (as amended) through their inclusion on Schedule 2 of the Act. Regulation 41 prohibits:

Deliberate killing, injuring or taking (capture) of bats Deliberate

disturbance of bats in such a way as to:

impair their the ability to survive, breed, or rear or nurture their young; or

affect significantly the local distribution or abundance of bat species; or impair their ability to hibernate or migrate

Damage or destruction of a bat breeding site or resting place i.e. roost

- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

All bat species in the UK are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, it is an offence to:

- Intentionally or recklessly disturb any bat while it is occupying a structure or place which it uses for shelter or protection
- Intentionally or recklessly obstruct the access to any place of shelter or protection used by bat(s)
- Sell, offer or expose for sale, possess or transport a bat(s) for the purpose of sale.

A European Protected Species Mitigation (EPSM) License issued by the relevant countryside agency (e.g. Natural England) will need to be applied for to allow derogation from the relevant legislation i.e. for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young, hibernate, migrate). In certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded de facto protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost.

Conservation (Natural Habitats) Regulations 2010

The species protection provision of the EC Habitats Directive 1992, as implemented by the Conservation of Habitats and Species Regulations 2010, comprises three “derogation tests” which must be applied by the Local Planning Authority when deciding whether to grant planning permission for a development that could harm a European Protective Species. The three tests are that:

- The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative; and,
- Favorable Conservation Status (FCS) of the species must be maintained.

It is the responsibility of the applicant to submit sufficient information to address these tests when applying for planning permission. For development activities, an EPSM Licence application can only be obtained after planning permission has been granted. However, the granting of planning permission does not guarantee that a license will be issued by the relevant countryside agency.

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) (2021) sets out the Government's national policies on different aspects of planning in England. Section 10 paragraphs 109 to 125 details planning policies on the conservation and enhancement of the natural environment. Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.
In summary:
The planning system should contribute to and enhance the natural and local environment by: 'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.' (NPPF Section 10, para 109)
When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm 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 (Section 10, para 118).
- Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted (Section 10, para 118).
- Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted (Section 10, para 118).
- Opportunities to incorporate biodiversity in and around developments should be encouraged (Section 10, para 118).

  7Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss (Section 10, para 118)
- Potential Special Protection Areas and possible Special Areas of Conservation, listed or proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites, should be given the same protection as European sites (Section 10, para 118).
- The presumption in favour of sustainable development (para 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined (Section 10, para 119)
- Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Section 10, para 125).

Local planning authorities must take account of the conservation of protected species when determining planning applications. The presence of protected species is a material consideration when assessing a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. This requirement has important implications for bat surveys as it means that, where there is reasonable likelihood of bats being present and being affected by the development, surveys must be carried out before planning permission is considered' (BCR 2012). In order for the Local Planning Authority to adequately assess a development proposal against National and

Local Planning Policy, full comprehensive ecological surveys need to be carried out and suitable mitigation strategies compiled prior to the submission of any planning application. This information will be reviewed by the Local Planning Authority in consultation with the relevant countryside agency and other conservation bodies.

Any developer should, in the first instance, consult the relevant Local Plans to assess the suitability of their proposal (refer to NPPF Section 10 paras 113 to 117).

Natural Environment and Rural Communities Act 2006 (NERC)

Part 3, Section 40 of the NERC Act 2006 states that 'every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity', otherwise known as the Biodiversity Duty. Under Section 41 of the Act, the Secretary of State must publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity. This list is based on those species listed in the UK Biodiversity Action Plan (BAP) as priority species. The S41 list replaces the list published under Section 74 of the Countryside and Rights of Way (CRoW) Act 2000.

Biodiversity Action Plan

Biodiversity Action Plans (BAPs) set out actions for the conservation and enhancement of biological diversity at national, regional and local level. They consist of both Habitat Action Plans (HAPs) and Species Action Plans (SAPs) and species and habitats listed within these are defined as being of Principal Importance for the Conservation of Biodiversity under Section 41 of the NERC Act 2006. Local authorities must consider these species and habitats when determining planning application.

Appendix 2 PRF Images

GLTA survey images of a single Lime tree which is determined as having no potential for roosting bats (Negilgible).




