



Manchester Grammar School

Old Hall Ln, Manchester

Ecological Impact Assessment

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The content of this document has been prepared in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Code of Professional Conduct and is compliant with British Standard BS42020:2013 Biodiversity Code of Practice for Planning and Development.

The conclusions and recommendations contained in this document are based upon information gathered by TEP and provided by third parties. Information provided by third parties and referred to herein has not been independently verified by TEP, unless otherwise expressly stated in the document.

Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

Contents

Page

1.0	INTRODUCTION	2
	Site Location	3
	Proposals	2
	Planning Context	2
	Scope	3
2.0	METHODS.....	5
	Desk Study	5
	Habitats and Flora	6
	Fauna.....	7
	Ecological Assessment Process	Error! Bookmark not defined.
	Assumptions	11
3.0	RESULTS	12
	Planning Context	12
	Designated Sites.....	12
	Habitats and Flora	13
	Fauna.....	19
4.0	ASSESSMENT OF POTENTIAL IMPACTS	25
	Wildlife Sites	25
	Habitats and Flora	25
	Fauna.....	26
5.0	MITIGATION AND ENHANCEMENT	27
	Fauna.....	27
6.0	CONCLUSIONS	29

Figures

Figure 1: Site location.....	3
Figure 2: Amenity Grassland in the south-west of the site	14
Figure 3: Scattered broad-leaved trees are present throughout site	15
Figure 4: Species poor intact hedgerows around the site boundary	16
Figure 5: Introduced shrubs north of site	17
Figure 6: Buildings and hardstanding north of site	18
Figure 7: Sports pitch on site.....	18
Figure 8: Bird seen looking around the missing tile on the roof	24

Tables

Table 1: Categorisation of buildings for bat roost suitability.....	8
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Appendices

Appendix A: Target Notes

Appendix B: Desk Study Report

Drawings

Phase 1 Habitat Survey Map: G9991.007

Executive Summary

Site Details

The site is located at Old Hall Ln, Manchester M13 0XT

Proposals

Application for Full Planning Permission for demolition of an existing pavilion and theatre building and the construction of a new building, housing a new Sixth Form Centre

Designated wildlife sites

Rochdale Canal SAC & SSSI lies 6.9km north-east of the site

Important Ecological Features present within or adjacent to the site

The most valuable habitat on site is amenity grassland.

Potential roosting features for bats

Potential nesting opportunities for birds

Recommendations

The following recommendations are made to ensure that delivery of the project remains compliant with relevant legislation and policy:

A licence bat consultant will be required during the demolition of the buildings to undertake a pre-demolition inspection of the potential roosting features and supervise the works to ensure no bats are present during demolition.

A pre-commencement nesting bird check is required immediately prior to works on T1 and B1 if undertaken inside the bird breeding season (March-August).

Conclusions

As the potential roost features of both B1 and B2 present roosting opportunities for bat species, a licence bat consultant will be required on site during the demolition of the buildings to undertake a pre-demolition inspection of the potential roosting features and supervise the works, to ensure no bats are present during demolition. In the unlikely event that bats are present within the buildings at the time of demolition, all works affecting the roosts must cease until a licence has been obtained from Natural England.

With implementation of the recommended precautionary working methods and mitigation features, no residual significant ecological effects are expected to impact upon the site or statutory / non-statutory wildlife sites, notable habitats or protected / notable species.

This Executive Summary is not a substitute for the full report. Refer to the full text of this report for further detail.

1.0 Introduction

- 1.1 The Environment Partnership (TEP) was commissioned by OMI Architects in May 2023 to undertake an Ecological Assessment to support an Application for Full Planning Permission for demolition of two existing buildings (B1 and B2) and removal of one tree (T1) for the construction of a new building at Manchester Grammar School, Old Hall Ln, (hereafter referred to as ‘the site’).
- 1.2 An Ecological Desk Study has been produced to support this Ecological Assessment, reported under separate cover (TEP Ref: 9991.001). This report should read in conjunction with the Desk Study.
- 1.3 This report includes details of the methods employed and any limitations of the surveys undertaken. Results are provided with supporting maps, together with an evaluation of the ecological features within the site, an assessment of the potential impacts associated with the development proposals and requirements for mitigation. The assessment has been undertaken with due consideration for current best practice guidelines (CIEEM 2017a¹, 2018²).
- 1.4 The results of this report remain valid for up to 12 -18 months after the date of survey (i.e. June – December 2024), as per CIEEM guidance³. Should the planning application be delayed the results of this report should be reviewed by an ecologist and a repeat site survey may be required.

Proposals

- 1.5 Application for Full Planning Permission for demolition of an existing pavilion and theatre building and the construction of a new building, housing a new Sixth Form Centre.

Planning Context

- 1.6 Relevant information regarding local planning policy is provided in the Ecological Desk Study (TEP Ref 9991.001).
- 1.7 The following policies within Manchester City Council's Local Development Framework Core Strategy Development Plan are of relevance to ecology and biodiversity:
- Policy EN9 relates to 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

¹ CIEEM (2017a) Guidelines for Ecological Report Writing, 2nd Edition. Chartered Institute of Ecology & Environmental Management, Winchester

² CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2. Chartered Institute of Ecology and Environmental Management, Winchester

³ CIEEM (2019) On the Lifespan of Ecological Reports & Surveys, April 2019. Chartered Institute of Ecology and Environmental Management, Winchester.

and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure; and

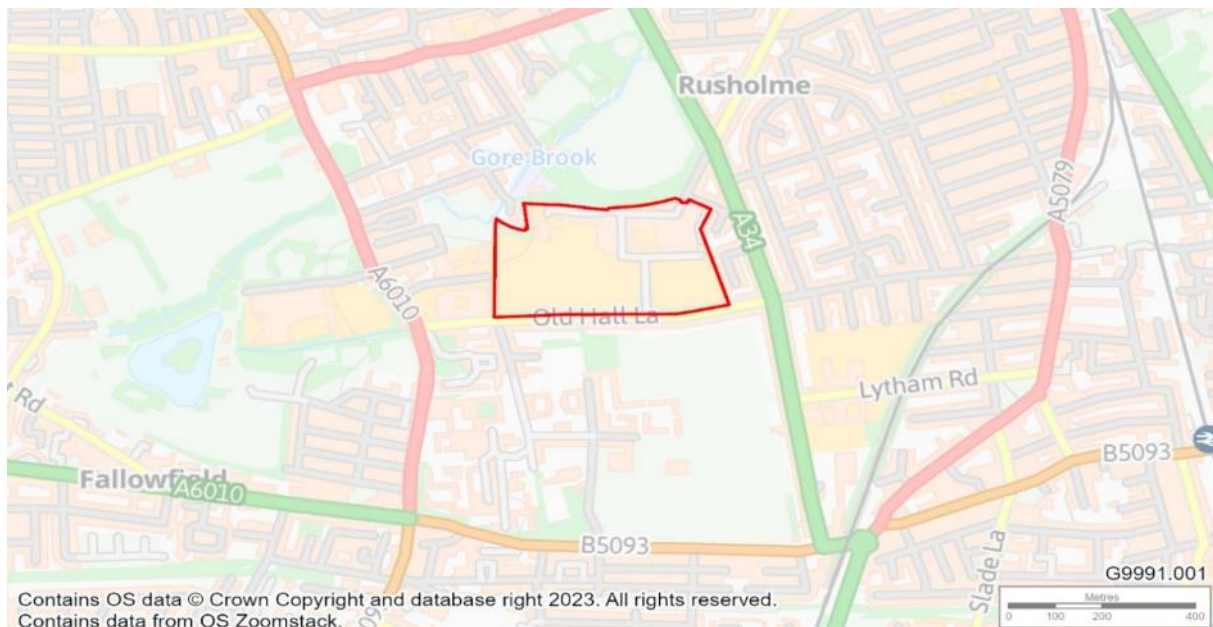
- Policy EN15 relates to Biodiversity and Geological Conservation: developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

- 1.8 Under the National Planning Policy Framework 2021 (NPPF), opportunities to achieve biodiversity net gain within developments should be pursued.

Site Location

- 1.9 The site is located on Old Hall Ln, Manchester. The location of the site is depicted by the red line shown in Figure 1. The approximate central grid reference of the site is SJ 85991 94613. The site is surrounded by residential houses on all sides.

Figure 1: Site location



Scope

- 1.10 This ecological assessment considers potential effects upon any ecological receptors such as notable habitats or species which may be present or adjacent to the site.
- 1.11 This report provides baseline information on the habitats and protected species present on site, gathered during June 2023:
- An ecology desk study (TEP Ref: 9991.001; Appendix B);
 - An Extended Phase 1 habitat survey and UKHab & conditions assessment survey;
 - A preliminary bat roost assessment.

1.12 This report presents the findings of the Ecological Assessment, the objectives of which are to:

- Detail the methods and results of the aforementioned surveys;
- Identify features of ecological value within the application site such as legally protected species or habitats of importance to biodiversity;
- Identify any non-native invasive species on site and provide advice regarding removal or management;
- Advise on avoidance or mitigation requirements that may be needed prior to development commencing; and
- Provide outline recommendations for biodiversity enhancement within site proposals in accordance with Manchester City Council's Local Development Framework Core Strategy Development Plan and the National Planning Policy Framework (NPPF).

