St Gabriel's, Oxford Place, Greater Manchester, Biodiversity Impact Assessment 2024

RACHEL HACKING ECOLOGY

Client	McLaren Property
Project Title	St Gabriel's, Oxford Place, Greater Manchester
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Executive Summary

Development Details

The client is proposing residential development the site, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Outcomes

The proposed development is predicted to result in a net loss of habitat and hedgerow units. The trading rules of the metric are not met due to the loss of trees and hedgerows. See the assessment and summary sections for specific information on unit/trading rule deficits and recommendations for achieving net gain offsite.

1. Introduction

1.1 Project Brief

1.1.1 Rachel Hacking Ecology Limited was commissioned in 2024 by McClaren Property to carry out a Biodiversity Impact Assessment of land at St Gabriel's, Oxford Place, Greater Manchester. The site is located at O.S. grid reference: SJ 85239 95752 (see Figure 1).

Figure 1. Map showing the location of the site courtesy of OpenStreetMap

1.1.2 The proposed development site is no longer in use and currently comprises the former St Gabriel's Hall, the adjacent Chapel, Woodthorpe Hall and St David's Hall. The buildings are surrounded by hardstanding and overgrown gardens composed of areas of amenity grassland and flowerbeds containing mature shrubs. Scattered trees are present across the site primarily on the site boundaries. The site is located within an urban area, Oxford Place runs along the southern boundary of the site with commercial and residential developments lying on all other sides.

Description of Development

1.1.3 The site will be the subject of a planning application for a residential development for 300 units of student accommodation with associated landscaping. The Chapel and Woodthorpe Hall will be retained, and refurbished, and the remaining buildings demolished for new build.

Relevant Planning History

1.1.4 An Extended Phase 1 Habitat survey as undertaken by Rachel Hacking Ecology in 2022.

1.2 Scope of Work

1.2.1 The Client commissioned Rachel Hacking Ecology to undertake a Biodiversity Impact Assessment to quantify the predicted changes in habitats and biodiversity units resulting from the proposed development.

1.3 Site Visit Information

Survey Details

1.3.1 A Phase 1 Habitat survey was undertaken on 24th February 2022 to JNCC standards (JNCC, 2010). The site was walked, and each habitat was assigned a Phase 1 habitat category. Species lists were taken at locations of botanical interest. All botanical nomenclature follows Stace, 2019.

1.3.2 There were no constraints to the survey of the site. All habitats were accessible and all plants identifiable.

2. Methods

2.1 Biodiversity Net Gain

2.1.1 During the site walkover the ecological condition of each habitat was assessed in accordance with the Defra (2023) guidelines[1]. Habitat types recorded and mapped during the field survey were converted from the JNCC system to the UK Habitat Classification system[2].

2.1.2 Habitat data including type, area (or length), condition and strategic location were uploaded to the Defra 4.0 Biodiversity Metric Calculator spreadsheet to determine the baseline value of the site. The extent of any habitats to be retained or enhanced was also entered into baseline worksheets.

2.1.3 The post-development masterplan was interrogated to determine areas of hard standing, buildings, and associated infrastructure. New, retained and enhanced habitats were classified and allocated a target condition, based on habitat type, location and management input. This information was uploaded to the metric spreadsheet to obtain a post-development value.

2.1.4 The pre- and post-development values were compared to determine whether the yield of biodiversity units achieved a deficit or gain.

2.1.5 The Defra 4.0 metric has been used throughout the design process, therefore has been continued to be used, despite the Statutory Metric being published in November 2023, to maintain continuity to the design team.

2.2 Mitigation Hierarchy

2.2.1 Mitigation measures should be embedded within the masterplan design and planning application process. Measures during the construction phases should be included in a Construction Environmental Management Plan: Biodiversity (CEMP). This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:

- Aim to avoid negative effects through the design process.
- Mitigate if negative effects cannot be avoided.
- Use compensation measures to offset residual impacts.
- Identify and implement opportunities to enhance biodiversity.

