

# Preliminary Ecological Appraisal

## Manley Park, Manchester

## A Report To: Labosport

Report Number: RT-MME-181389-04

Date: November 2024



## Quality Assurance

| Date       | Version | Author                                      | Checked and Approved by                                        |
|------------|---------|---------------------------------------------|----------------------------------------------------------------|
| 31/11/2024 | FINAL   | Amy Carter MSc (Ecological Project Officer) | Ellie Rickman MSc, MCIEEM<br>(Principal Ecological Consultant) |

## Declaration of Compliance

This study has been undertaken in accordance with British Standard 42020:2013 “Biodiversity, Code of Practice for Planning and Development”. The information which we have prepared is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management’s Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide **opinions**.

## Disclaimer

The contents of this report are the responsibility of Middlemarch Environmental Ltd. It should be noted that, whilst every effort is made to meet the client’s brief, no site investigation can ensure complete assessment or prediction of the natural environment. Middlemarch Environmental Ltd accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

## Validity of Data

The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

# Non-Technical Summary

## Project Background

In November 2024 Labosport commissioned Middlemarch to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Manley Park, Whalley Range, Manchester. This assessment is required to inform a planning application associated with the removal of an existing artificial, multi-use sports pitch and replacing it with a larger modernised artificial, multiuse play pitch.

## Scope of Appraisal

To fulfil the above brief, an ecological desk study and a walkover survey (in accordance with Phase 1 Habitat Survey) were undertaken. The survey was carried out on 5<sup>th</sup> of November by Amy Carter MSc (Ecological Project Officer). An initial review of the ecological data was subsequently carried out to determine the features of ecological importance on site as well as a preliminary assessment of the potential impacts the proposed development could have on these features.

## Preliminary Evaluation and Impact Assessment

No notable or Habitats of Principal Importance are located within the site boundary. The most notable features located adjacent to the site comprise of scattered mature boundary trees. The trees adjacent to the site provide ecological value and potential to support wildlife including nesting birds and foraging/commuting bats. The amenity grassland also provides some foraging opportunities for small terrestrial mammals.

Potential impacts which could occur as a result of the proposals include damage to off-site trees, and the killing, injury or disturbance of protected and notable species.

Whilst the proposed development has the potential to adversely impact ecological features, it also presents opportunities to deliver new or enhanced habitats and benefits to biodiversity, please refer to Section 5.6 for full details.

## Recommendations

In order to ensure compliance with wildlife legislation and relevant planning policy and to secure a net gain for biodiversity overall, the following recommendations are made (full details are provided in Chapter 6):

|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Scheme Design and Biodiversity Net Gain</b> | <p>In the first instance the proposals should be designed to avoid/minimise losses of trees and incorporate these habitats in the landscaping layout of the scheme accordingly. Where losses or impacts are unavoidable, compensation should be provided.</p> <p>In accordance with the principles of the Environment Act 2021 the development will need to secure an overall net gain for biodiversity. The Statutory Biodiversity Metric Calculation Tool should be used to help guide and quantify the baseline and proposed value of the scheme. A Biodiversity Statement and Metric Assessment should be produced to inform any planning application.</p> |
| <b>General Safeguarding Measures</b>           | <p>Safeguards and appropriate working practices should be employed throughout the works to minimise adverse effects on biodiversity and ensure compliance with UK Wildlife Legislation. These include tree protection measures and working practices to safeguard nesting birds and foraging terrestrial mammals. Full details are given in Section 6.</p>                                                                                                                                                                                                                                                                                                     |

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# 1. Introduction

## 1.1. Project Background

In November 2024, Labosport commissioned Middlemarch to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Manley Park, Whalley Range, Manchester. This assessment is required to inform a planning application associated with the replacement of an existing tarmac multi-use sports pitch with a new artificial multi-use play area.

Middlemarch has also been commissioned to undertake the following assessments:

- Preliminary Arboricultural Assessment (RT-MME-181389-01).
- Arboricultural Impact Assessment (RT-MME-181389-02)
- Arboricultural Method Statement (RT-MME-181389-03)

## 1.2 Site Description and Context

Table 1.1 provides a brief summary of the site and its surroundings.

| Attribute                   | Description                                                                                                                                                                                                                                                                                     |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location                    | Manley Park, Whalley Range, Manchester                                                                                                                                                                                                                                                          |
| National Grid Reference     | SJ 82221 94618                                                                                                                                                                                                                                                                                  |
| Site Area (ha)              | 0.07 ha                                                                                                                                                                                                                                                                                         |
| Topography                  | Flat                                                                                                                                                                                                                                                                                            |
| Land Cover (on site)        | The site is dominated by an artificial sports pitch adjacent to a community sports facility enclosed within fencing, and is surrounded by amenity grassland.                                                                                                                                    |
| Land Cover (site surrounds) | The site is located within Manley Park which comprises amenity grassland, play areas and scattered mature trees. The wider landscape is dominated by the urban area of Whalley Range, near Manchester City Centre with residential houses, gardens, churches, schools and commercial buildings. |

**Table 1.1: Summary of Site and Surroundings**

## 1.3 Documentation Provided

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1.2.

| Document / Drawing Number                     | Author            |
|-----------------------------------------------|-------------------|
| LSUK.24-0478-01D_PROPOSED LAYOUT_V2.pdf       | Labosport         |
| LSUK.24-0478-01P_MANLEY LOCATION PLAN.pdf     | Labosport         |
| LSUK.24-0478-03D_MANLEY BNG PLAN.pdf          | Labosport         |
| hls9194 - Manley Park.pdf (Lighting Strategy) | Halliday Lighting |

**Table 1.2: Documentation Provided by Client**

## 2. Methods

### 2.1 Desk study

An ecological desk study was undertaken to determine the presence of any designated nature conservation sites and protected species in proximity to the site. This involved contacting appropriate statutory and non-statutory organisations which hold ecological data relating to the survey area. Middlemarch then assimilated and reviewed the desk study data provided by these organisations.

The consultees for the desk study were:

- Natural England - MAGIC website for statutory conservation sites;
- Places For Everyone (Greater Manchester Unitary Plan) <https://www.greatermanchester-ca.gov.uk/media/4839/places-for-everyone-accessible-version.pdf>
- Manchester City Council website for local planning policy/strategy
- Greater Manchester Ecology Unit

The desk study included a search for:

- Relevant local planning policy/strategies with regard to biodiversity and nature conservation;
- European statutory nature conservation sites in the UK (collectively the 'National Site Network') within a 10 km radius of the site;
- UK statutory sites within a 2 km radius; and,
- Non-statutory sites and protected/notable habitats and species records within a 1 km radius.

The data collected from the consultees are discussed in Chapter 3. In compliance with the terms and conditions relating to its commercial use, the full desk study data are not provided within this report.

### 2.2 Phase 1 Habitat / UK Hab Survey

A field survey was conducted following the Phase 1 Habitat Survey methodology of the Joint Nature Conservation Committee<sup>1</sup> and the Institute of Environmental Assessment<sup>2</sup>. Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are present on site.

During the survey, the presence or potential presence of protected species was noted where observed. This included a review of suitable habitat opportunities or field signs of notable species groups (amphibians, bats, birds, terrestrial and aquatic invertebrates, terrestrial and aquatic mammals, plants and reptiles).

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<sup>1</sup> Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit (reprint)*. Joint Nature Conservation Committee, Peterborough.

<sup>2</sup> Institute of Environmental Assessment. (1995). *Guidelines for Baseline Ecological Assessment*, Institute of Environmental Assessment. E&FN Spon, An Imprint of Chapman and Hall. London.