2.0 Methods

Desk Study

- 2.1 In line with current best practice (CIEEM, 2016⁴, 2017b⁵), information regarding designated sites, notable habitats and existing protected and notable species records from the past decade, within a 2km minimum radius of the site was collated and reviewed to inform this ecological assessment. Further detail regarding ecological zones of influence (EZOI) applied for different ecological features and the sources of information included are presented in the Ecological Desk Study (TEP Ref 9991.001; Appendix B).
- 2.2 In brief, key data sources included Natural England (open source data), Environment Agency (open source data); Manchester City Council's Local Development Framework Core Strategy Development Plan (adopted 11th July 2012), and other relevant planning documentation such as the Manchester Local Plan Review (Local Plan set to be adopted in Winter 2024), Places for Everyone (proposed adoption 2023) Greater Manchester Ecology Unit (GMEU) and Greater Manchester Local Biodiversity Action Plan (LBAP) and a review of relevant (within the past ten years) species records.
- 2.3 Statutory designated wildlife sites were searched for as follows (EZOI applied for each is indicated in brackets):
- Ramsar sites (10km);
 - National Sites Network (10km), includes Special Areas of Conservation (SAC) and Special Protection Areas (SPA);
 - Site of Special Scientific Interest (SSSI) (5km);
 - National Nature Reserve (NNR) (5km); and
 - Marine Nature Reserve (MNR) (5km);
 - Local Nature Reserves (LNR) (2km).
- 2.4 Non-statutory designated wildlife sites were searched for within 2km of the site and, within Greater Manchester, these include Sites of Biological Importance (SBI).
- 2.5 Regionally Important Geological Sites (RIGS) are also identified in the search results provided by GMEU, but assessment of RIGS and other geological features do not fall within the scope of this assessment and are not discussed further.
- 2.6 Notable habitats were searched for on and adjacent to the site. Notable habitats may include those listed under any of the following:
- Ancient woodland;
 - Main rivers;

⁴ CIEEM (2016) Guidelines for Accessing and Using Biodiversity Data. Chartered Institute of Ecology & Environmental Management

⁵ CIEEM (2017b) Guidelines for Preliminary Ecological Appraisal, 2nd Edition. Chartered Institute of Ecology & Environmental Management

- Habitats of principal importance (HPI) as listed by the requirements of Section 41 (S41) of the Natural Environment and Rural Communities (NERC) Act 2006⁶; and
- Local Biodiversity Action Plan Habitats (LBAP).

2.7 Pre-existing records for notable species were reviewed from the combined data sources, where found from within approximately 2km of the site. Notable species include those listed under any of the following:

- Protected animal species under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (EPS);
- Protected bird species under Schedule 1 of the Wildlife and Countryside Act 1981, as amended (WCA1);
- Protected animal species under Schedule 5 of the Wildlife and Countryside Act 1981, as amended (WCA5);
- Protected plant species under Schedule 8 of the Wildlife and Countryside Act 1981, as amended (WCA8);
- Invasive non-native plant species under Schedule 9 of the Wildlife and Countryside Act 1981, as amended (WCA9);
- Invasive non-native species under the Invasive Alien Species (Enforcement and Permitting) Order 2019 (IAS);
- Species of principal importance (SPI) as listed by the requirements of S41 of NERC;
- Protection of Badgers Act 1992 (PBA);
- Red and Amber listed Birds of Conservation Concern (BRd/BAM); and
- Greater Manchester Biodiversity Action Plan Species (LBAP).

Limitations

2.8 Species records can provide a useful indication of the species present within the search area, although the absence of a given species from the dataset cannot be taken to represent actual absence.

Habitats and Flora

Habitat Survey

2.9 An extended Phase 1 habitat survey was completed by TEP ecologist, certified to Level 3 under the Field Identification Skills Certification⁷. The survey was completed on 08th June 2023. The survey was carried out in accordance with the Phase 1 habitat assessment methods (JNCC, 2010⁸), UK Habitat Classification (UKHab) assessment method⁹ and Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017b⁴). The

⁶ Section 41 of the Natural Environment and Rural Communities Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England.

⁷ A national skills certification scheme operated by Botanical Society of Britain and Ireland. FISC 4 is the competency level recommended for Biodiversity Net Gain (BNG) field assessments

⁸ JNCC (2010) Handbook for Phase 1 Habitat Survey – a technique for environmental audit

⁹ The UK Habitat Classification User Manual Version 1.1 September 2020

method records the habitat types present, within the survey area, based on the JNCC/UKHab descriptions. Plant species were identified in accordance with the New Flora of the British Isles (Stace, 2019¹⁰) and recorded as target notes using the DAFOR¹¹ scale, where relevant. Habitats present within the site boundary are displayed on Drawing G9991.007.

Limitations

- 2.10 Any ecological survey represents a snapshot of ecological conditions at the time of survey; ecological conditions may change over time. Efforts to identify dominant plant species for the purposes of characterising broad habitat types do not constitute a detailed botanical survey.

Fauna

- 2.11 Ordnance Survey maps and aerials were reviewed to identify potentially suitable habitats offsite within influence (e.g. dispersal distances for mobile species) of the site. The Ecological Desk Study identified any pre-existing records for protected and notable species within at least 2km of the site.
- 2.12 The habitat survey included an extended assessment of the habitats present for their potential to support notable or protected wildlife species. Any signs indicating the presence of these species were recorded.
- 2.13 In combination, this data informed the scope for further surveys required to inform this Ecological Assessment.

Limitations

- 2.14 All surveys were completed within appropriate seasons over appropriate periods in accordance with industry standards for the specific survey. Nevertheless, the surveys will only identify habitats present at the site at the time of surveys. Additionally, the species investigated are mobile and will move into and out of areas over time. For these reasons a precautionary approach has been taken in the prediction of impacts. Where there is any doubt, except where specifically noted, species are assumed to be present, and the impact assessment assumes a higher level of significance (within the spectrum of possible significance).

Preliminary Bat Roost Assessment

- 2.15 A daytime building survey was carried out at two buildings on site on 08th June 2023 by Bat licensed TEP Ecologist and H&S assistant.
- 2.16 One tree (T1) on site will be unavoidably impacted by the proposed development, located adjacent to the east of B2. The tree is a semi-mature plain tree which shows signs of regular management. Superficial knot holes are present where previous

¹⁰ Clive Stace (2019) New Flora of the British Isles

¹¹ DAFOR = Dominant, Abundant, Frequent, Occasional & Rare

pruning cuts have been completed however, these features do not lead to crevice or cavity spaces suitable for roosting bat species.

- 2.17 The buildings were inspected both externally and internally for field signs of bats such as droppings, scratch marks, insect remains and urine smear marks and actual bat presence. Binoculars were used as aids. The survey was conducted with year-round use by bats in mind.
- 2.18 Buildings were categorised according to their bat roost suitability as determined by the characteristics and potential roost features (PRF) detailed in Table 1.

Table 1: Categorisation of buildings for bat roost suitability

Suitability	Characteristics	Potential Roost Features
High <i>Several of the following features:</i>	Pre – 20th century buildings. Agricultural buildings of traditional brick, stone or timber construction. Large unobstructed flying spaces. Roof warmed by sun, in particular south facing roofs without shade. Large roof timbers with gaps at joints (e.g. mortise joints), cracks and holes. Numerous access points for bats to fly into. Buildings near woodland and/or water. Low levels of disturbance. Buildings may be poorly maintained or aged, providing access points for bats into roof structures or crevices in bridges, but at the same time not too draughty, wet or cool.	PRF that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time (e.g. maternity/hibernation) due to their size, shelter, protection, conditions and surrounding habitat.
Moderate <i>Some of the following features:</i>		One or more PRF that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (maternity/hibernation).
Low	Modern/intact buildings with few potential access points for bats. Brick buildings often with pitched slate or tile roofs but may have small or cluttered roof space. Flat roofed buildings with weatherboards or similar feature at the eaves with potential bat access behind or into building. Cooler, shaded, light or draughty voids. Buildings often lacking connectivity to woodland or areas of water.	One or more PRF that could be used by individual bats opportunistically, however, these PRFs do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats.
Negligible	Flat roof structures lacking weatherboards, hanging slates or cladding. Modern/intact buildings with no bat access points. Lacking connectivity to any woodland or areas of water. High levels of regular disturbance. High levels of internal/external lighting. Buildings in very poor condition such that internal spaces are not weatherproof, being exposed to high levels of light, wind and/or rain.	Negligible habitat features on site likely to be used by roosting bats.

Nocturnal Bat Roost Survey

- 2.19 Three nocturnal surveys, comprising two dusk emergence and one dawn re-entry survey were completed on the buildings proposed for demolition on the site.
- 2.20 Surveys were led by Licensed TEP Ecologists. Eight surveyors were stationed at fixed vantage points around the buildings such that all elevations and gables were in view. All potential building access points for bats were covered by strategic placements of surveyors. A combination of dusk emergence and dawn re-entry surveys were used. Dusk emergence surveys commenced 15 minutes before sunset and finish 1.5 hours after sunset. Dawn re-entry surveys commence 1.5 hours before sunrise and finish 15 minutes after sunrise.
- 2.21 One survey was required at building B2 as this was assessed as having 'Low' suitability for roosting bats during the preliminary bat roost assessment and no roosts were recorded during the first survey. Surveyor numbers were then reduced to six during survey visits two & three for full coverage of B1.
- 2.22 One heterodyne and one frequency division or full spectrum detector (Anabat Express / Anabat Scout / Elekon Batlogger) were employed at each vantage point on all surveys and one Night Vision Aid camera (NVA) was positioned at B1.
- 2.23 During each survey, observations such as bat species, the number of bats entering or leaving the building, the location of entry and exit points, behaviours such as close interest in a building or its features, commuting or passing bats and weather conditions were recorded.
- 2.24 Weather conditions were recorded at the start and end of surveys in addition to any significant change in condition during the survey, as provided in Table 3. Weather was optimal during all three nocturnal surveys undertaken, being dry with little breeze and temperatures ranging from 18°C at the start to 12°C at the finish. Surveys were carried out during the optimal survey period of the year (May to August)
- 2.25 Recordings of the bat calls were analysed to verify species identification after the completion of nocturnal surveys using Kaleidoscope analysis software by Annabel Walker-Evans. The nocturnal surveys were completed in line with best practice guidance (Collins, 2016¹²) between July and August 2023.

Table 1: Weather Conditions During Roost Surveys 2023

Survey Date	Sunset/Sunrise Time	Survey Time		Temperature (*c)	Rain	Cloud Cover (Oktas)	Wind (Beaufort)
25.07.2023	21:17	Start	21:02	14.5	0	1	1
		End	22:47	12.5	0	4	1
08.08.2023	20:52	Start	20:37	18	0	3	1

¹² 4 Collins, J(ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

		End	22:32	17	0	1	1
23.08.2023	06:02	Start	04:47	15	0	7	1
		End	06:17	14	0	8	1

Limitations

- 2.26 Weather conditions during the nocturnal surveys were optimal and surveys were undertaken within the recommended survey season of May - August. Vantage points allowed full vision of all potential roosting features identified during the preliminary roost inspection. There were no constraints to the nocturnal bat roost surveys.