[1] Defra (2023) The Statutory Biodiversity Metric: User Guide (draft). November 2023.

[2] Butcher, B., Carey, P., et al. (2020). UK Habitat Classification – Habitat Definitions V1.1. at http://UKhab.org

3. Results

3.1 Survey Constraints

3.1.1 Field survey results are valid for a limited duration and no investigation can provide a complete description and characterisation of a site. The composition of habitats and species can change depending on environmental variables and the mobility of species, so the results of a study become less reliable over time. In some cases, surveys that are 3 years old may be acceptable for a project assuming that habitats have not significantly changed in the intervening period, but for protected species it is likely that survey data will need to be no more than 18 months old.

3.1.2 The following calculations are based on the Phase 1 Habitat map and the site layout proposals, located at Appendix 2 and 3 respectively. The baseline habitats and their condition assessments are based on the Extended Phase 1 Habitat Survey of the site.

3.2 Baseline Habitats

3.2.1 The baseline is calculated to be 5.86 habitat units.

Continuous Scrub

3.2.2 Two introduced shrub beds overgrown with scrub occur in the east of the site.

3.2.3 Scattered scrub is also present across the site mainly within the bare ground/ephemeral short perennial habitat.

3.2.4 This habitat is classed as Mixed scrub under UKhab and covers an area of 0.0249ha. This habitat is of medium distinctiveness and low strategic importance. Mixed Scrub has a condition assessment of Poor and achieves 0.1 habitat units.

Introduced Shrub

3.2.5 Beds of mature shrubs are present on the edge of the garden spaces.

3.2.6 This habitat is classed as introduced shrub under UKhab and this extends to 0.0806ha. Condition assessment is not applicable for introduced shrub, which is of low distinctiveness and low strategic significance. The habitat scores 0.16 habitat units.

Bare Ground

3.2.7 The majority of the site is covered with hardstanding, surrounding the buildings, as amenity spaces, car parking and paths between the buildings. Ephemeral short perennial species are present on the edge of the bare ground.

3.2.8 This habitat is classed as sealed surface under UKhab and this extends to 0.597ha. This habitat is of very low distinctiveness and low strategic significance. Condition assessment is not applicable for developed land; Sealed surface habitat. The habitat scores zero habitat units.

Modified Grassland

3.2.9 Areas of amenity grassland are present on the site. The grassland is managed frequently keeping it generally short.

3.2.10 This habitat is classed as modified grassland under UKhab and this extends to 0.0946ha. This habitat is in poor condition and is of low distinctiveness and low strategic significance. The habitat scores 0.19 habitat units.

Scattered Trees

3.2.11 Scattered trees occur on the site, primarily within the flowerbeds on the site boundaries.

3.2.12 This habitat is measured at 0.6759ha. This habitat is categorised as Individual Trees; Urban Tree under the UKHab classification. This is a habitat with low strategic importance and medium distinctiveness. This habitat is in moderate condition as it fails two of the six assessment criteria. The habitat scores 5.41 habitat units.

Buildings

3.2.13 This habitat comprises areas of building footprints.

3.2.14 This habitat is classed as sealed surface under UKhab and this extends 0.0249ha. This habitat is of very low distinctiveness and low strategic significance. Condition assessment is not applicable for developed land; Sealed surface habitat. The habitat scores zero habitat units.

Ornamental Hedgerows

3.2.15 Non-native, ornamental hedgerows are located across the site with a total measurement of 0.069km. This habitat is of very low distinctiveness and low strategic significance. The ornamental hedgerows provide 0.07 hedgerow units.

Native Hedgerow

3.2.16 A native hedgerow is located on site measuring 0.03km. This habitat is of low distinctiveness and low strategic significance. The native hedgerow provides 0.06 hedgerow units.