The survey was carried out on 5<sup>th</sup> of November 2024 by Amy Carter MSc (Ecological Project Officer). Table 2.1 details the weather conditions at the time of the survey

| Parameter        | Condition |
|------------------|-----------|
| Temperature (°C) | 10        |
| Cloud (%)        | 100       |
| Wind (Beaufort)  | F1        |
| Precipitation    | Dry       |

**Table 2.1: Weather Conditions During Field Survey**

#### Field Survey Constraints and Limitations

No constraints or limitations were noted during the field survey.

## 2.3 Preliminary Evaluation and Impact Assessment

An initial review of the ecological data (desk study and Phase 1 Habitat Survey) has been undertaken to identify ecological features that by virtue of their legal status, their inclusion in any national policy or plan, or their rarity or contribution to local ecological networks, are worthy of further consideration in the planning system. This typically includes statutory or non-statutory nature conservation sites, species protected by law, Habitats and Species of Principal Importance in England as defined by the Natural Environment and Rural Communities (NERC) Act 2006 or other ecological corridors and Biodiversity Opportunity Areas outlined in local policy. A preliminary assessment of the potential impacts on these features that could occur as a result of the proposed development has been undertaken. This initial assessment of impacts is based on Middlemarch's current understanding of the project.

## 3. Desk Study

### 3.1 Local Planning Policies/Strategies

Local Planning Policies/Strategies of relevance to ecology in the context of the development are described in Table 3.1. Full details are provided in Appendix 1.

| Policy Document/Strategy                                                      | Relevance to Ecology/Development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Greater Manchester People Places for Everyone Local Plan (Adopted March 2024) | Policy EN 9 Green infrastructure – describes how new development shall be expected to maintain and enhance the green infrastructure function and network. Where losses are unavoidable, developer will be required to demonstrate how the loss will be mitigated.                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                               | Policy EN 15 Biodiversity and Geological Conservation – states that “Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, ..., contributing to linkages between valuable or potentially valuable habitat areas where appropriate ...” with reference to local strategies. It is also stated that developers will be required to mitigate and/or compensate for any adverse impacts on biodiversity.                                                                                                                                                            |
|                                                                               | Policy JP-G2 Green Infrastructure Network – states that “Development within and around the Green Infrastructure Network should be consistent with delivering major green infrastructure improvements within them and should contribute to improvements” and “Wherever practicable, opportunities to integrate new and existing green infrastructure into new development will be taken to protect, enhance and expand the green infrastructure network. Where new or improved green infrastructure is delivered as part of a development, the developer should make appropriate provision for its long-term management and maintenance.” |
|                                                                               | Policy JP-G3 River Valleys and Waterways – describes how development should take advantage of opportunities to integrate green infrastructure through high quality frontages to the water and promote public access to water fronts.                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                                               | Policy JP-G4 Lowland Wetlands and Moss land – describes how lowland wetlands and moss lands will be protected, enhanced and restored.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                                                               | Policy JP-G5 Uplands – describes how new development should be integrated into the landscape by utilising existing tree/woodland cover and dips, and where possible adopt the unifying gritstone vernacular. The policy also states that new development should not “have an adverse impact on protected habitats of the South Pennine Moors SAC, the Peak District Moors SPA and the South Pennine Moors Phase 2 SPA from urban edge effects, loss of and/or disturbance to functionally linked habitats and recreation disturbances”.                                                                                                  |
|                                                                               | Policy JP-G6 Urban Green Space – describes how existing urban green spaces will be protected and enhanced and how new development designs should be designed to support positive use of nearby urban green spaces.                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                               | Policy JP-G7 Trees and Woodland – describes how trees and woodland will need to be protected during the construction phase of development and states “where development would result in the loss of existing trees” replacement will be required “on the basis of two new                                                                                                                                                                                                                                                                                                                                                                |

|                                |                                                                                                                                                                                                                                                                                         |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                | trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area".                                                                                                        |
|                                | Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity – requires all development to follow the mitigation hierarchy and have at least a 10% net gain in biodiversity value.                                                                                                   |
| Local Nature Recovery Strategy | <p>The Local Nature Recovery Strategy for Greater Manchester is currently in consultation and is due to be in place by 2025.</p> <p>Current available documents include the full draft Greater Manchester Local Nature Recovery Strategy and Greater Manchester Nature Network map.</p> |

**Table 3.1: Summary of Relevant Local Planning Policies/Strategies**

## 3.2 Nature Conservation Sites

Statutory and non-statutory nature conservation sites located in proximity to the survey area are summarised in Table 3.2.

| Site Name                                                                     | Designation | Proximity to the Survey Area | Description                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------|-------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>European Statutory Sites</b>                                               |             |                              |                                                                                                                                                                                                                                                                                              |
| Rochdale Canal SAC                                                            | SAC         | 9.2 km north-east            | Rochdale Canal is categorised as an SAC for its notable and protected floating, emergent and marginal flora. Throughout the area the bankside habitat is suitable for water voles <i>Arvicola amphibius</i> and good populations of this species have been recorded in Rochdale in the past. |
| <b>UK Statutory Sites</b>                                                     |             |                              |                                                                                                                                                                                                                                                                                              |
| Chorlton Ees and Ivy Green                                                    | LNR         | 1.5 km south-west            | An area of deciduous woodlands and meadows.                                                                                                                                                                                                                                                  |
| Broad Ees Dole                                                                | LNR         | 1.6 km south-west            | An area with a mixture of woodland, wetland and grasslands.                                                                                                                                                                                                                                  |
| <b>Key:</b><br>SAC: Special Area of Conservation<br>LNR: Local Nature Reserve |             |                              |                                                                                                                                                                                                                                                                                              |

**Table 3.2: Summary of Nature Conservation Sites**

The site falls within the impact risk zone for Hollingwood Branch Canal, Huddersfield Narrow Canal, Rochdale Canal situated approximately 9.9 km, 11.8 km and 9.2 km, respectively. The site also falls within the impact risk zone for Nob End SSSI and Ashdough SSSI, situated approximately 12.5 km, respectively. Reference to Natural England's Impact Risk Zone tool identifies air pollution that relates to livestock, poultry units and slurry lagoons as a risk to these sites as well as proposals that relate to general combustion processes including energy from waste incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, and any other incineration/combustion.

### 3.3 Habitats

From a review of aerial imagery, although no waterbodies are located within a 500 m radius of the site, it is likely some residential gardens in the area may support ponds.

### 3.4 Protected / Notable Species

Table 3.3 and the following text provide a summary of protected and notable species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

| Species                                                                                                                                                                                                                     | No. of Records | Most Recent Record | Proximity of Nearest Record to Survey Area | Species of Principal Importance? | Legislation / Conservation Status |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|--------------------------------------------|----------------------------------|-----------------------------------|
| <b>Mammals - Bats</b>                                                                                                                                                                                                       |                |                    |                                            |                                  |                                   |
| Common pipistrelle<br><i>Pipistrellus pipistrellus</i>                                                                                                                                                                      | 25             | 2023               | 90 m north-east                            | -                                | ECH 4, WCA 5, WCA 6               |
| Unidentified Pipistrellus<br><i>Pipistrellus</i> sp.                                                                                                                                                                        | 14             | 2021               | 200 m north-west                           | #                                | ECH 4, WCA 5, WCA 6               |
| Noctule<br><i>Nyctalus noctula</i>                                                                                                                                                                                          | 1              | 2021               | 370 m north*                               | ✓                                | ECH 4, WCA 5, WCA 6               |
| Unidentified bat<br><i>Chiroptera</i> sp.                                                                                                                                                                                   | 3              | 2014               | 370 m north                                | #                                | ECH 2 #, ECH 4, WCA 5, WCA 6      |
| <b>Mammals – Other</b>                                                                                                                                                                                                      |                |                    |                                            |                                  |                                   |
| Badger<br><i>Meles meles</i>                                                                                                                                                                                                | 4              | 2020               | †                                          | -                                | WCA 6, PBA                        |
| Hedgehog<br><i>Erinaceus europaeus</i>                                                                                                                                                                                      | 36             | 2022               | 20 m south-west                            | ✓                                | WCA 6                             |
| <b>Amphibian</b>                                                                                                                                                                                                            |                |                    |                                            |                                  |                                   |
| Common toad<br><i>Bufo bufo</i>                                                                                                                                                                                             | 2              | 2012               | 210 m west*                                | ✓                                | WCA 5 S9(5)                       |
| <b>Birds</b>                                                                                                                                                                                                                |                |                    |                                            |                                  |                                   |
| Peregrine<br><i>Falco peregrinus</i>                                                                                                                                                                                        | 1              | 2014               | 660 m east                                 | -                                | WCA 1i                            |
| <b>Key:</b><br>#: Dependent on species.<br>†: Badger records are confidential and therefore proximity is not provided within the report.<br>*: Potentially within a 1 km radius. Grid reference given to four figures only. |                |                    |                                            |                                  |                                   |