Ecological Assessment Process

- 2.27 This Ecological Assessment follows the published guidelines (CIEEM, 2018) and accepted best practice approach (BS42020:2013¹³) of the mitigation hierarchy whereby impacts are first avoided or, where this is not possible, reduced or mitigated for. Compensation is used as a last resort.
- 2.28 In summary, the following procedure was undertaken:
- Describe the baseline and identify important ecological features;
 - Describe important ecological features and identify those which may potentially be affected by the Proposed Development;
 - Identify potential impacts upon important ecological features and characterise the effect of such impacts (in respect of biophysical changes and taking account of relevant aspects of ecosystem structure or function);
 - Incorporate measures to avoid or reduce these effects;
 - Determine whether residual ecological effects are considered significant after avoidance or mitigation;
 - Identify appropriate compensation measures to offset significant residual effects; and
 - Identify opportunities for ecological enhancement.
- 2.29 Important ecological features are identified and valued, ecological impacts are characterised and assessed, and recommendations for appropriate mitigation, compensation and enhancement are made, in accordance with CIEEM guidance².
- 2.30 BS42020:2013 defines a significant effect as one *“which is important, notable, or of consequence, having regard to its context”*. CIEEM describes significance as *“a concept related to the weight that should be attached to effects when decisions are made”*. CIEEM defines an ecological effect as significant if it is *“sufficiently important to require assessment and reporting so that the decision maker is adequately informed of the environmental consequences of permitting a project”*.

¹³ British Standards Institution (2013) BS 42020:2013: Biodiversity — Code of practice for planning and development. BSI Standards Limited, London

- 2.31 BS42020:2013 sets out a practical approach to determining the significance of an ecological effect, applicable at all levels of decision making in legal and policy terms, as follows:
- will the effect on biodiversity influence the balance of planning considerations and therefore the decision as to whether planning permission is likely to be refused or granted; and
 - if planning permission is granted, is the effect important enough to warrant the use of planning conditions and/or obligations to guarantee proposed measures or to impose restrictions, or to seek further requirements (e.g. for mitigation, compensation, enhancement, monitoring or site management).
- 2.32 Significance is therefore assessed on a case-specific basis according to the importance of the ecological feature (site, habitat, or species) within the conservation hierarchy, and the effect upon it.

Assumptions

- 2.33 Information provided by third parties, including publicly available information, is assumed to be correct at the time of publication.

3.0 Results

Planning Context

- 3.1 The NPPF at *Chapter 11: Conserving and Enhancing the Natural Environment* requires that development delivers net gains in biodiversity in addition to minimising the impacts on biodiversity. The chapter highlights the need to protect and enhance valued landscapes, geological conservation interests and soils, as well as recognising the wider benefits of ecosystems.
- 3.2 The Greater Manchester Manchester's Local Development Framework was adopted by Manchester City Council on 11th July 2012. Relevant extracts of local planning policy are provided in the Ecological Desk Study (TEP Ref: 9991.001). The following policies relate to biodiversity and nature conservation:
- Policy EN9 relates to 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; and
 - Policy EN15 relates to Biodiversity and Geological Conservation: 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.
 - Neither the site nor adjacent land is allocated for biodiversity purposes within the Manchester Local Plan Development Framework.

Designated Sites

Statutory Wildlife Sites

- 3.3 Full details regarding designated sites are provided within the Ecological Desk Study (TEP Ref 9991.001; Appendix B).
- 3.4 There is one statutory designated site of international importance within 10km of the site, none of national importance within 5km and one of regional or local importance within 2km. These sites are Rochdale Canal (Special Area of Conservation (SAC), located approximately 6.9km northeast, and Highfield Country Park, Levenshulme (Local Nature Reserve (LNR), located approximately 1.9km southeast of the site.
- 3.5 SSSI Impact Risk Zones (IRZ) highlight the potential for effects on a SSSI if certain types of development are planned within a specified radius of it. The site falls within two Impact Risk Zones (IRZ). The proposals do not meet any of the risk parameters identified for this IRZ.

Non-Statutory Wildlife Sites

- 3.6 There are no non-statutory wildlife sites identified within 2km of the site.

Habitats and Flora

Pre-existing Data

- 3.7 The Desk Study identified the following notable habitats connected to the site: deciduous woodland, traditional orchard and statutory main rivers. The closest area of which is on the site.
- 3.8 No records of notable or invasive flora were returned on the site or within 1km.
- 3.9 Habitats present in and around the site are described below and illustrated in Drawing G9991.007. Target notes (TN) illustrative of the habitats described are provided in Appendix A.

Phase 1 Habitat Survey

- 3.10 A Phase 1 Habitat map is provided at the back of this report (Drawing ref: G9991.007) which provides an illustration of the habitats present on the site. These habitats are listed below and brief descriptions of these habitats are also given.
- Amenity grassland;
 - Dense continuous scrub;
 - Scattered broad-leaved trees;
 - Species-poor intact hedge;
 - Introduced shrub;
 - Buildings
 - Hardstanding; and
 - Sports pitches.

Amenity Grassland

- 3.11 Amenity grassland is present throughout the site, the main area is in the south-west where a large sports field is present. This area is regularly maintained with the sward kept to a short length of approximately 10-15mm. Detailed species identification is limited due to this. This area is dominated by perennial rye-grass *Lolium perenne*, with the occasional clover species *Trifolium sp.*, dandelion *Taraxacum sp.* and daisy *Bellis perennis*.

Figure 2: Amenity Grassland in the south-west of the site



Dense continuous scrub

- 3.12 Dense continuous scrub is present in the northwest of the site, which links onto the sports pitch. The scrub here is in the form of occasional young tree regeneration of elder *Sambucus nigra* and ash *Fraxinus excelsior* then the occasional scattered nettle *Urtica dioica* and bramble *Rubus fruticosus* scrub is also present in this area.

Scattered Broad-leaved Trees

- 3.13 A number of scattered broad-leaved trees are present throughout, mainly around the boundary of the site. Along the south of the site is a line of mature London Plane *Platanus x hispanica* trees which are adjacent to the boundary fence. A row of Lime *Tilia sp.* trees also borders the entrance driveway. Along the northern boundary are continuous scattered trees which consist of Sycamore *Acer pseudoplatanus*, Ash *Fraxinus excelsior* and Cherry trees *Prunus sp.* All trees on site range between young to semi-mature in age with the plane trees being more mature.

Figure 3: Scattered broad-leaved trees are present throughout site



Species-Poor Intact Hedge

- 3.14 Numerous species poor intact hedgerows are present around the site boundary. These hedgerows comprise of hawthorn *Crataegus monogyna* to the north. Cherry Laurel *Prunus laurocerasus*, Cotoneaster species *Cotoneaster sp.* and Rhododendron *Rhododendron ponticum* to the east. Then to the south and west the hedge is a single species hedgerow of Beech *Fagus sylvatica*, no ground flora is present along these boundaries of this section. All hedgerows are around 2m in height.

Figure 4: Species poor intact hedgerows around the site boundary



Introduced Shrub

- 3.15 Introduced, ornamental shrubs are planted northeast of site, in front of the main reception building and archway. These shrubs appear to be regularly managed and kept at a variety of heights.

Figure 5: Introduced shrubs north of site



Buildings and hardstanding

- 3.16 The site comprises of numerous brick-built buildings and structures that all vary between size and levels. More detail of the buildings due to be affected by works are detailed in Table 2.
- 3.17 Hardstanding is present on site in the form of car parking areas and pedestrian walkways throughout the site.

Figure 6: Buildings and hardstanding north of site



Sports pitches

- 3.18 Astroturf pitches and a tennis court are present in the southeast of the site. The sports pitches are well maintained and are within a secure metal fence area around 8-10ft in height. There are flood lights above the fenced area surrounding the pitches.

Figure 7: Sports pitch on site



Habitat Connectivity

- 3.19 The site holds little connectivity to habitats outside the site as it is isolated between roads. All boundaries on site and along the site boundaries comprise of hedgerows and fences.

Fauna

- 3.20 The potential for the site to support legally protected and notable species has been assessed using the results of the desk study and observations made during the site survey of habitats within and immediately surrounding the site. Habitats present within the Site are suitable for the following species: further consideration is given below to the likelihood for these species to be present within the site:

- Amphibians;
- Bats;
- Birds; and
- Hedgehog.

- 3.21 The site does not provide suitable habitat for other protected or notable species beyond those listed above. These other species will not be considered further within this report.

Amphibians

- 3.22 No records of amphibians were returned on the site or within 2km of the site.
- 3.23 No ponds are present on site or within 500m therefore there is no suitable breeding habitat for amphibians. No terrestrial habitat suitable for amphibians is present on site due to the lack of cover provided by the limited vegetation and regularly managed grassland. No evidence of amphibians was found on site.
- 3.24 There are no implications for the proposed development with regard to amphibians and therefore they are not discussed further within this report.

Bats

- 3.25 Field records (non-roost) of at least seven species of bat (*Myotis* genus could include multiple species) were returned within the data search from within 2km of the site:
- brown long-eared bat *Plecotus auritus*;
 - common pipistrelle *Pipistrellus pipistrellus*;
 - Daubenton's Bat *Myotis daubentonii*
 - *Myotis* species
 - noctule *Nyctalus noctule*
 - pipistrelle bat *Pipistrellus* sp.; and
 - soprano pipistrelle *Pipistrellus pygmaeus*.

- 3.26 No historic bats roost or field records are present on or adjacent to the site. The closest bat records were soprano pipistrelle which was recorded 200m north-west of the site. Six Natural England mitigation licences for bats were identified within 2km of the site. None of these were recorded on or adjacent to the site.
- 3.27 Trees are present within the site and around the site boundary. The site itself offers suitability for commuting or foraging bats but this is limited in areas due to flood lighting present throughout the site.
- 3.28 Of the buildings present on site, two buildings were assessed for bat roost suitability. The findings of the preliminary bat roost assessment of these buildings are provided in Table 2 below.