3.3 Proposed Habitats

3.3.1 The Proposed Layout Plan from which the proposed measurements have been taken is provided at Appendix 3.

3.4 Retained Habitats

Mixed Scrub

3.4.1 An area of mixed scrub, measuring 0.006ha, is proposed to be retained as part of the site proposals. This will retain 0.02 habitat units.

Introduced Shrub

3.4.2 An area of introduced shrub, measuring 0.039ha, is proposed to be retained as part of the site proposals. This will retain 0.08 habitat units.

Individual Trees

3.4.3 Six small, seven medium and three large trees are proposed to be retained. This will retain 1.98 habitat units.

3.5 Created Habitats

Urban; Developed Land; Sealed Surface

3.5.1 This habitat includes areas of hardstanding and building footprints. These have a total area of 0.658ha. This is a habitat of very low distinctiveness and low strategic significance. Condition assessment is not applicable. Developed land; sealed surface scores zero habitat units.

Introduced Shrub

3.5.2 Proposed shrub beds cover an area of 0.061ha. This habitat is of low distinctiveness and low strategic importance. Condition assessment is not applicable to this habitat, and provides 0.12 habitat units.

Modified Grassland

3.5.3 Areas of amenity grassland are proposed across the site with a total measurement of 0.058ha. This habitat is of low distinctiveness and low strategic importance. The target condition of this grassland is poor and will provide 0.11 habitat units.

Modified Grassland

3.5.4 Areas of wildflower grassland are proposed across the site with a total measurement of 0.058ha. This habitat is of low distinctiveness and low strategic importance. The target condition of this grassland is good and will provide 0.3 habitat units.

Individual trees

3.5.5 Twenty-three trees are proposed to be planted across the site. This is a habitat with low strategic importance and medium distinctiveness. This habitat has a target size of small and condition of poor and provides 0.26 habitat units.

Native Hedgerow

3.5.6 A small native hedgerow is proposed on site. This has a length of 0.003km and provides 0.01 hedgerow units.

Ornamental Hedgerows

3.5.7 Ornamental hedgerows are proposed across the site with a total measurement of 0.035km. The ornamental hedgerows are of low strategic importance and very low distinctiveness and provide 0.03 hedgerow units.

4. Assessment

4.1.1 The summary of the predicted changes in Biodiversity Units is shown within Table 1.

4.1.2 The baseline habitat units are calculated to provide 5.86 units and baseline hedgerow units are 0.13 units.

Table 1 showing a summary of the Biodiversity Net Gain Assessment

Metric section	Units Achieved					Results	
	Baseline	Post-development				Change in Units	Percentage Change
		Retained	Enhanced	Created	Total		
Habitat Units	5.86	2.09	0.0	0.79	2.88	-2.98	-50.88%
Hedgerow Units	0.13	0.06	0.0	0.04	0.1	-0.03	-23.12%

4.1.3 The proposed development is predicted to result in a net loss of 2.98 habitat units, which equates to a -50.88% net loss in habitats units and a net loss of 0.03 hedgerow units, which equates to -23.12%.

4.1.4 The units required to achieve 10% net gain are 3.566 habitat units and 0.43 hedgerow units.

Trading Rules

4.1.5 The Trading Rules within the metric have not been satisfied. This is largely due to the proposed loss of trees and native hedgerows on site.

4.1.6 To satisfy the trading rules, the loss of trees and hedgerows needs to be compensated for through the provision of new trees and native hedgerows (or a habitat of higher quality) which is not feasible for this site.

5. Summary

5.1.1 The proposed development is predicted to result in a net loss of habitat and hedgerow units and does not satisfy the Trading Rules.

5.1.2 For the proposed development to achieve an overall net gain for biodiversity it will be necessary to seek mitigation or compensation for any shortfall in units either by direct management of land by the applicant or the purchase of biodiversity units from a third party.