**Table 3.3: Summary of Protected/Notable Species Records Continues**

**Key Continued:**

ECH 2: Annex II of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest whose conservation requires the designation of Special Areas of Conservation.

ECH 4: Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest in need of strict protection.

PBA: Protection of Badgers Act 1992.

WCA 1i: Schedule 1 Part 1 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties at all times.

WCA 5: Schedule 5 of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds).

WCA 6: Schedule 6 of Wildlife and Countryside Act 1981 (as amended). Animals which may not be killed or taken by certain methods.

Species of Principal Importance: Species of Principal Importance for Nature Conservation in England.

Note. These tables do not include reference to the Berne Convention (Convention on the Conservation of European Wildlife and Natural Habitats), the Bonn Convention on the Conservation of Migratory Species of Wild Animals or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

**Table 3.3: Summary of Protected/Notable Species Records Continued**

### Birds

As well as the above desk study records, a further 7 bird species of principle importance were identified and are as follows: bullfinch *Pyrrhula pyrrhula*, common redpoll *Carduelis flammea*, dunnock *Prunella modularis*, house sparrow *Passer Domesticus*, song thrush *Turdus philomelos*, starling *Sturnus vulgaris* and tree sparrow *Passer montanus*.

### Invertebrates

A singular record of an invertebrate species of principle importance, the cinnabar moth *Tyria jacobaeae* was also identified during the desk study.

## 3.5 Invasive Species

No invasive species records were identified within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

## 4. Survey Results

### 4.1 Habitats

The habitat types recorded on site during the field survey are described in Table 4.1. A Phase 1 Habitat Survey Drawing (Drawing181389-04), illustrating the location and extent of all habitat types recorded on site, is provided in Chapter 7. Photographs taken during the field survey are presented in Chapter 8.

| Polygon/<br>Line Ref.          | Phase 1<br>Habitat<br>Type | Habitat Description                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Area Habitats</b>           |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>TN1</b>                     | Amenity<br>Grassland       | Small area of amenity grassland surrounding a fenced off astro turf sports pitch. The grass was short mown to approximately 2cm with signs of bare ground from regular footfall. Species composition present included perennial rye grass <i>Lolium perenne</i> , annual meadow grass <i>Poa annua</i> , daisy <i>Bellis perenis</i> , dandelion <i>Taraxacum sp</i> and occasional ribwort plantain <i>Plantago lanceolata</i> (Plate 8.1). |
| <b>TN2</b>                     | Astro Turf                 | The artificial pitch comprised astro turf, with no encroaching vegetation. There were occasional signs of wear. The area was fenced around the perimeter by tall wire mesh fencing (Plate 8.2).                                                                                                                                                                                                                                              |
| <b>Notable Offsite Habitat</b> |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>F1</b>                      | Mature<br>Trees            | Lines of mature trees, predominantly rows of large european lime <i>Tilia x europaea</i> (Plate 8.3) surrounded by amenity grassland green space were present in the wider park area (Plate 8.4).                                                                                                                                                                                                                                            |

**Table 4.1: Summary of Habitats on Site**

### 4.2 Protected/Notable Species

Table 4.2 summarises the suitability of the site for protected/notable species and any species/evidence of species that were recorded during the survey. The time of year at which the survey is undertaken will affect species or field signs directly recorded during the survey.

| Species/Group                        | Description                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Other terrestrial mammals (hedgehog) | The site provides some limited foraging opportunities for terrestrial mammals, such as hedgehog. The line of trees delineating the south-western edge of the wider amenity field and playground links the site to areas of suitable, but limited, refuge and foraging habitat within residential gardens in the surrounding landscape. |
| Birds                                | The scattered mature trees in close proximity to the site to the south and south-west may support a range of common/generalist species as well as more notable species, which may nest amongst scattered trees.                                                                                                                        |
| Bats                                 | The scattered trees in close proximity to the site to the south and south-west provide some suitable features for foraging and commuting bats.                                                                                                                                                                                         |

**Table 4.2: Summary of Species/Species Evidence Recorded on Site**

### 4.3 Invasive Species

No Invasive species were provided in the desk study data within 1 km of site. It should be noted that the absence of field survey observations should not be taken as confirmation that a species is absent from the search area.

## 5. Preliminary Evaluation and Impact Assessment

### 5.1 Summary of Proposals

It is understood that the proposals will involve the permanent loss of an area of amenity grassland to facilitate the construction of sand dressed synthetic turf surfaced play zone with associated perimeter fencing, floodlighting, hard-standing spectator area, new pathways to the south-west for access.

The proposed development is unlikely to adversely impact important ecological features and presents opportunities to deliver new or enhanced habitats and benefits to biodiversity.

Activities likely to be associated with the proposed development during the construction and operational phases are outlined below.

#### Construction Phase

- Site clearance and ground preparation;
- Use and movement of heavy goods vehicles and machinery;
- Storage of plant, materials and waste;
- Presence of and movement of site personnel; and,
- Creation of landscaping / delivery of new habitats.

#### Operational Phase

- Permanent siting of new artificial sports pitch;
- Use of lighting associated with sports pitches;
- Presence of and movement of the general public and site personnel;
- Establishment of new habitats; and,
- Maintenance of landscaping.

### 5.2 Nature Conservation Sites

An initial review of the proposals (see Section 5.1) has been undertaken to determine whether the project has the potential to affect any nature conservation sites. The identified sites are listed in Table 5.1, and justification for scoping them in or out of further assessment is provided.

| Nature Conservation Site        | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                             | Further Action Required? |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>European Statutory Sites</b> |                                                                                                                                                                                                                                                                                                                                                                                            |                          |
| <b>Rochdale Canal SAC</b>       | Rochdale Canal SAC is located 9.2 km north-east of the survey area and supports flora populations of international importance. Due to the intervening built up nature between the sites and since the proposed development is non-residential small in scale, it is considered unlikely that the construction or operational phases of the development will impact this conservation site. | No, site scoped out      |