Table 2: Preliminary bat roost assessment

Building Ref.	Description	Photographs
B1	External: Building 1 comprises a two-storey 'L' shaped brick building with a pitched roof. There are gaps present between the soffit box and external walls that allow entry into the loft void. A number of tiles are missing or raised that also provide crevice features for roosting bats and additional entrance points into the loft void. Internal: The ground floor consists of a cafeteria, boiler room and changing room facilities, the second floor contains a number of offices and a sports viewing area with a balcony. The loft space is a continuous open space that travels the length of the building. Numerous mouse and rat droppings were identified within the loft space. The loft is generally clean with clear flight lines however, no evidence of historic or current roosting was identified <u>Roosting Suitability:</u> High	   

Building Ref.	Description	Photographs
B2	External: Building 2 is a one storey, square shaped building consisting of one room and a roofed walk way to the north. The building has a flat bitumen roof with bargeboards on all aspects. A number of small holes were identified within bargeboards which may present roosting opportunities for individual crevice dwelling species during summer months. Internal: The building contains no roof void. The internal space is lit by daylight through numerous windows which would discourage roosting bats. <u>Roosting Suitability:</u> Low	   

- 3.29 No bats were recorded emerging from or returning to roost within B1 or B2 on site during any of the nocturnal surveys undertaken by TEP in July and August 2023.
- 3.30 The first nocturnal survey visit was undertaken on the 25th July 2023. The first bat contact was recorded at 22:01 (sunset + 1hr). The bats recorded were commuting over the site using the northern tree line. Species recorded included common pipistrelle and soprano pipistrelle.

- 3.31 During the second visit undertaken on 08th August 2023 the first bat contact was recorded at 21:34 (sunset + 1hr 12min). Activity comprised individual common pipistrelle and soprano pipistrelle bats commuting over the site as well as one noctule bat commuting high over the site from south to north.
- 3.32 The last contact recorded on the final dawn nocturnal survey undertaken on the on 23th August 2023 was at 05:20 (sunrise - 42 minutes). During the survey, an individual common pipistrelle and soprano pipistrelle was observed commuting over the northern and southern tree line site boundary.
- 3.33 Overall bat activity levels across all three surveys were relatively low, bright external lighting upon the buildings on site are likely to prevent much foraging or commuting opportunities close to B1 and B2. Common and soprano pipistrelle bats were recorded on site over the fields to the south and along the northern tree line, commuting off site to more suitable foraging opportunities. No foraging behaviour was noted during the surveys.
- 3.34 As B1 and B2 do offer suitable roosting opportunities for bat species, there are potential impacts to roosting bats as a result of the development.

Birds

- 3.35 Three records of birds were recorded from within the site boundary which were song thrush *Turdus philomelos*, starling *Sturnus vulgaris* and bullfinch *Pyrrhula pyrrhula*.
- 3.36 Schedule 1 birds recorded within 2km of the site is kingfisher *Alcedo atthis*
- 3.37 Birds of Conservation Concern (BoCC) recorded within 2km of the site: bullfinch *Pyrrhula pyrrhula*, dunnoek *Prunella modularis*, herring gull *Larus argentatus*, house sparrow *Passer domesticus*, linnet *Linaria cannabina*, reed Bunting *Emberiza schoeniclus*, song thrush *Turdus philomelos*, starling *Sturnus vulgaris*, tree Sparrow *Passer montanus*.
- 3.38 Red Listed birds (BRd) recorded within 2km of the site: herring gull, house sparrow, linnet, starling, and tree sparrow.
- 3.39 The scattered trees, scrub and hedgerow habitats on site, including T1 which will be unavoidably lost to the development, do provide nesting opportunities for birds. During the Phase 1 Survey, magpies were sighted with nesting material at the missing tiles of B1 on the southwest aspect. As both T1 and B1 will be lost to the development, there are potential impacts to nesting birds during the works.

Figure 8: Bird seen looking around the missing tile on the roof



Hedgehog

- 3.40 A total of 73 records of hedgehog were returned in the data search. The closest hedgehog record lies 0.1km north-east of the site.
- 3.41 No hedgehog or evidence of hedgehog was observed on site. The site does provide some cover and foraging habitat for hedgehog in the dense continuous scrub northwest to the site. However, as the works planned are more central to the site and not around any dense vegetation, there are no implications with regards to hedgehog and so this species is not discussed any further within this report.

4.0 Assessment of Potential Impacts

- 4.1 This section assesses the potential impacts on ecological features associated with the Proposed Development described in Section 1.1
- 4.2 Consideration is given to the 'mitigation hierarchy', i.e., that impacts are first avoided or where this is not practicable, mitigated and as a final resort, compensated (off-set).

Wildlife Sites

Statutory Designated Sites

- 4.3 The closest statutory designated site is Rochdale Canal SAC & SSSI which is located approximately 6.9km north-east of the proposed development site, separated from the site by buildings and infrastructure.
- 4.4 The closest designated sites of regional or local importance within 2km of the site is Highfield Country Park, Levenshulme (Local Nature Reserve (LNR), is located approximately 1.9km southeast of the site.
- 4.5 Given the distance from the site, the lack of hydrological connection between the site and the designated sites and the proposals are not listed as a concern within the IRZ for the site, no direct or indirect impacts are anticipated with regard to the proposed development.

Non-statutory Designated Sites

- 4.6 There are no non-statutory wildlife sites identified within 2km of the site as such no impacts are anticipated with regard to the proposed development.

Habitats and Flora

Notable Habitats

- 4.7 Deciduous woodland, traditional orchard and statutory main rivers are identified on Natural England's priority habitat inventory which are present on/adjacent the site. However, none of these are local priority habitats listed under the Greater Manchester LBAP. Therefore, there will be no impacts on notable habitats as a result of the development.

Invasive and protected plant species

- 4.8 No non-native invasive (WCA9) species were identified within the site and no invasive non-native species were identified within the site boundary in the historic data search.
- 4.9 During the phase 1 survey, invasive plant species Himalayan balsam *Impatiens glandulifera* was recorded in the northwest of the site.
- 4.10 As the works planned are central to the site there are no implications with regard to invasive plants and the proposed development.

Fauna

Bats

- 4.11 B1, B2 and T1 site will be lost by the proposed development. No evidence of bat roosting was found on site during the daytime bat assessment and no bats were identified to be roosting within the buildings during the nocturnal surveys, as such no further surveys are required prior to works however, as the buildings offer suitable roosting opportunities for bat species, a licenced bat consultant will be required onsite immediately prior to demolition / removal of the building features suitable for bat roosting to ensure that no bats are present on the day of removal. In the unlikely event that bats are found to be present immediately prior to demo, the works must be put on hold until a licence from Natural England has been obtained.

Birds

- 4.12 There is a risk of disturbance of any nesting birds on or around buildings B1 and T1 if works are to be carried out in the nesting period (between March to August inclusively, although geographical position of the site will influence this period and some species will commonly nest outside this period).
- 4.13 There may be temporary disturbance to birds during site clearance and construction activities, however loss of habitat on site is unlikely to have a significant impact on the local bird population and bird boxes can be installed on site to mitigate the loss of nesting habitat.

5.0 Mitigation and Enhancement

- 5.1 This section describes appropriate and proportionate measures for impact avoidance, mitigation and enhancement required or recommended to address the potential ecological effects described in Section 4.0.

Fauna

Bats

- 5.2 All British bats are European protected species, afforded full protection under the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended). Bats are protected from killing or injury, and from disturbance at the place of rest. Bat roosts are also protected from obstruction, damage or destruction (whether or not a bat is in occupation at the time). All bats are also LBAP priority species.

Avoidance and Mitigation Required

- 5.3 As the potential roost features of both B1 and B2 present roosting opportunities for bat species, a licence bat consultant will be required on site during the demolition of the buildings to undertake a pre-demolition inspection of the potential roosting features and supervise the works, in order to ensure no bats are present during demolition. In the unlikely event that bats are present within the buildings at the time of demolition, all works affecting the roosts must cease until a licence has been obtained from Natural England.

Additional Mitigation Measures or Enhancement Recommended

- 5.4 Proposed lighting should be designed in line with the Institution of Lighting Professionals Guidance Note 08/18 Bats and Artificial Lighting in the UK. A Sensitive Lighting Strategy should also be incorporated within proposals to avoid impacts on commuting bats by creating dark corridors.
- 5.5 In addition, roosting habitat for bats should be enhanced within the wider site with the provision of bat boxes incorporated into the new buildings. The model of bat box will be dependent on the species of bat found to be utilising the site during the nocturnal surveys.

Birds

- 5.6 Native nesting birds, their nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended) from damage and destruction, from the time of nest construction to fledging of the young.

Avoidance and Mitigation Required

- 5.7 Works should be completed outside the nesting period (typically taken to be March to August inclusive). Where avoidance of the nesting period is not practicable, a nesting bird check must be carried out on the B1 and T1 by an ecologist no more than 24

hours prior to the works, to confirm that no active nests are present. In the event that an active nest is identified, works within the surrounding area must halt until the chicks have fledged. The required radius of the exclusion area will depend on the species found nesting and the context of the nesting location.

Additional Measures or Enhancement Recommended

- 5.8 Nesting habitat for birds should be further enhanced within the wider site with the provision of bird boxes mounted onto the new development or incorporated into the new buildings.

6.0 Conclusions

- 6.1 The site is considered to be of low ecological value. The project footprint is small and located within the footprint of the existing hardstanding and buildings.
- 6.2 Two buildings and one tree are to be affected by the proposals; these are readily recreated within the short term. Impacts upon protected or notable species that may utilise the above will be avoidable by undertaking further surveys and the implementation of precautionary working measures including timing demolition to avoid sensitive periods and adopting sensitive construction methods.
- 6.3 No bat roosts were identified within B1 or B2 and so no further surveys are required. A licenced bat consultant will be required on site during the demolition of the buildings to undertake a pre-demolition inspection of the potential roosting features and supervise the works, in order to ensure no bats are present during demolition. In the unlikely event that bats are present within the buildings at the time of demolition, all works affecting the roosts must cease until a licence has been obtained from Natural England.
- 6.4 A nesting bird check must be carried out on the buildings and tree by an ecologist if works are to be completed within the nesting period (typically taken to be March to August inclusive).
- 6.5 All impacts are therefore anticipated to be temporary and reversible in the short term. With implementation of the recommended precautionary working methods, no significant ecological effects are expected on statutory or non-statutory wildlife sites, notable habitats or protected or notable species.

Appendix A

Target Notes

Target Notes Report

Survey 9991-1

Target Note TN01

Amenity grassland. Maintained regularly, short sward 10mm, therefore detailed ID is limited.

