

FW: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

[REDACTED]

Good morning, David

As you requested Tyrer Ecological consultant have asked the Natural England for a letter indicating a Licence is not required. Please see emails below from Natural England and Tyrer Ecological consultant advising a licence is not required. Please review Natural England email carefully as they state they do not provide a letter or advise on Licence requirements for any project. They believe it is Ecological consultant that can establish the need for a licence or not on any projects.

Kind Regards

Jahangir Arji
Director



Urbane Forms, 58 Leamington Close, Warrington WA53PY
[REDACTED]

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[REDACTED]
Sent: 18 September 2023 09:41

[REDACTED]
Subject: RE: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Good morning Jahangir,

Please feel free to forward on this email to the relevant party at the LPA.

As per the reply from the Adviser at Natural England in the email chain below, Natural England **do not** issue letters stating whether or not an EPSML is required. They state that instead, it is the responsibility of the consultant and/or their client to decide whether an EPSML is appropriate.

As stated in the dusk report and subsequent letter (see paragraph 6.1 of the Dusk Survey Results), an EPSML should only be applied for as a last resort. It is the opinion of Tyrer Ecological Consultants Ltd that the works *"can be undertaken when bats are less likely to be present or will not be disturbed"* as the updated surveys identified an absence of bats, and therefore application for an EPSML would be inappropriate in this instance.

Natural England are unable to provide a letter explicitly stating that an EPSML is not required but have stated that the decision should be made by the ecological consultant. Therefore, we would consider the advice of Natural England to be to follow the recommendations of the ecologist, who has in this instance stated that no EPSML is required.

I hope this will be sufficient to satisfy this matter.

Best wishes,

Johnny Pescod | MRes BSc (Hons) | Qualifying CIEEM | Senior Ecologist
Tyrer Ecological Consultants Ltd



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*Tyrer Ecological Consultants Ltd, Roselands, Suite 1,
3 Cross Green, Formby, L37 4BH*



Preliminary Ecological Appraisal ~ Ecological Impact Assessment ~ Protected Species Surveys ~ EPS Mitigation Licences ~
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Arboricultural Impact Assessment ~ Ecological Clerk of Works ~ Management Plans ~ Planning Conditions ~ CEMP/LEMP

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Sent: 14 September 2023 10:59

Subject: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Dear Mr Pescod,

Thank you for your email below, which has been passed to us for a response.

As highlighted in our guidance, Natural England would be unable to provide your client with the letter you've requested, affirming that a licence would not be required. It is solely for you and your client to conclude if a licence is or isn't necessary.

We do not:

☐ Provide advice or licences outside of England

- ☐ Complete application forms or prepare mitigation schemes on behalf of developers or their consultants
- ☐ Approve or „sign off“ Method Statements for non-licensable works
- ☐ Review or agree application documents prior to submission
- ☐ Carry out practical work required under any licence. This is the responsibility of the licensee and any staff or consultants that they employ.
- ☐ Tell developers or consultants when a licence would or would not be required.

Kind Regards

Richard Batchelor
Adviser
Natural England Wildlife Licensing Service (Delivery Team Central)
Horizon House, Deanery Road, Bristol, BS1 5AH
www.gov.uk/natural-england



To help people consider the environment Natural England offers two chargeable services

- the [Discretionary Advice Service](#) (DAS), which can provide advice on planning/licensing proposals
- the [Pre-submission Screening Service](#) (PSS) for European Protected Species mitigation licence applications.

Sent: 14 September 2023 10:25

Subject: FW: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Good morning,

Please see attached enquiry from Natural England Customer Enquiries Mailbox.

Is this something you can advise on?

As part of our commitment to customers, a response is expected within 10 working days of receipt. If you are unable to provide a full response within that time, you should provide a progress report to the customer in order to explain why your reply is going to take longer than our 10 working day standard, see

<http://neintranet/aboutus/customerservice/standards/Pages/emailsandletters.aspx> and <https://www.gov.uk/government/organisations/natural-england/about-our-services>

Please ensure Enquiries@naturalengland.org.uk are copied into all responses in order to close our records.

Kind Regards,

www.gov.uk/natural-england



We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected, and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video, or web conferencing.

Sent: 13 September 2023 09:36

Subject: FW: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sir/Madam,

Our client, as per the email chain below, need to discharge a condition in relation to roosting bats. We undertook a set of surveys in 2019 during which identified a day roost of common pipistrelle, from which a condition was included in the granted permission for the site requiring either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a license.

Following a delay between granting of permission and commencement of works, we were recommissioned to update the surveys. We carried out these surveys in 2023, and recorded no emergence of bats. On the basis of the updated survey effort, we determined the roost had most likely been abandoned, possibly due to the building being disused and thus colder than it previously would have been. The findings are presented in detail in the attached dusk emergence report, and summarised in the attached Conditions Letter.

Please could you assist Mr. Arji in discharging the condition through provision of the required letter?

Many thanks,

Johnny Pescod | MRes BSc (Hons) | Qualifying CIEEM | Senior Ecologist
Tyrer Ecological Consultants Ltd

[REDACTED]



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*Tyrer Ecological Consultants Ltd, Roselands, Suite 1,
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Sent: Monday, September 11, 2023 6:08 PM

Subject: FW: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Good afternoon,

Please see e-mail below from Mr D Lawless. I believe we need to obtain a letter from Natural England to say that they do not need a licence. This is perhaps something Johnny from Tyrer can progress.

Kind Regards

Jahangir Arji
Director



Urbane Forms, 58 Leamington Close, Warrington WA53PY

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Sent: 11 September 2023 16:30

Subject: Re: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Jahangir,

Given the wording of the condition I'm afraid it won't be sufficient. As you'll see below, you will need something from Natural England to say they are happy that no licence is required.

***a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.***

regards

David Lawless,
Senior Planner,
Development Management South,
Planning, Building Control and Licensing
Growth and Development Directorate
Manchester City Council,

Manchester City Council
Planning
PO Box 532
Town Hall
Manchester
M60 2LA

Web address: www.manchester.gov.uk

Sent: 08 September 2023 13:14

Subject: Clyde court, Lapwing Lane , Manchester M20 2NS (Condition 11 discharge No CDN/23/0587)

Good morning, David

Thank you for your email of 06,09,2023 with regard to the above condition discharge application. Please note that the section 6.1 on page 15 of the Dusk Survey report indicates that a licence is not required. Following your email, the ecological consultant has produced a very detailed letter explaining that an EPSML is not required for the works to proceed. Please see enclosed letter.

We hope this is satisfactory explanation for discharge of condition 11 of the above planning application.

Kind Regards

Jahangir Arji
Director



Urbane Forms, 58 Leamington Close, Warrington WA53PY

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