**Table 5.1: Summary of Potential Impacts on Nature Conservation Sites Continues**

| Nature Conservation Site                            | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Further Action Required? |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>UK Statutory Sites</b>                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                          |
| Multiple SSSIs                                      | <p>The site also falls within the impact risk zones for Hollingwood Branch Canal, Huddersfeld Narrow Canal, Rochdale Canal situated approximately 9.9 km, 11.8 km and 9.2 km, respectively and also within the impact risk zone for Nob End SSSI and Ashdough SSSI. Reference to Natural England's SSSI Impact Risk Tool indicates that development proposals relating to air pollution from livestock, poultry units and slurry lagoons; and proposals that relate to general combustion processes including energy from waste incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, and any other incineration/combustion, pose a potential risk to these designated sites. The proposed works do not fall into any of the above risk categories.</p> <p>Given the type of development and distance from the SSSI, the risk of recreational impacts on the site can be scoped out.</p> | No, sites scoped out.    |
| Chortlon Ees & Ivy Green LNR and Broad Ees Dole LNR | Chortlon Ees & Ivy Green and Ees Dole LNR are both situated over 1km of the proposed development and due to the intervening built up nature between the sites and since the proposed development is non-residential or commercial/industrial and small in scale, it is considered unlikely that the construction or operational phases of the development will impact these local nature reserves.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No, sites scoped out.    |

**Table 5.1: Summary of Potential Impacts on Nature Conservation Sites Continued**

## 5.3 Habitats

The ecological importance of the habitats present on site is determined by their presence on the list of Habitats of Principal Importance in England and on the Local BAP (if relevant). Also taken into account is the intrinsic value of the habitat, its rarity and contribution to local ecological networks.

Table 5.2 below summarises the potential adverse impacts on habitats that may occur as a result of the construction and operational activities of the proposed development (see Section 5.1), in the absence of mitigation. A separate discussion of the value of the habitats on site to protected or notable species is provided in Section 5.4 below.

| Habitats                                  | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Further Action Required?                                                                  |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <b>Non-Priority Notable Habitats</b>      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                           |
| <b>Scattered trees (off-site)</b>         | <p>The scattered mature trees located along the playing field north-eastern boundary fence in close proximity to the site boundary have intrinsic ecological value and cannot be easily replaced in the short to medium term.</p> <p>The current site masterplan indicates that the off-site boundary trees will be retained as part of the development, however there is potential for habitat damage or degradation during construction works or as a result of inappropriate post-construction landscape management.</p> | Appropriate Scheme Design (Recommendation R1) and Protection Measures (Recommendation R2) |
| <b>Other Habitats</b>                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                           |
| <b>Other habitats (amenity grassland)</b> | Although amenity grassland is not considered to be ecologically important and do not require further detailed consideration in the context of assessing impacts, they do hold some value and contribute to overall site biodiversity, which is recognised through the use of a biodiversity metric tool.                                                                                                                                                                                                                    | Appropriate Scheme Design (Recommendation R1)                                             |

**Table 5.2: Summary of Potential Impacts on Habitats**

## 5.4 Protected / Notable Species

Table 5.3 below summarises the potential adverse impacts on species/species groups that may occur as a result of the construction and operational activities of the proposed development (see Section 5.1), in the absence of mitigation.

Species/species groups discussed are based on those species highlighted in the desk study exercise and other species for which potentially suitable habitat occurs within or adjacent to the survey area. This includes species protected by law under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife and Countryside Act 1981 (as amended), as well as those listed as Species of Principal Importance in England.

| Species / Species Group | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Further Action Required?                      |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>Bats</b>             | <p>There are records of at least two bat species within a 1 km radius including pipistrelles, noctule and also further records of unidentified pipistrelle and bat species. The closest recorded were common pipistrelle, situated 210 m south-west of the site. Whilst no suitable roosting habitat for bats is present on site the adjacent community centre and adjacent scattered mature trees in close proximity to the site boundary may provide some suitable roosting, foraging and commuting habitat.</p> <p>The installation of flood lighting as part of the development has the potential to adversely impact foraging and commuting bats by displacement due to increase in artificial illumination of the area during dark hours.</p> | Appropriate Scheme Design (Recommendation R1) |

**Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continues**

| Species / Species Group               | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Further Action Required?                            |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Birds</b>                          | <p>The desk study identified records of 1 bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) within the search radius, as well as numerous other notable bird species.</p> <p>The habitats on site do not provide suitable nesting and foraging habitat for the Schedule 1 species identified in the desk study, but the scattered trees adjacent to the development boundary and the amenity grassland field can be utilised by a range of other notable and more common/generalist bird species.</p> <p>The development of the site will result in a minor loss of suitable foraging habitat for notable and more common birds. In addition, there is potential for the killing or injury of nesting birds or damage/destruction of a bird's nest during the construction phase or as a result of inappropriate post construction landscape management.</p> | Appropriate Protection Measures (Recommendation R2) |
| <b>Terrestrial mammals (hedgehog)</b> | <p>There are 36 records of hedgehog within a 1 km radius of the site, the closest of which are located 20 m south-west.</p> <p>The habitat on site offers the species opportunities for foraging and commuting, however alternative habitat is present in the surroundings to the eastern boundary within residential gardens. The construction phase of the development has the potential to result in the killing or injury of terrestrial mammals if excavations are left uncovered.</p>                                                                                                                                                                                                                                                                                                                                                                                                        | Appropriate Protection Measures (Recommendation R2) |
| <b>Badger</b>                         | <p>Although there are four records of badger within a 1 km radius (the exact locations of records are not provided due to animal welfare reasons), due to the built up and urban nature of the site and the lack of suitable habitat on site for sett building, it is unlikely badgers utilise the site for foraging/commuting or sett building.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | No, species group scoped out                        |
| <b>Amphibians</b>                     | <p>There are 2 records of common toad within a 1 km radius of the site, the closest of which is located 210 m west. Reference to Ordnance Survey data and mapped aerial imagery indicates the presence of no ponds within 500 m of the survey area however ponds may be present in adjacent residential gardens.</p> <p>Suitable terrestrial habitat on site is limited to peripheral areas as the majority of the park is well used by the general public and the grassland heavily managed for amenity use.</p>                                                                                                                                                                                                                                                                                                                                                                                  | No, species group scoped out                        |

**Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continues**

| Species / Species Group | Evaluation of Importance and Potential Impacts                                                                                                                                                                                                                                                                                                                                                                                                               | Further Action Required?             |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>Invertebrates</b>    | The desk study provided several records of the cinnabar moth, which is listed as a Species of Principal Importance, however the main larval food plant for this species was not recorded on site. The site is dominated by managed amenity grassland and therefore it is not considered likely to support a notable assemblage of invertebrates.                                                                                                             | No, species group scoped out         |
| <b>Other species</b>    | Other species, including dormouse <i>Muscardinus avellanarius</i> , red squirrel <i>Sciurus vulgaris</i> and stag beetle <i>Lucanus cervus</i> , otter <i>Lutra lutra</i> , water vole <i>Arvicola amphibius</i> , white clawed crayfish <i>Austropotamobius pallipes</i> and herpetofauna have been scoped out of further assessment due to a lack of desk study records and absence of suitable habitats within the development site and its surroundings. | No, species/species group scoped out |

**Table 5.3: Summary of Potential Impacts on Protected/Notable Species Continued**

## 5.5 Invasive Plant Species

No invasive non-native plant species were identified within the search radius, and none were identified on site during the field survey. It should be noted that the absence of field survey observations should not be taken as confirmation that a species is absent from the search area.

## 5.6 Biodiversity Opportunities

The development presents the following opportunities to enhance the site for biodiversity and work towards the target of 10% net gain:

- Wildflower grassland margins to provide larval food for caterpillars and to attract butterfly and moth species.

## 6. Recommendations

All recommendations provided in this section are based on Middlemarch's current understanding of the site proposals, correct at the time the report was compiled. Should the proposals alter, the conclusions and recommendations made in the report should be reviewed to ensure that they remain appropriate.