<i>Lolium perenne</i>	Perennial Ryegrass	D
<i>Bellis perennis</i>	Daisy	O
<i>Dactylis glomerata</i>	Cock's-foot	O
<i>Holcus lanatus</i>	Yorkshire-fog	O
<i>Trifolium repens</i>	White Clover	O

Target Note TN02

Species poor intact hedgerow. 2m in height, single species hedgerow, no ground flora forms the south & west boundaries

<i>Fagus sylvatica</i>	Beech	D
------------------------	-------	---

Target Note TN03

Dense continuous scrub. Area of dense scrub & young trees in the northeast of the sports pitch

<i>Fraxinus excelsior</i>	Ash	A
<i>Galium aparine</i>	Cleavers	A
<i>Holcus lanatus</i>	Yorkshire-fog	A
<i>Rubus fruticosus</i> agg.	Bramble	A
<i>Sambucus nigra</i>	Elder	A
<i>Urtica dioica</i>	Nettle	A
<i>Capsella bursa-pastoris</i>	Shepherd's-purse	O
<i>Dactylis glomerata</i>	Cock's-foot	O
<i>Equisetum</i> sp.	Horsetail species	O
<i>Festuca rubra</i>	Red Fescue	O
<i>Prunus</i> sp.	Cherry species	O
<i>Rumex obtusifolius</i>	Broad-leaved Dock	O
<i>Senecio vulgaris</i>	Groundsel	O
<i>Acer campestre</i>	Field Maple	R
<i>Pilosella officinarum</i>	Mouse-ear Hawkweed	R

Target Note TN04

Scattered trees. Along the south of the site is a line of mature Plain trees adjacent to the boundary fence. A row of Lime trees also borders the entrance driveway. Along the northern boundary are continuous scattered trees.

<i>Acer pseudoplatanus</i>	Sycamore	O
<i>Aesculus hippocastanum</i>	Horse-chestnut	O
<i>Prunus</i> sp.	Cherry species	O
<i>Sambucus nigra</i>	Elder	O
<i>Sorbus aucuparia</i>	Rowan	O
<i>Tilia</i> sp.	Lime species	O

Target Note TN05

Scattered trees present along northwest boundary. Himalayan balsam also present here on site.

<i>Impatiens glandulifera</i>	Himalayan Balsam	A
<i>Acer pseudoplatanus</i>	Sycamore	O
<i>Fraxinus excelsior</i>	Ash	O
<i>Prunus</i> sp.	Cherry species	O

Target Note TN06

Species-poor intact hedge. Single species Laurel hedge 2m length

<i>Prunus laurocerasus</i>	Cherry Laurel	D
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Target Note TN07

Astroturf pitches for sports and hardstanding tennis court

Target Note TN08

Species poor intact hedge

<i>Cotoneaster sp.</i>	Cotoneaster species	O
<i>Fraxinus excelsior</i>	Ash	O
<i>Hedera helix</i>	Ivy	O
<i>Rhododendron ponticum</i>	Rhododendron	O

Target Note TN09

Species poor intact hedge

<i>Crataegus monogyna</i>	Hawthorn	A
<i>Fraxinus excelsior</i>	Ash	A
<i>Betula sp.</i>	Birch species	O
<i>Prunus sp.</i>	Cherry species	O
<i>Sorbus aucuparia</i>	Rowan	O
<i>Ulmus glabra</i>	Wych Elm	O

Target Note TN10

Greenhouse & ornamental planting area. Dense Rhododendron vegetation to the east.

<i>Corylus avellana</i>	Hazel	A
<i>Epilobium sp.</i>	Willowherb species	O
<i>Fraxinus excelsior</i>	Ash	O
<i>Geum urbanum</i>	Wood Aven	O
<i>Lapsana communis</i>	Nipplewort	O
<i>Lonicera sp.</i>	Honeysuckle species	O
<i>Sonchus arvensis</i>	Perennial Sow-thistle	O

KEY - D = Dominant, A = Abundant, F = Frequent, O = Occasional, R = Rare

Appendix B

Desk Study Report



Manchester Grammar School

Old Hall Ln, Manchester

Ecological Desk Study

Prepared For: OMI Architects

Document Reference: 9991.001

June 2023

Version 1.0

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The conclusions and recommendations contained in this document are based upon information gathered by TEP and provided by third parties. Information provided by third parties and referred to herein has not been independently verified by TEP, unless otherwise expressly stated in the document.

We confirm that the opinions expressed in this report are our true and professional bona fide opinions. Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

Contents

Page

1.0	INTRODUCTION	1
	Location of Scheme	1
	Purpose.....	1
2.0	METHODS.....	2
	Scope and Data Sources.....	2
3.0	LEGISLATION AND POLICY	5
	Local Planning Policy	6
4.0	BIODIVERSITY INITIATIVES AND STRATEGIES.....	8
	Local Biodiversity Action Plans (BAP).....	8
5.0	WILDLIFE SITES.....	9
	Statutory Sites	9
	Non-Statutory Wildlife Sites.....	2
6.0	NOTABLE HABITATS	3
	Habitats of Principal Importance (HPI).....	3
7.0	PROTECTED AND NOTABLE SPECIES	5
	Protected Species Licences	5
	Pre-existing Species Records	5
	Relevant Legislation	2
	Relevant National Policy.....	9

Figures

Figure 1: Location of Scheme	1
Figure 2: Internationally designated sites within 10km of the site (map provided by TEP)	10
Figure 3: Nationally designated sites withing 5km of the site (map provided by TEP).....	11
Figure 4: Statutory wildlife sites of regional/local significance within 2km of the site (map provided by TEP).....	12
Figure 5: SSSI Impact Risk Zones relevant to the Scheme (refer to Table 3 for IRZ criteria)	14
Figure 7: Notable habitats within 2km of the site (map provided by TEP).....	4

Tables

Table 1: Scope and preliminary ecological Zones of Influence (ZOI).....	2
Table 2: Statutory wildlife sites.....	9
Table 3: SSSI Impact Risk Zones crossed by the options.....	1
Table 5: Natural England mitigation licences within 2km of the site.....	5

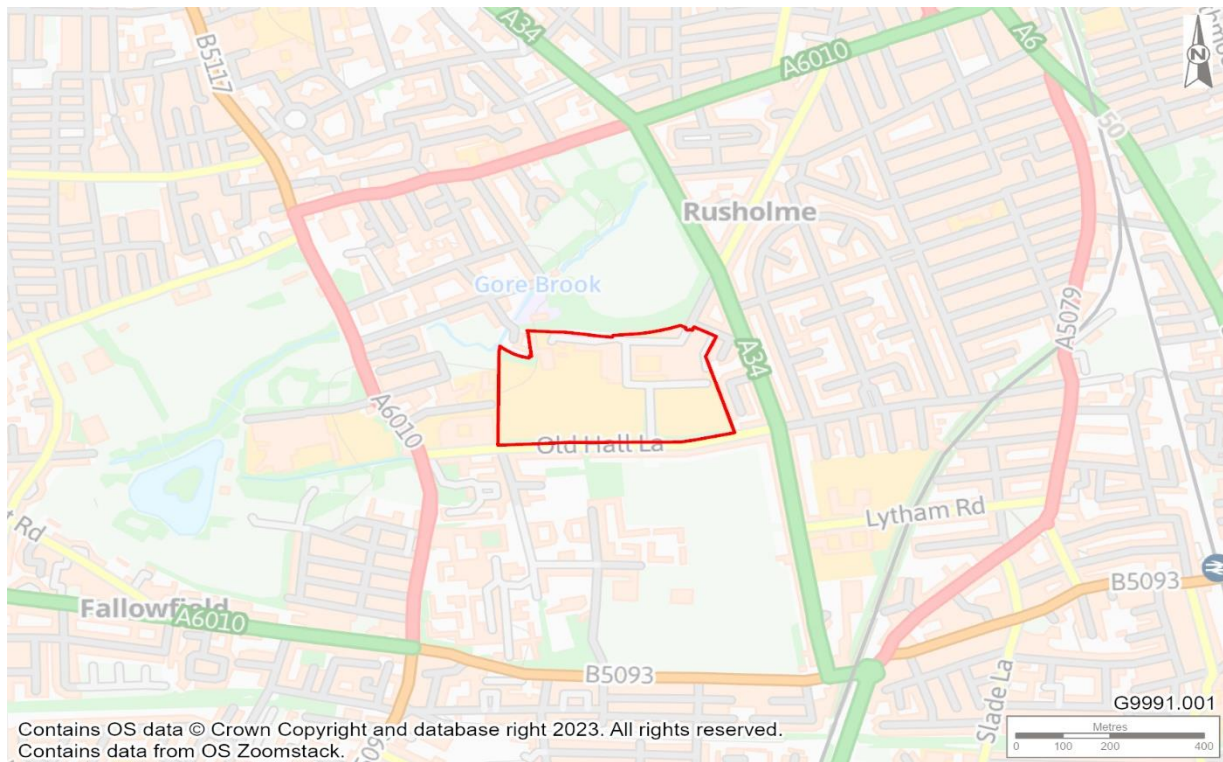
1.0 Introduction

- 1.1 The Environment Partnership (TEP) was commissioned by OMI Architects in May 2023 to undertake a Ecological Assessment to support a planning application for demolition of two existing buildings at Manchester Grammar School, Old Hall Ln, (hereafter referred to as 'the site'). To inform the EA, an ecological desk study was also completed.

Location of Scheme

- 1.2 The site is located on Old Hall Ln, Manchester. The location of the site is depicted by the red line shown in Figure 1. The approximate central grid reference of the site is SJ 85991 94613. The site is located within a residential area, surrounded by development on all sides.

Figure 1: Location of Scheme



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Purpose

- 1.3 This Ecological Desk Study report details the method of data gathering and interpretation and presents the findings of the desk-based assessment.
- 1.4 This report is not sufficient in isolation to support a planning application. This report should be read in conjunction with the Preliminary Ecological Assessment (TEP Ref: 9991.002).

2.0 Methods

Scope and Data Sources

- 2.1 The ecological Zone of Influence (ZOI) is an area defined by the ecological assessment within which valued ecological features may be subject to significant biophysical changes as a consequence of the proposed development under assessment.
- 2.2 For the purposes of this assessment, the preliminary ZOIs within which ecological features were searched for as part of this desk study were varied according to the geo-spatial and/or legal significance of the feature.
- 2.3 Table 1 summarises the scope and the preliminary ZOIs applied for this desk study. The preliminary ZOIs were applied by extending search radii of the respective distances from the Scheme boundary.

