

Planning application 140374/FO/2024 Land b/w Old Market Street and Grant Close

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To: Steven Mccoombe <steven.mccoombe@manchester.gov.uk>

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Hi Steve

Thank you for consulting the GMEU

Summary

The main ecological issue is biodiversity net gain.

Protected Species

I previously accepted that the presence of protected species on this site was very unlikely. An up to date ecological assessment has confirmed that this is still the case. No further information or measures are required

Nesting Birds

The site is low risk for nesting birds, but the presence of fencing around the site has now removed the risk of disturbance, with the consultant recommending a standard bird nesting condition. I am however satisfied that the risks are low enough that they can be dealt with via an informative along the following lines.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Other Wildlife

The consultant has noted that the site provides adequate cover for species such as hedgehog and other wildlife. I would however regard the risks as very low with no dense scrubby vegetation available. I am therefore satisfied that an informative will suffice.

The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals such as hedgehog. Planning consent does not provide a defence against prosecution under this act.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021). The development will result in the loss of tall herb vegetation to a dwelling and garden. There only likely wildlife issue is nesting birds.

Previously I accepted that mitigation could be achieved on site. The development is however now subject to mandatory 10% biodiversity net gain, which is also more prescriptive regarding what can be counted as mitigation for loss of any particular habitat and what can be accepted within a garden landscape,

A biodiversity net gain assessment has been provided. This indicates that 10% BNG is only achievable if part of the site is excluded from the garden and managed for wildlife as wildflower grassland that achieves good condition with inclusion of an urban tree. This has not however been explicitly proposed within the

development plans. If all the land is managed as garden then there is a 0.09 BU shortfall and approximately 0.13 BU shortfall to achieve 10% net gain.

On balance I would regard it a better solution to request off-site compensation as the small area of wildlife grassland is likely to be relatively meaningless from a strategic perspective and also likely to difficult to maintain for 30 years in good condition. The cost of management by the land manager and monitoring by the LPA far exceeding the price of the purchase of off-site units from a habitat bank.

I therefore recommend that off-site credits are purchased. If this is agreed then I would have no issues given the low number of units involved leaving the final detail to the discharge of the statutory biodiversity condition.

I recommend provision of one house sparrow terrace as mitigation/enhancement for wildlife. *The details can be provided via condition.*

David Dutton

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Planning

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