**R1 Scheme Design and Biodiversity Net Gain:** The proposed development should be designed in accordance with the ecological mitigation hierarchy as set out in the National Planning Policy Framework (NPPF), and Planning Practice Guidance (PPG). In the first instance the proposals should be designed to avoid damage (including canopy and roots) to the off-site trees in proximity to the site, and minimise the loss of grassland area and incorporate these habitats in the landscaping layout of the scheme accordingly.

Additionally, the proposed floodlighting should be designed in accordance with best practice guidance relating to lighting and biodiversity (Miles et al, 2018; Gunnell et al, 2012), any new lighting should be carefully designed to minimise potential disturbance and fragmentation impacts on sensitive receptors, such as bat species. Examples of good practice include:

- Avoiding the installation of new lighting in proximity to key ecological features, such as semi-mature to mature trees.
- Using modern LED fittings rather than metal halide or sodium fittings, as modern LEDs emit negligible UV radiation.
- The use of directional lighting to reduce light spill, e.g. by installing bespoke fittings or using hoods, baffles, or shields. For example, downlighting can be used to illuminate features such as footpaths and playfields whilst reducing the horizontal and vertical spill of light.
- Implementing controls to ensure lighting is only active when needed, e.g. the use of timers.

Following these guidelines will help to further avoid and minimise impacts to protected and notable species.

Where losses or impacts are unavoidable, compensation should be provided. This could include the replacement of lost habitats and/or connectivity and the creation of new habitats of ecological value.

In accordance with the principles of the Environment Act 2021 the development will need to secure an overall net gain for biodiversity habitat. The Statutory Biodiversity Metric Calculation Tool should be used to help guide and quantify the baseline and proposed value of the scheme. A Biodiversity Statement and Metric Assessment should be produced to inform any planning application.

**R2 General Safeguarding Measures:** The following safeguards and appropriate working practices should be employed to minimise adverse effects on biodiversity and ensure compliance with UK Wildlife Legislation:

- Nesting Birds: Any required vegetation clearance such as pruning of trees for access, should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible then any

vegetation to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them should be delayed until the young have fledged and the nest has been abandoned naturally, for example via the implementation of an appropriate buffer zone (species dependent) around the nest in which no disturbance is permitted until the nest is no longer in use.

- Off-site Trees: To avoid accidental encroachment of the works activities, the off-site trees along the playfield fence in proximity to the site, which are retained as a part of the proposed works, should be protected in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction - recommendations". Protection should be installed on site prior to the commencement of any works on site.
- Terrestrial Mammals: Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each workday to prevent animals entering/becoming trapped.

## 7. Drawings

Drawing C181389-04-01 – Phase 1 Habitat Map



C181389-04-01

**Legend**

- Site Boundary
- Fence
- Amenity grassland
- Hardstanding
- Target note - habitat parcel
- Target note - feature
- F1. Notable offsite habitat: mature tree

|                                                                                                                                                                                                                                                                                                                                       |                         |          |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------|---------------|
| Project                                                                                                                                                                                                                                                                                                                               | Manley Park, Manchester |          |               |
| Drawing                                                                                                                                                                                                                                                                                                                               | Phase 1 Habitat Map     |          |               |
| Client                                                                                                                                                                                                                                                                                                                                | Labosports              |          |               |
| Drawing Number                                                                                                                                                                                                                                                                                                                        | C181389-04-01           | Revision | 00            |
| Scale @ A4                                                                                                                                                                                                                                                                                                                            | 1:250                   | Date     | November 2024 |
| Approved By                                                                                                                                                                                                                                                                                                                           | AC                      | Drawn By | BD            |
|  <b>MIDDLEMARCH</b>                                                                                                                                                                                                                              |                         |          |               |
| Triumph House, Birmingham Road, Allesley, Coventry CV5 9AZ<br>T:01676 525880<br>E:admin@middlemarch-environmental.com                                                                                                                                                                                                                 |                         |          |               |
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## 8. Photographs



**Plate 8.1: Area of Amenity Grassland Surrounding the Artificial Sports Pitch.**



**Plate 8.2: Artificial Sports Pitch, with Fenced Boundary.**



**Plate 8.3: Offsite Scattered Mature Trees Along Southern and South-Western Boundary.**



**Plate 8.4: Wider Park Area.**

# Appendix 1

## General Biodiversity Legislation and Policy

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (the Habitats Regulations 2019)

The Habitats Regulations 2017 (as amended) transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into English and Welsh law. Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1 January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

The Habitats Regulations 2019 have created a 'National Site Network' on land and at sea, including both the inshore and offshore marine areas in the UK. The National Site Network includes:

- Existing Special Areas of Conservation (SACs), which are designated due to their importance to the habitats and species listed in Annexes I and II of the Habitats Directive;
- Existing Special Protection Areas (SPAs), which are designated due to their importance for wild birds in accordance with the Wild Birds Directive; and,
- New SACs and SPAs designated under these Regulations.

SACs and SPAs in the UK no longer form part of the European Union's Natura 2000 ecological network. Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new National Site Network. However, guidance provided by Freeths (2020)<sup>3</sup> recommends that SACs and SPAs can continue to be referred to as "European sites" / "European marine sites".

Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the National Site Network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats. All Ramsar sites remain protected in the same way as SACs and SPAs.

The 2019 Regulations establish management objectives for the National Site Network. The network objectives are to:

- Maintain or, where appropriate, restore habitats and species listed in Annexes I and II of the Habitats Directive to a favourable conservation status; and,

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<sup>3</sup> Freeths (2020). *The Habitats Regulations Assessment regime after 31 December 2020 – how will it look?*  
Available: <https://www.freeths.co.uk/2020/10/22/the-habitats-regulations-assessment-regime-after-31-december-2020-how-will-it-look/?cmpredirect>

- Contribute to ensuring, in their area of distribution, the survival and reproduction of wild birds and securing compliance with the overarching aims of the Wild Birds Directive.

The appropriate authorities must also have regard to the:

- Importance of protected sites;
- Coherence of the National Site Network; and,
- Threats of degradation or destruction (including deterioration and disturbance of protected features) on SPAs and SACs.

The network objectives contribute to the conservation of UK habitats and species that are also of pan-European importance, and to the achievement of their favourable conservation status within the UK.

#### The Wildlife and Countryside Act (WCA) 1981 (as amended)

The WCA, as amended, consolidates and amends pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitat Regulations 2017 and the Habitats Regulations 2019, offering protection to a wider range of species. The Act also provides for the designation and protection of national conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSIs).

Schedules of the act provide lists of protected species, both flora and fauna, and detail the possible offences that apply to these species.

#### The Environment Act 2021

The Environment Bill completed its passage through parliament on 13<sup>th</sup> October 2021 and received Royal Assent on 9<sup>th</sup> November 2021. The Environment Act introduces a new framework for setting long-term, legally binding targets for environmental improvement, including nature and biodiversity (Part 6 & 7).

#### The Town and Country Planning Act 1990

Schedule 7A (Biodiversity Gain in England) and regulations made under Schedule 7A contain most of the statutory framework for mandatory biodiversity gain (referred to as 'biodiversity net gain'). With some exceptions every grant of planning permission is subject to the condition that development may not begin until a biodiversity gain plan has been approved by demonstrating how the objective of delivering at least a 10% gain in biodiversity will be achieved. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

#### The Countryside and Rights of Way (CROW) Act 2000

The CROW Act, introduced in England and Wales in 2000, amends and strengthens existing wildlife legislation detailed in the WCA. It places a duty on government departments and the National Assembly for Wales to have regard for biodiversity, and provides increased powers for the protection and maintenance of SSSIs. The Act also contains lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

#### The Natural Environment and Rural Communities (NERC) Act 2006

Section 40 of the NERC Act places a duty upon all local authorities and public bodies in England and Wales to promote and enhance biodiversity in all of their functions.