Table 1: Scope and preliminary ecological Zones of Influence (ZOI)

Feature	Scope	Key Source(s)	ZOI
Statutory wildlife sites:	Ramsar sites Proposed Ramsar sites Special Areas of Conservation (SAC) Possible SAC SAC with marine components Special Protection Areas (SPA) Potential SPA	Natural England (public sector information) Manchester's Local Development Framework: Core Strategy ¹ <i>Core Strategy 2012-2027 Core Strategy 2012-2027 Manchester City Council</i> Local Plan Interactive Map ² <i>Local Development Framework Area Map Browser (arcgis.com)</i>	10km
	Sites of Special Scientific Interest (SSSI) National Parks National Nature Reserves (NNR)	Natural England (public sector information) Manchester's Local Development Framework: Core Strategy	5km
	Local Nature Reserves (LNR) Country Parks Strategic Nature Areas	Natural England (public sector information) Manchester's Local Development Framework: Core Strategy Local Plan Interactive Map	2km
Non-statutory wildlife sites:	County Wildlife Sites (CWS) Site of Biological Importance (SBI)	Greater Manchester Ecology Unit Records Centre (GMEU)	2km

¹ https://www.manchester.gov.uk/info/200074/planning/6573/core_strategy_2012-2027 [Accessed 02.05.23]

² <https://mcr-council.maps.arcgis.com/apps/webappviewer/index.html?id=565a33eaba904b2dabf4c3dd8685db80> [Accessed 02.05.23]

Feature	Scope	Key Source(s)	ZOI
	Site of Nature Conservation Interest (SNCI) Site of Importance for Nature Conservation (SINC) Local Wildlife Site (LWS) Other Sites of Wildlife Interest (OSWI) Unconfirmed Wildlife Sites (UWS) Green Spaces Special Verges Special Road Verges Valley Parks Regional Parks Green Wedges Wildlife Corridors	Manchester's Local Development Framework: Core Strategy Local Plan Interactive Map	
Notable habitats:	Ancient Woodland Habitats of principal importance Manchester Biodiversity Action Plan (GM BAP) Main rivers Habitat Network / Nature Recovery Network	Natural England (public sector information) Environment Agency (public sector information) Greater Manchester Ecology Unit Records Centre (GMEU) Greater Manchester Biodiversity Action Plan ³ <i>GMLRC Projects - Greater Manchester Biodiversity Action Plan</i> Google Earth	2km
Protected or notable species:	Pre-existing records for protected or notable species ⁴ , non-native invasive species	Greater Manchester Records Centre (GMLRC) ⁵ https://gmlrc.org/	2km
	Protected species licences granted by Natural England Great crested newt survey pond records (2017 – 2019) held by Natural England	Natural England (public sector information)	2km

³ GMLRC Projects - Greater Manchester Biodiversity Action Plan GMLRC Projects -

⁴ Notable and protected species records may include those listed under any of the following:

- Protected species listed under Schedule 2 (animals) or Schedule 5 (plants) under the Conservation of Habitats and Species Regulations 2017 (EPS);
- Protected bird species under Schedule 1 of the Wildlife and Countryside Act 1981, as amended (WCA1);
- Protected animal species under Schedule 5 of the Wildlife and Countryside Act 1981, as amended (WCA5);
- Protected plant species under Schedule 8 of the Wildlife and Countryside Act 1981, as amended (WCA8);
- Invasive non-native plant species under Schedule 9 of the Wildlife and Countryside Act 1981, as amended (WCA9);
- Invasive Alien Species (Enforcement and Permitting) Order 2019 (IAS);
- Protection of Badgers Act 1992 (PBA);
- Species of principal importance (SPI) listed by requirements under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006;
- Red and Amber listed Birds of Conservation Concern (BRd/BAm); and
- Local Biodiversity Action Plan Species (LBAP).

⁵ <https://gmlrc.org/> [Accessed 02.05.23]

Feature	Scope	Key Source(s)	ZOI
Policy and Related Guidance	Land allocations and relevant environment / biodiversity policy Local biodiversity priority habitats and species	Greater Manchester Biodiversity Action Plan <i>GMLRC Projects - Greater Manchester Biodiversity Action Plan</i> Manchester's Local Development Framework: Core Strategy ⁶ <i>Core Strategy 2012-2027 Core Strategy 2012-2027 Manchester City Council</i>	As applicable to site

- 2.4 An absence of records does not indicate the absence of protected species from the search area.
- 2.5 Geological sites are not designated for ecology reasons and is therefore excluded from further consideration in this ecological assessment.

⁶ https://www.manchester.gov.uk/info/200074/planning/6573/core_strategy_2012-2027 [Accessed 02.05.23]

3.0 Legislation and Policy

3.1 The following summarises the legislation and planning policy which may have relevance to the scheme. Only legislation and policy of key relevance to biodiversity are listed. Further information is provided in Annex A.

■ International Conventions:

- The Convention on Wetlands of International Importance especially as Waterfowl Habitat ('Ramsar Convention'⁷ or 'Wetlands Convention');
- The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention⁸);
- The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention⁹ or CMS)
- The Convention on Biological Diversity (Biodiversity Convention¹⁰ or CBD)

- Conservation of Habitats and Species Regulations 2017¹¹ (the 2017 Regulations);
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹² (the 2019 Regulations);
- Wildlife and Countryside Act (WCA) 1981¹³;
- Environment Act 2021¹⁴;
- Countryside and Rights of Way Act (CROW) 2000¹⁵;
- Natural Environment and Rural Communities (NERC) Act 2006¹⁶;
- Hedgerow Regulations 1997¹⁷;
- Protection of Badgers Act (PBA) 1992¹⁸;
- Wild Mammals (Protection) Act (WMPA) 1996¹⁹;
- National Planning Policy Framework (NPPF) 2021²⁰;
- Government Circular 06/2005²¹.

⁷ Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 2.2.1971 <https://www.ramsar.org/>

⁸ Convention on the Conservation of European Wildlife and Natural Habitats. Bern, 1979 <https://www.coe.int/>

⁹ Convention on the Conservation of Migratory Species of Wild Animals, Bonn, June 1979 <https://www.cms.int/>

¹⁰ Convention on Biological Diversity, Rio de Janeiro, June 1992 <https://www.cbd.int/>

¹¹ Conservation of Habitats and Species Regulations 2017 (SI 2017/1012) <https://www.legislation.gov.uk/uksi/2017/1012/>

¹² Conservation of Habitats and Species Regulations 2019 (SI 2019/579) <https://www.legislation.gov.uk/uksi/2019/579/>

¹³ Wildlife and Countryside Act 1981 c. 69 <https://www.legislation.gov.uk/ukpga/1981/69/>

¹⁴ Environment Act 2001 c.30 <https://www.legislation.gov.uk/ukpga/2021/30/>

¹⁵ Countryside and Rights of Way Act 2000 c. 37 <https://www.legislation.gov.uk/ukpga/2000/37/>

¹⁶ Natural Environment and Rural Communities Act 2006 c. 16 <https://www.legislation.gov.uk/ukpga/2006/16/>

¹⁷ The Hedgerow Regulations 1997 (SI 1997/1167) <https://www.legislation.gov.uk/uksi/1997/1160/>

¹⁸ Protection of Badgers Act 1992 c. 51 <https://www.legislation.gov.uk/ukpga/1992/51/>

¹⁹ Wild Mammals (Protection) Act 1996 c.3 <https://www.legislation.gov.uk/ukpga/1996/3/>

²⁰ National Planning Policy Framework (2021) Ministry of Housing, Communities and Local Government www.gov.uk/government/publications

²¹ Office of the Deputy Prime Minister (2005) 'Government Circular: Geological and Biological Conservation – Statutory obligations and their implications within the planning system' ODPM circular 06/2005, DEFRA circular 01/2005 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf

Local Planning Policy

Manchester's Local Development Framework Core Strategy Development Plan (adopted 11th July 2012), Manchester Local Plan Review and PfE.

- 3.2 The Manchester Local Plan is set to be adopted in Winter 2024 and will guide development within Manchester. It was previously known the Local Development Framework. The Local Plan will set out the vision for the City, the spatial strategy, policies, and key allocations for the next fifteen years (on adoption). It will set out the quantity, type, and general location of development to meet anticipated development requirements, including the scale of employment and residential development.

A draft local plan has not yet been published and no new policies proposed. The interactive policies map for the Local Plan Core Strategy can be viewed by following the link: https://www.manchester.gov.uk/info/200074/planning/3301/core_strategy/2

- 3.3 Neither the site nor adjacent land is allocated for biodiversity purposes within the Manchester Local Plan Development Framework.

- 3.4 The Core Strategy document is the key document in Manchester's Local Development Framework and covers a period of 15 years from 2012 to 2027. It describes Manchester today and outlines the Council's vision for Manchester along with the planning policies which will be used to deliver that vision and be viewed by following the link: https://www.manchester.gov.uk/info/200074/planning/3301/core_strategy

- 3.5 The following policies relate to biodiversity and nature conservation are as follows, full details can be found at the link to the Core Strategy provided above:

- Policy EN9 relates to 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.
- Policy EN15 relates to Biodiversity and Geological Conservation: 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.

- 3.6 The Unitary Development Plan was replaced largely by the Core Strategy however, some UDP policies are still extant:

- UDP Policy Part 1 – 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:-
 - a) achieve widespread environmental improvements;
 - b) protect the natural environment;
 - c) improve water quality;
 - d) improve access for pedestrians, disabled people, cyclists and, where appropriate, horse riders;
 - e) 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.

- 3.7 Places for Everyone is a long-term plan of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts. The nine districts decided to continue to produce a joint plan following the withdrawal of Stockport Council from the GMSF in December 2020 and the plan will cover a period of time from adoption (proposed adoption 2023) until 2037.

4.0 Biodiversity Initiatives and Strategies

Local Biodiversity Action Plans (BAP)

4.1 The LBAP for Greater Manchester covers the local authority areas of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Trafford, Tameside and Wigan. Consequently, as a joint BAP, not all local priority habitats or species may be of direct relevance to each local authority.