5.1.3 To account for the habitat unit deficit, the loss of vegetated garden, and to achieve 10% net gain on site, there are three options:

5.1.4 Scenario A is on-site mitigation. If on-site mitigation is insufficient to deliver a post-development 10% net gain for biodiversity, two other options are available:

5.1.5 Scenario B: the developer is unable to compensate all impacts on-site but is able to secure local compensatory habitat creation. This scenario is not modelled explicitly and would require making assumptions for what an individual development might look like.

5.1.6 Scenario C: the developer is unable to compensate on site and is unable to find local compensatory habitat in which to invest. Instead, they have to pay for their units through a biodiversity unit offsetting market.

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2023) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 180 and 186, shown below:

- 180. Planning policies and decisions should contribute to and enhance the natural and local environment by:
    a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
    b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
    c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
    d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
    e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
    f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 186. When determining planning applications, local planning authorities should apply the following principles:
    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 Site of Special Scientific Interest, 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 Sites of Special Scientific Interest;

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.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

a) Deliberately capture, injure or kill an EPS;

b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.

c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;

d) Damage or destroy a breeding site or resting place of an EPS;

e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;

f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CRoW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

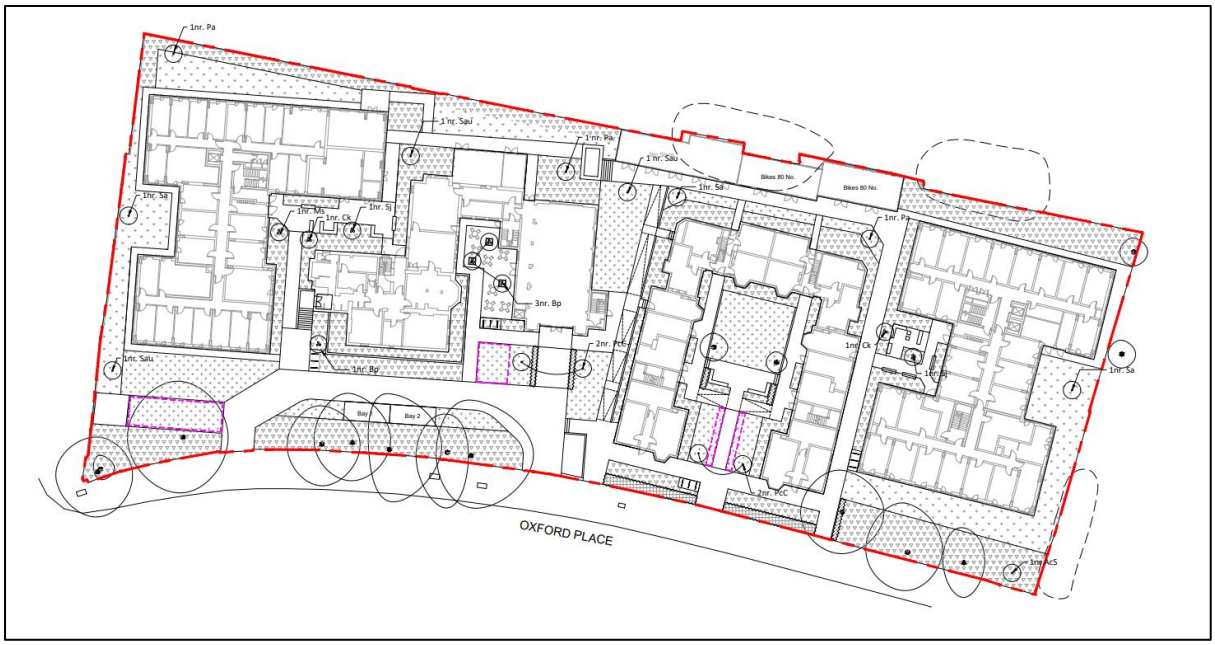
Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.

The Environment Bill 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Bill 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Bill 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other satisfactory solution' and that granting the licence is 'not detrimental to the survival of any the population of the species concerned'. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

Appendix 2: Habitats Survey Plan

Appendix 3: Landscaping Proposals