Section 40, as amended by the Environment Act 2021, places a 'biodiversity duty' on all public authorities who operate in England to consider how they can conserve and enhance biodiversity, agree policies and specific objectives based on that consideration and deliver policies to achieve their objectives. Local Authorities (excluding parish councils) and Local Planning Authorities have a duty under Section 40A to report on the performance of this duty.

Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These habitats and species are a material consideration in the planning process.

#### The Hedgerow Regulations 1997

The Hedgerow Regulations make provision for the identification of important hedgerows which may not be removed without permission from the Local Planning Authority.

#### National Planning Policy Framework

In December 2023, the National Planning Policy Framework (NPPF) was updated, replacing the previous framework published in 2012 and revised in 2018, 2019 and 2021. A presumption towards sustainable development is at the heart of the NPPF. This presumption does not apply however where developments require appropriate assessment under the Birds or Habitats Directives.

Chapter 15, on conserving and enhancing the natural environment, sets out how the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing existing sites of biodiversity value;
- minimising impacts on and providing net gains for biodiversity; and,
- establishing coherent ecological networks.

If a proposed development would result in significant harm to the natural environment which cannot be avoided (through the use of an alternative site with less harmful impacts), mitigated or compensated for (as a last resort) then planning permission should be refused. With respect to development on land within or outside of a Site of Special Scientific Interest (SSSI) which is likely to have an adverse effect (either alone or in-combination with other developments) would only be permitted where the benefits of the proposed development clearly outweigh the impacts on the SSSI itself, and the wider network of SSSIs. Development resulting in the loss of deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons for the development, and a suitable compensation strategy is provided.

Chapter 15 identifies that development whose primary objective is to conserve or enhance biodiversity should be supported and 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.

Chapter 11, making effective use of the land, sets out how the planning system should promote use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Opportunities for achieving net environmental gains, including new habitat creation, are encouraged.

## Planning Practice Guidance

In March 2014 the Department for Communities and Local Government released guidance to support the National Planning Policy Framework (NPPF), known as the Planning Practice Guidance (PPG). This has been produced to provide guidance for planners and communities which will help deliver high quality development and sustainable growth in England.

The guidance includes a section entitled '*Natural Environment*', which was updated in February 2024. This document sets out information with respect to the following:

- the statutory basis for seeking to conserve and enhance biodiversity;
- the local planning authority's requirements for planning for biodiversity;
- what local ecological networks are and how to identify and map them;
- how plan-making bodies identify and safeguard Local Wildlife Sites, including Standard Criteria for Local Wildlife Sites;
- the sources of ecological evidence;
- the legal obligations on local planning authorities and developers regarding statutory designated sites and protected species;
- definition of green infrastructure;
- where biodiversity should be taken into account in preparing a planning application;
- how policy should be applied to avoid, mitigate or compensate for significant harm to biodiversity and how mitigation and compensation measures can be ensured;
- definitions of environmental net gain including information on how it can be achieved and assessed; and,
- the consideration of ancient woodlands and veteran trees in planning decisions and how potential impacts can be assessed.

Other relevant PPG sections include:

- '*Appropriate assessment: Guidance on the use of Habitats Regulations Assessment*' (updated July 2019) which provides information in relation to Habitats Regulations Assessment processes, contents and approaches in light of case law. This guidance will be relevant to those projects and plans which have the potential to impact on European Sites and European Offshore Marine Sites identified under the Conservation of Habitats and Species Regulations 2017 (as amended).
- '*Biodiversity Net Gain*' (updated May 2024) which provides information on the statutory framework referred to as 'biodiversity net gain' and how it is applied through the planning process, from submission of a planning application through to determination of the Biodiversity Gain Plan. Guidance is also provided on exemptions, the Biodiversity Gain Hierarchy and phased developments.

## Local Planning Policy - Manchester City Council

[https://www.manchester.gov.uk/info/200074/planning/6572/local\\_plan\\_-\\_new](https://www.manchester.gov.uk/info/200074/planning/6572/local_plan_-_new)

The Manchester Local Plan guides development within Manchester. It was previously known as the Local Development Framework. It consists of the:

- Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039. This was adopted in 2024;
- Core Strategy: the key document in the Local Plan. This must be read alongside the Addendum to Manchester Core Strategy 2024;

- Interactive Proposals Map: showing the Core Strategy and the extant (remaining) Unitary Development Plan policies;
- Extant (remaining) Unitary Development Plan policies: many of these policies were replaced by the Core Strategy, see which remain;
- Greater Manchester Joint Waste DPD: adopted by each of the ten Greater Manchester Authorities, and came into force on 1 April 2012; and,
- Greater Manchester Joint Minerals DPD: adopted by each of the ten Greater Manchester Authorities, and came into force on 26 April 2013.

### **Core Strategy 2012-2027** (Must be read alongside the Addendum to Manchester Core Strategy 2024)

Manchester's Core Strategy was adopted on the 11<sup>th</sup> July 2012 and is the key document in the Manchester Local Plan. It covers a period of 15 years from 2012 to 2027 and sets out the long-term strategic policies for future development and will form the framework that planning applications will be assessed against. The following policies are of relevance to ecology:

#### *Policy EN 9 Green Infrastructure*

New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Key features of Manchester's green infrastructure will include:

- The continued development of a network of green spaces, water bodies, canals, paths and cycleways, with priority given to those parts of the City where there is an identified existing lack of open space. The Council will seek to protect existing street trees and promote new planting, particularly where this can enhance green links in the urban area.
- The continued maintenance and management of the Rivers Mersey and Irwell and their tributaries, for example the River Irk, River Medlock, Chorlton Platt Gore, Gatley Brook, Moston Brook and adjoining land, with regard to their multiple functions including recreation, flood management, and biodiversity.
- The provision of new, and improvements to the quality and accessibility of existing green infrastructure assets, to mitigate for any loss of green infrastructure as a result of development such as the Metrolink extension programme.
- The encouragement of green roofs, green walls, tree planting and other forms of green infrastructure to allow for the adaption to climate change in heavily urbanised areas.

New green infrastructure provision should be an exemplar of best practice and innovation in terms of both its design and management.

#### *Policy EN 15 Biodiversity and Geological Conservation*

The Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. Particular consideration will be given to:

- sites with international or national designations for their biodiversity value. Manchester contains one Site of Special Scientific Interest (SSSI) (Cotteril Clough); there is a Special

Area of Conservation (SAC) and a SSSI just over the border in Oldham (both on the Rochdale Canal within Oldham);

- other sites of biodiversity value, including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs); Manchester currently has 35 SBIs (including the Rochdale and Ashton Canals) and 7 LNRs; priority habitats found within Manchester, as listed in the Manchester Biodiversity Strategy and included in the Greater Manchester Biodiversity Action Plan (GM BAP);
- protected and priority species, as listed in the Manchester Biodiversity Strategy and included in the Greater Manchester Biodiversity Action Plan (GM BAP);
- sites that are recognised for their geological importance;
- the Council's objective to protect and conserve the City's existing trees and woodlands and the aim for a net increase in trees across the City.

Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, [either on-site or adjacent to the site,]\* contributing to linkages between valuable or potentially valuable habitat areas where appropriate, with reference to:

- the Manchester Biodiversity Strategy, which provides further details of priority habitats within Manchester and opportunities for biodiversity enhancement including corridors such as the Mersey, Medlock and Irk river valleys, the canals and disused railway lines and areas of managed greenspace particularly in parks;
- the Green Infrastructure Framework for Greater Manchester, which encompasses an ecological framework that seeks to guide and inform habitat creation and repair, including identifying large 'biodiversity opportunity areas' including the Moston Brook Corridor and Nutsford Vale;
- the Open Space, Sport & Recreation Study, which identifies areas where there is a deficit of natural and semi-natural greenspace, opportunities for green corridors and other linkages;
- Manchester's Climate Change Action Plan;
- the Strategic Flood Risk Assessment (SFRA) for Manchester;
- the Habitats Regulations Assessment (HRA) for Manchester, which gives detailed consideration to Special Areas of Conservation (SACs), including the Rochdale Canal SAC just outside the district boundary;
- the River Basin Management Plan for the North West;
- the Manchester Tree Strategy.