4.2 The LBAP priority habitats for Greater Manchester include:

- | | |
|------------------------|----------------------------|
| ■ Grassland | ■ Canals |
| ■ Hedgerows | ■ Native woodlands |
| ■ Lowland mosslands | ■ Uplands |
| ■ Reedbeds and bittern | ■ Urban managed greenspace |
| ■ Ponds and lodges | |

4.3 The LBAP priority species for Greater Manchester include:

- | | |
|-----------------------|-----------------------|
| ■ Bats | ■ Native Black Poplar |
| ■ Black redstart | ■ Twite |
| ■ Farmland birds | ■ Water Vole |
| ■ Great crested newts | ■ Willow tit |
| ■ Hares | |

5.0 Wildlife Sites

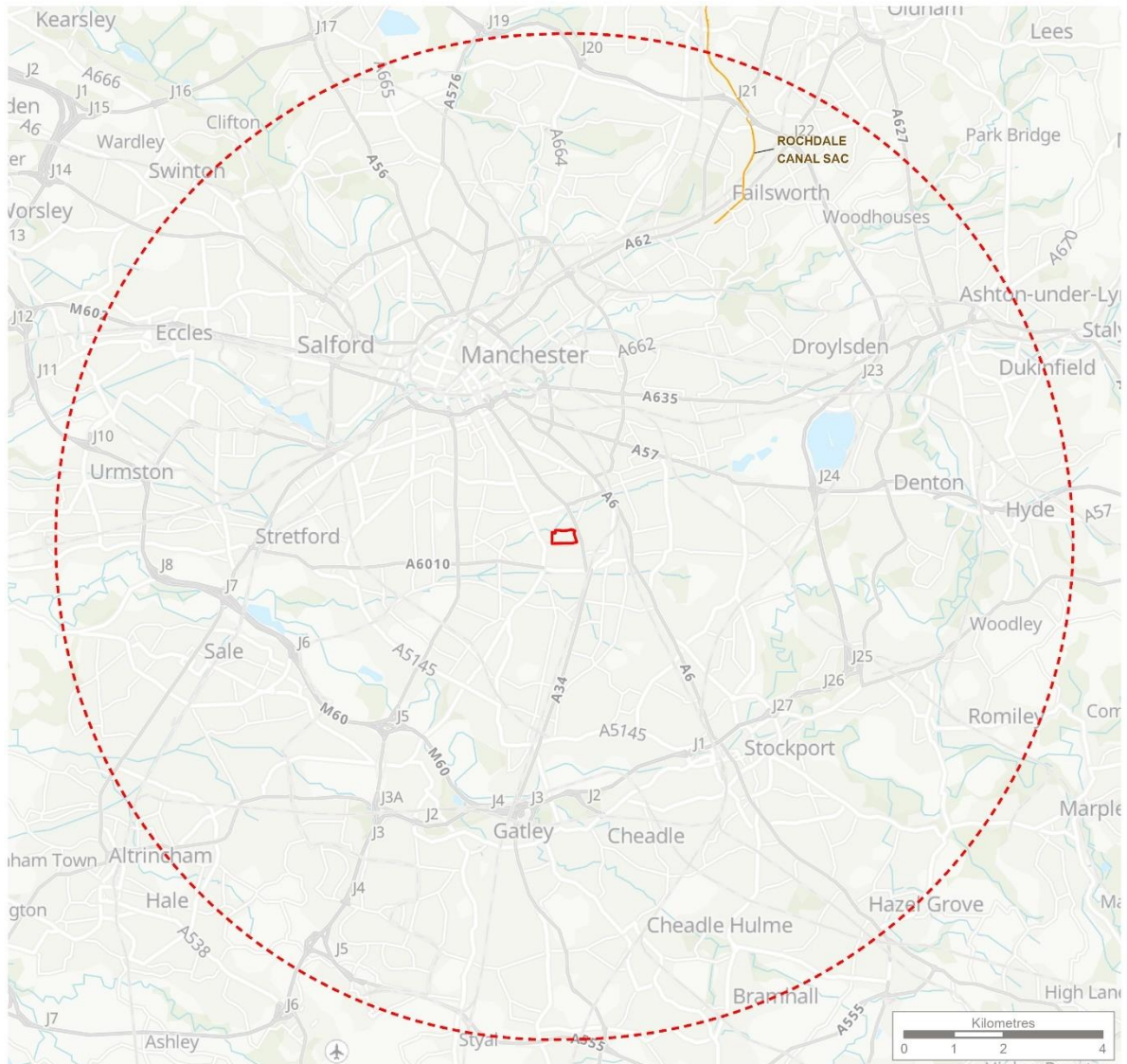
Statutory Sites

- 5.1 Internationally significant designations within 10 km are illustrated on Drawing G9991.002 (Figure 2), nationally significant within 5 km on Drawing G9991.003 (Figure 3), and local designations within 2 km on Drawing G9991.004 (Figure 4). These statutory wildlife sites are summarised in Table 2 below. Distances are calculated between the closest points. Links to data forms and citations are also provided, where applicable.

Table 2: Statutory wildlife sites

Site Name	Designation & Citation Link	Distance and Direction from Scheme	Reason(s) for Designation
Statutory wildlife sites of international significance within 10km of Scheme			
Rochdale Canal	SAC Rochdale Canal - Special Areas of Conservation (jncc.gov.uk)	6.9 km northeast of the site	Annex II species that are a primary reason for selection: Rochdale Canal supports a significant population of floating water-plantain <i>Luronium natans</i> in a botanically diverse waterplant community which also holds a wide range of pondweeds <i>Potamogeton</i> spp. The canal has predominantly mesotrophic water. This population of <i>Luronium</i> is representative of the formerly more widespread canal populations of north-west England
Statutory wildlife sites of national significance within 5km of Scheme			
N/A	N/A	N/A	N/A
Statutory wildlife sites of regional/local significance within 2km of Scheme			
Highfield Country Park, Levenshulme	LNR Designated Sites View (naturalengland.org.uk)	1.9 km southeast of the site	Highfield Park comprises of different types of grassland, marshy grassland, scrub, wet woodland, ponds, relict hedges and plantation woodland. Fallowfield Brook also runs through the site.

Figure 2: Internationally designated sites within 10km of the site (map provided by TEP)



- Key**
- Site boundary
 - Site boundary - 10km buffer
 - Special Area of Conservation (SAC)

Sites searched for were as follows:

- Ramsar
- Special Protection Areas (SPA)
- Special Areas of Conservation (SAC)

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Genesis Centre, Birchwood Science Park, Warrington WA3 7BH
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Manchester Grammar School

Title
Internationally Designated Sites Within a 10km Buffer

Drawing Number
G9991.002

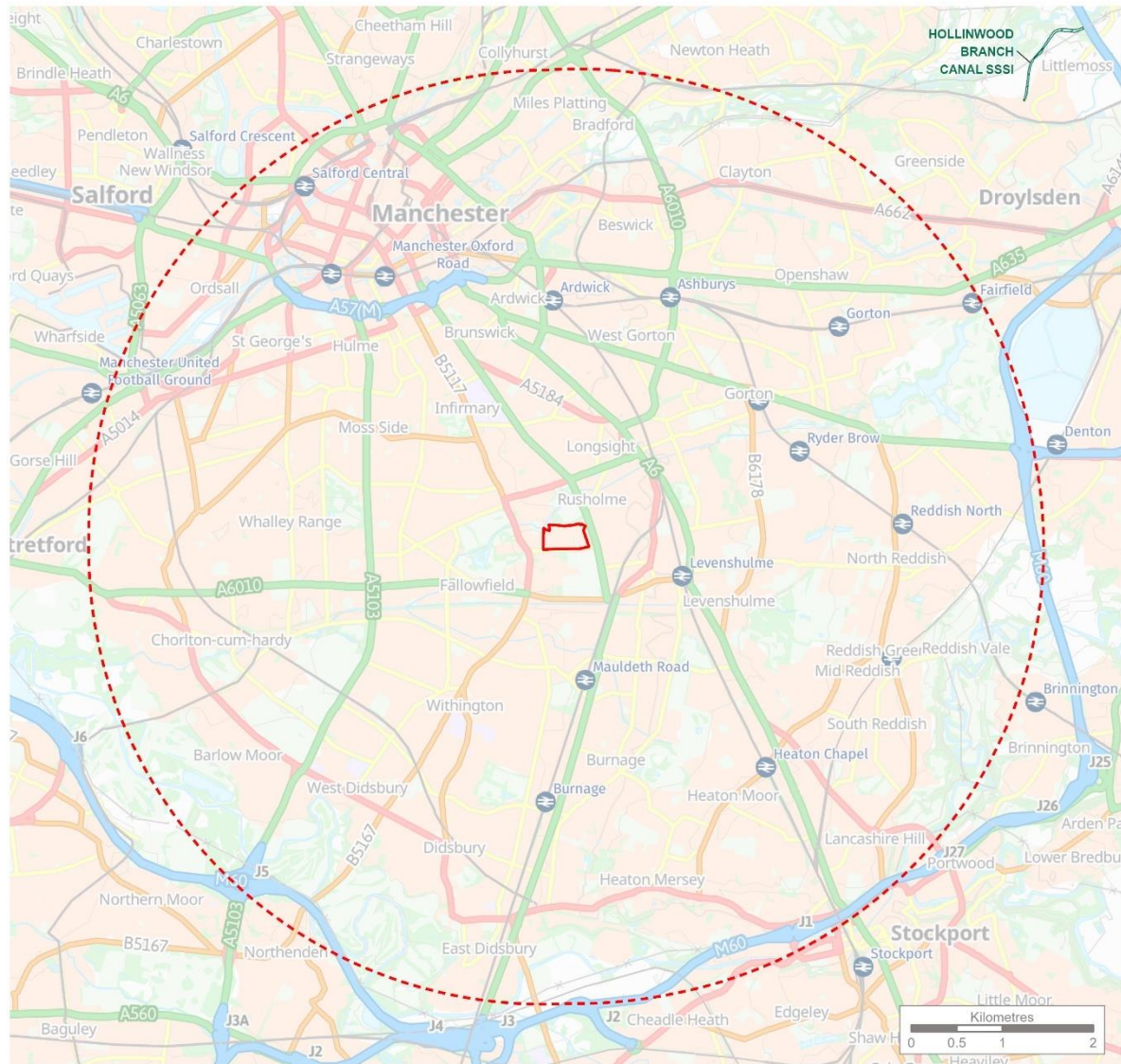
Scale
1:110,000 @ A4

Date
13/06/2023

Drawn BJ	Checked CW	Approved HS
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Figure 3: Nationally designated sites withing 5km of the site (map provided by TEP)