Any adverse impacts on biodiversity will need to be justified against the wider benefits of the proposal, assessed against other LDF policies. Where adverse impacts are unavoidable, developers will be required to provide appropriate mitigation and/or compensation. [Development should wherever possible seek to maintain, enhance or restore existing geology.] \*

#### **\*Addendum to Manchester Core Strategy 2024**

The following Core Strategy (CS) policies have been partially replaced by Places for Everyone (PfE) policies. Any part of the policy that is not replaced remains part of Manchester's Core Strategy. The following changes to policies are of relevance to ecology:

- **CS Policy EN15 Biodiversity and Geological Conservation**  
Section to be replaced:
  - 'either on-site or adjacent to the site' in second paragraph; and,
  - Last sentence

Replaced by PfE Policy JP-G8

### Places for Everyone Joint Development Plan 2022 to 2039

Places for Everyone is a long-term plan for jobs, new homes, and sustainable growth. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The following policies are of relevance to ecology:

#### *Policy JP-G2 Green Infrastructure Network*

A strategic approach will be taken to the protection, management and enhancement of our Green Infrastructure in order to protect and enhance the ecosystem services which the Green Infrastructure Network provides, including flood management, climate change mitigation and adaptation. Alongside this primary function an enhanced Green Infrastructure network will support wider public health benefits, including promotion of active travel, food growing and recreational opportunities.

The protection, management and enhancement of Green Infrastructure will contribute to the development of a Local Nature Recovery Strategy for Greater Manchester. This Strategy will feed into the development of a Nature Recovery Network locally and nationally.

Development within and around the Green Infrastructure Network should be consistent with delivering major green infrastructure improvements within them and should contribute to improvements.

Development which involves the removal of land from the Green Belt (including allocations proposed in this plan) will be required to offset the impact of removing land from the Green Belt through identifying and delivering compensatory improvements to the environmental quality and accessibility of remaining Green Belt in the vicinity of the site. Details of specific sites and projects will be established in discussion with the relevant Local Authority.

Wherever practicable, opportunities to integrate new and existing green infrastructure into new development will be taken to protect, enhance and expand the green infrastructure network. Where new or improved green infrastructure is delivered as part of a development, the developer should make appropriate provision for its long-term management and maintenance.

#### *Policy JP-G3: River Valleys and Waterways*

River valleys and waterways will be protected and improved as central components of our Green Infrastructure Network and a vital part of a Nature Recovery Network, making a major contribution to local identity, quality of life and the natural environment.

In making planning decisions and carrying out other associated activities, we will seek to deliver the following priorities:

- Retain the remaining open character of the river valleys, avoiding their fragmentation and prominent development on valley edges;
- Promote public enjoyment of the river valleys, including as key features connecting urban areas to the countryside, providing opportunities for active travel, and enhance their high recreational value as green fingers through densely populated areas;
- Protect and enhance the mosaic of semi-natural habitats, including: riparian (waterside), clough, broadleaved and ancient woodland; wet and semi-natural grassland; meadow; and lakes and ponds;
- Retain existing pockets of relative tranquillity and seclusion, especially within the more tightly enclosed and wooded valleys;

- Reduce flood risk, through Natural Flood Management (NFM), including careful land management and a catchment-wide approach;
- Improve water quality, including through land decontamination and the management of diffuse pollution from industry and agriculture;
- Return rivers to a more natural state where practicable, including through deculverting and the re-naturalisation of riverbanks and flood plains;
- Where compatible with the requirements of commercial and freight use, increase the use of canals and watercourses for active travel, with improved and extended rights of way alongside the water providing walking and cycling routes for both recreation and commuting, thereby increasing access to natural green space; and
- Ensure that development relates positively to nearby rivers and other waterways, taking advantage of opportunities to integrate green infrastructure through:
  - High quality frontages to the water; and
  - Public realm alongside the water for both recreation use and maintenance access.

#### *Policy JP-G4: Lowland Wetlands and Mosslands*

The distinctive flat, open landscape and network of habitats of ecologically valuable lowland wetlands and mosslands will be protected, enhanced and restored, with a strong emphasis on reconnecting local communities to the natural and historic environments.

In making planning decisions and carrying out other associated activities, we will seek to deliver the following priorities:

- Maintain and enhance the extensive and varied mosaic of semi-natural habitats including brooks, ditches, open water bodies, bog, fen, swamp, flashes, ponds, wet and broadleaved woodland, and grassland;
- Manage and restore the remnant pockets of lowland raised bog, including through restoration from farmland, significantly expanding and connecting the areas of active bog to contribute to important functions such as flood risk management and carbon sequestration;
- Positively manage land adjacent to lowland raised bog and other sensitive wetland habitats in a complementary and coordinated manner, ensuring that their hydrology is not adversely affected and the water table is restored;
- Increase features that act as steppingstones for wildlife moving through the area, such as field ponds, hedgerows and trees, and minimise barriers to movement;
- Removal of derelict structures and the remediation of land where it is beneficial to green infrastructure provision and there is no historic value in their retention; and
- Expand public access across the area considerably, including through the creation of new circular routes, and enhance recreation and active travel opportunities.

#### *Policy JP-G5: Uplands*

Our upland areas contain important component parts of the green infrastructure network, including significant areas of blanket bog priority habitat, Sites of Biological Importance (SBIs), Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs), woodlands and habitats vulnerable to climate change. In making planning decisions and carrying out other associated activities, we will seek to:

Integrate any new development into the landscape by utilising existing tree/woodland cover and dips in the landform, and adopting the unifying gritstone vernacular where possible;

- Enhance the full range of upland habitats as part of an ecologically connected network, including heather moorland, blanket bog, meadows, acid grassland, native woods, and healthy watercourses;
- Significantly extend the area of active blanket bog, both through the protection of existing sites and the positive restoration of degraded areas to contribute to important functions such as flood risk management and carbon sequestration;
- Protect and naturally regenerate clough woodland, providing a natural connection between the uplands, foothills and lowlands;
- Increase the role of the area in water storage, flood risk management (through Natural Flood Management) and water quality improvements, as part of a catchment-based approach; and
- Enable more people to enjoy the distinctive character of the uplands in sustainable ways which balance the pressures that increased access brings with the physical and mental health benefits that this landscape offers.
- Ensure that new development does not have an adverse impact on protected habitats of the South Pennine Moors SAC, the Peak District Moors SPA and the South Pennine Moors Phase 2 SPA from urban edge effects, loss of and/or disturbance to functionally linked habitats and recreation disturbances. This will be implemented by:
  - Within 400m of the SAC and SPAs boundaries, no development will be permitted, unless, as an exception, the development and/or its use would not have an adverse effect on the integrity of the SAC or SPAs;
  - Within 2.5km of the SAC and SPAs boundaries, applications for new development should be accompanied by an assessment to determine if the development site provides foraging habitats for the qualifying bird species of the SPAs. If foraging habitats are found on site, appropriate avoidance and/or mitigation measures will be required;
  - Within 7km of the SAC and SPAs boundaries, new residential development will be required to mitigate recreation disturbance impacts on the SAC and SPAs through:
    - the provision of on-site suitable alternative natural greenspace or financially contribute to off-site provision of such greenspace; and
    - A financial contribution to the implementation of a Strategic Access, Monitoring and Management Strategy for the SAC and SPAs.

With regards to allocations within this Plan, Criterion 7 c applies to the PfE allocations listed below:

- Policy JP Allocation 10 'Beal Valley';
- Policy JP Allocation 12 'Broadbent Moss';
- Policy JP Allocation 13 'Chew Brook Vale';
- Policy JP Allocation 14 'Cowlshaw';
- Policy JP Allocation 20 'Land North of Smithy Bridge';
- Policy JP Allocation 21 'Newhey Quarry';
- Policy JP Allocation 22 'Roch Valley'; and,
- Policy JP Allocation 28 'Godley Green Garden Village'.

#### *Policy JP-G6: Urban Green Space*

To ensure there is an appropriate scale, type, quality and distribution of accessible urban green space that can support a high quality of life and other important green infrastructure functions:

- existing urban green space will be protected and enhanced in balance with other considerations; and

- we will work with developers and other stakeholders to deliver new high quality urban green spaces.

Development should be designed to support the positive use of nearby green spaces, such as by offering a high-quality setting, providing natural surveillance, and facilitating easy access by walking and cycling.

#### *Policy JP-G7: Trees and Woodland*

We will work to deliver the aims and objectives of the Greater Manchester Tree and Woodland Strategy, aiming to significantly increase tree cover, protect and enhance woodland, and connect people to the trees and woodland around them.

This will be done through local planning and associated activities such as:

- Protecting and expanding the mosaic of woodland habitats, linking fragmented areas of woodland, in particular wooded cloughs and pockets of ancient and riverside (riparian) woodland;
- Encouraging habitat diversity through conserving and managing existing woodland and trees that are of heritage, cultural and/or aesthetic value, including ancient woodland and veteran trees;
- Aiming to plant a tree for every resident in the plan area over the next 25 years as part of the City of Trees initiative;
- Targeting tree-planting at the areas of greatest need where the green infrastructure benefits can be maximised, whilst avoiding the loss of, or harm to, other priority habitats, including encouraging woodland planting schemes on areas of low-grade agricultural land and land in need of remediation;
- Establishing a new City Forest Park in Salford, Bolton and Bury, which will provide a vast urban forest close to the City Centre;
- Considerably increasing the provision of street trees within urban areas;
- Promoting the provision of community orchards to increase fruit consumption;
- Promoting the opportunity for woodland conservation to raise awareness for the sustainable use of timber;
- Securing a diversification of broadleaved species, in order to increase biodiversity and disease resilience;
- Improving public access to woodland and trees particularly by sustainable travel models to capture the health and wellbeing benefits whilst managing the associated pressures;
- Encouraging the positive management of woodland to bring it into a more productive state, improve habitat diversity, and more effectively contribute to important green infrastructure functions such as flood risk management, urban cooling and carbon storage/sequestration;

And through development as follows:

- Where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision; and
- Protecting trees and woodland during the construction phase of development.

#### *Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity*

Through local planning and associated activities a net enhancement of biodiversity resources will be sought, including, where relevant, by:

- Increasing the quality, quantity, extent and diversity of habitats, particularly priority habitats identified in national or local biodiversity action plans and those that support priority species;
- Improving connections between habitats, to protect and enhance the provision of corridors, ecological networks (including Nature Recovery Networks) and steppingstones that enable the movement of species, especially as the climate changes;
- Enhancing the management of existing habitats, including through habitat restoration, avoiding habitat fragmentation and combating invasive species;
- Protecting sites designated for their nature conservation and/or geological importance, with the highest level of protection given to international and then national designations;
- Facilitating greater access to nature, particularly within urban areas;
- Supporting the development and implementation of the Great Manchester Wetlands Nature Recovery Network; and
- Safeguarding, restoring and sustainably managing our most valuable soil resources, tackling soil degradation/erosion and recovering soil fertility, particularly to ensure protection of peat-based soils and safeguard 'best and most versatile' agricultural land.

Development will be expected to:

- Follow the mitigation hierarchy of:
  - Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then
    - Adequately mitigating any harm to biodiversity, then
    - Adequately compensating for any remaining harm to biodiversity
- Avoid fragmenting or severing connectivity between habitats;
- Achieve a measurable net gain in biodiversity of no less than 10%
- Make appropriate provision for long-term management of habitats and geological features connected to the development;
- Where appropriate, development should: mitigate air pollution impacts on Manchester Mosses SAC; mitigate urban edge, functionally linked land and recreation disturbance impacts on the South Pennine Moors SAC/SPAs; and assess and potentially mitigate boat movement, water pollution, and light spillage and shading impacts on the Rochdale Canal SAC; and
- Development proposals should be informed by the findings and recommendations of the appropriate biodiversity/ecological assessment(s) in the PfE evidence base and/or any updated or appropriate biodiversity/ecological assessments submitted as part of the planning application process.

### Unitary Development Plan (UDP) Policies

The Core Strategy replaced much of the Unitary Development Plan (UDP), however some of the policies remain. The remaining policy of relevance to ecology is:

#### *Policy E3.4 Environmental Improvement and Protection*

The Council will create a network of safe and attractive major linear recreational open spaces by linking and making better use of river valleys, canals, disused railways and other appropriate areas of open space. Within these areas measures will be taken to:

- achieve widespread environmental improvements;
- protect the natural environment;
- improve water quality;

- improve access for pedestrians, disabled people, cyclists and, where appropriate, horse riders;
- protect and enhance wildlife corridors.

The Council will ensure that, in developing these recreational routes, adequate measures are taken to safeguard the privacy of nearby residential properties.

# Appendix 2

## Relevant Species Legislation

### Bats

Bats and the places they use for shelter or protection (i.e. roosts) receive legal protection under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (Habitats Regulations 2019). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that bats, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats; or
- damage or destroy a bat roost (breeding site or resting place).

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead bats, part of a bat or anything derived from bats, which has been unlawfully taken from the wild.

Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1st January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly\** damage or destroy, or *obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly\** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

\*Reckless offences were added by the Countryside and Rights of Way (CROW) Act 2000.

As bats re-use the same roosts (breeding site or resting place) after periods of vacancy, legal opinion is that roosts are protected whether or not bats are present.

The reader should refer to the original legislation for the definitive interpretation.

The following bat species are Species of Principal Importance for Nature Conservation in England: barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared bat *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum* and lesser horseshoe bat *Rhinolophus hipposideros*. Species of Principal Importance for Nature Conservation in England are material considerations in the planning process. The list of species is derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006.

### Hedgehog

Hedgehogs receive some protection under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended); this section of the Act lists animals which may not be killed or taken by certain methods, namely traps and nets, poisons, automatic weapons, electrical devices, smokes/gases and various others. Humane trapping for research purposes requires a licence.

Hedgehogs are a Species of Principal Importance for Nature Conservation in England and are thus capable of being material considerations in the planning process.

### Nesting Birds

The Conservation of Habitats and Species Regulations 2017, (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (Habitats Regulations 2019) places a duty on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds.

Nesting and nest building birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended).

Subject to the provisions of the act, if any person intentionally:

- kills, injures or takes any wild bird;
- takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- takes or destroys an egg of any wild bird, he shall be guilty of an offence.

Some species (listed in Schedule 1 of the WCA) are protected by special penalties. Subject to the provisions of the act, if any person intentionally or recklessly:

- 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
- disturbs dependent young of such a bird, he shall be guilty of an offence.

Several bird species are Species of Principal Importance for Nature Conservation in England, making them capable of being material considerations in the planning process.