- Key**
- Site boundary
 - Site boundary - 5km buffer
 - Sites of Special Scientific Interest (SSSI)

Sites searched for were as follows:

- Sites of Special Scientific Interest (SSSI)
- National Nature Reserve (NNR)
- Area of Outstanding Natural Beauty (AONB)

No records found within 5km

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Project
Manchester Grammar School

Title
Nationally Designated Sites Within a 5km Buffer

Drawing Number
G9991.003

Scale
1:60,000 @ A4

Date
13/06/2023

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CW

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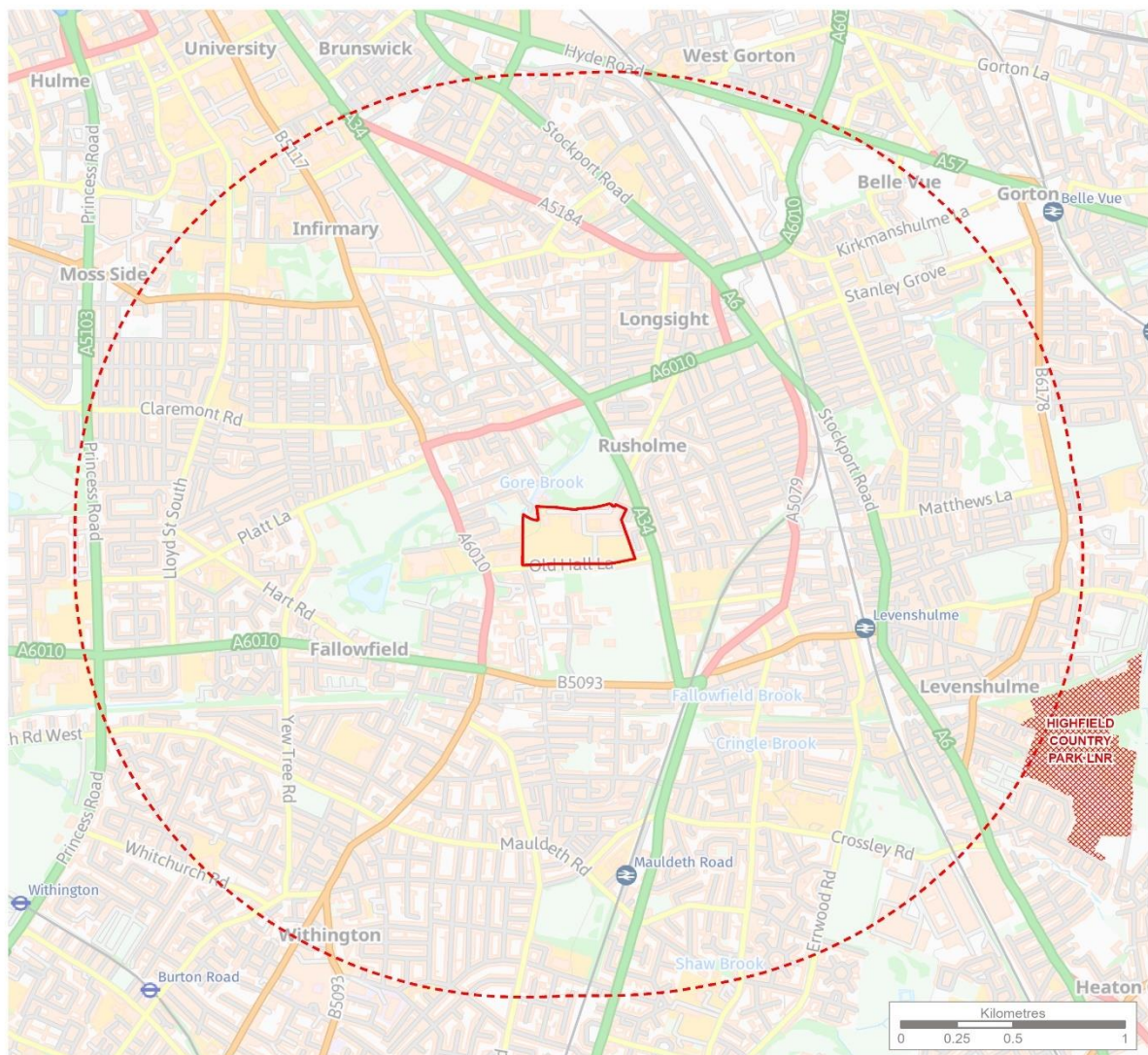
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Figure 4: Statutory wildlife sites of regional/local significance within 2km of the site (map provided by TEP)



Key

- Site boundary
- Site boundary - 2km buffer
- Local Nature Reserve

Sites searched for were as follows:
- Local Nature Reserves



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Project
Manchester Grammar School

Title
Statutory Locally Designated Sites Within a 2km Buffer

Drawing Number
G9991.004

Scale
1:25,000 @ A4

Date
13/06/2023

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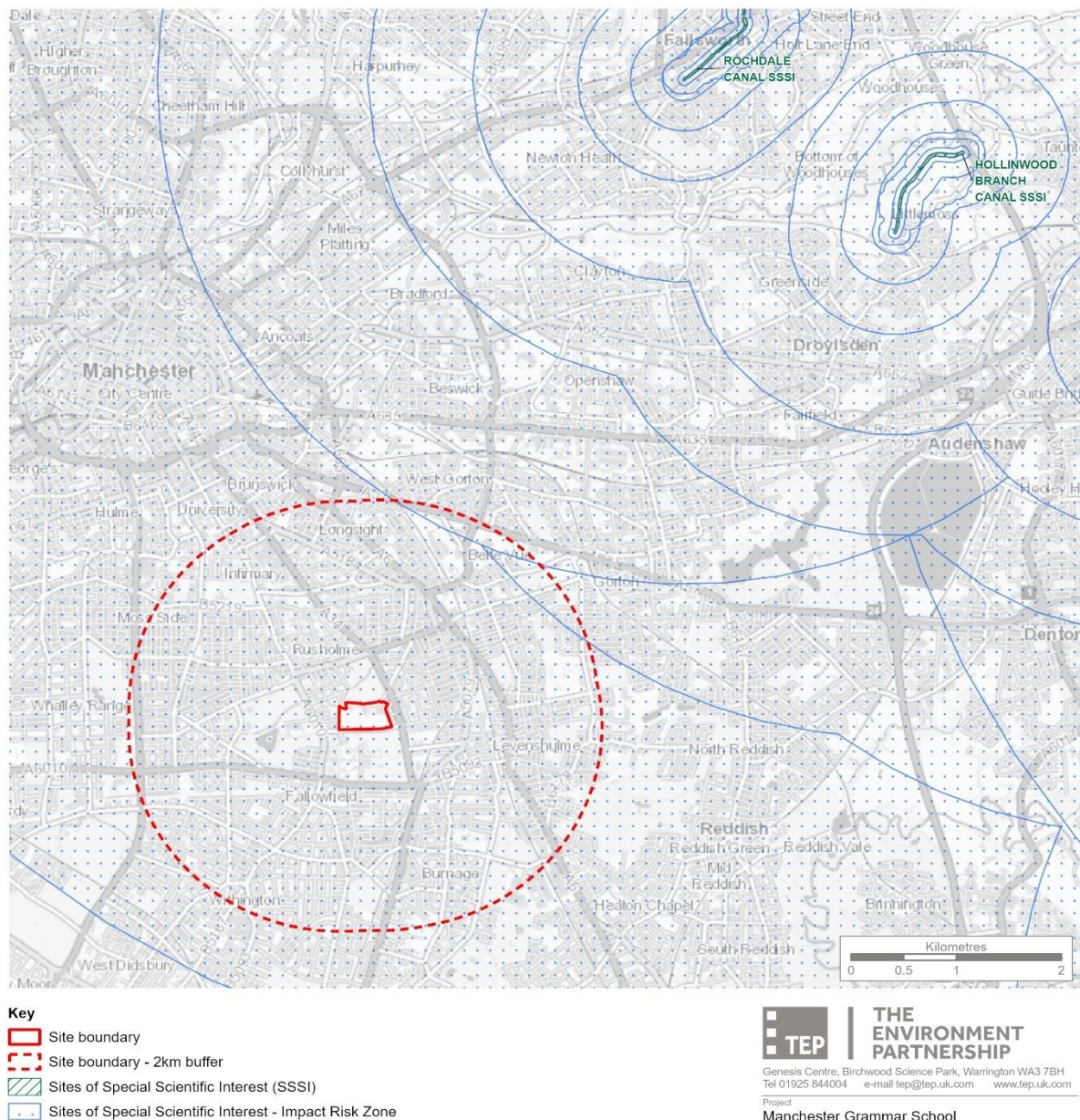
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-
- 5.2 The site lies within two SSSI Impact Risk Zones (IRZ) – these are zones determined by Natural England that identify likely impacts upon SSSIs, SACs, SPAs or Ramsar sites that may result from planned development. Figure 5 illustrates and references the IRZs that overlap with the Scheme. The relevant IRZ and risk criteria are cross-referenced in Contains OS data © Crown Copyright and database right 2023
- 5.3 Table 3.

Figure 5: SSSI Impact Risk Zones relevant to the Scheme (refer to Table 3 for IRZ criteria)



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Table 3: SSSI Impact Risk Zones crossed by the options

Proposal	Plan / project which may impact SSSI
All Planning Applications	N/A
Infrastructure	N/A
Wind & Solar Energy	N/A
Minerals, Oil & Gas	N/A
Rural Non Residential	N/A
Residential	N/A
Rural Residential	N/A
Air Pollution	Livestock & poultry units with floorspace > 500m ² , slurry lagoons & digestate stores > 4000m ²
Combustion	General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.
Waste	N/A
Composting	N/A
Discharges	N/A
Water Supply	N/A
Notes	None

GUIDANCE - *How to use the impact guidance*

Non-Statutory Wildlife Sites

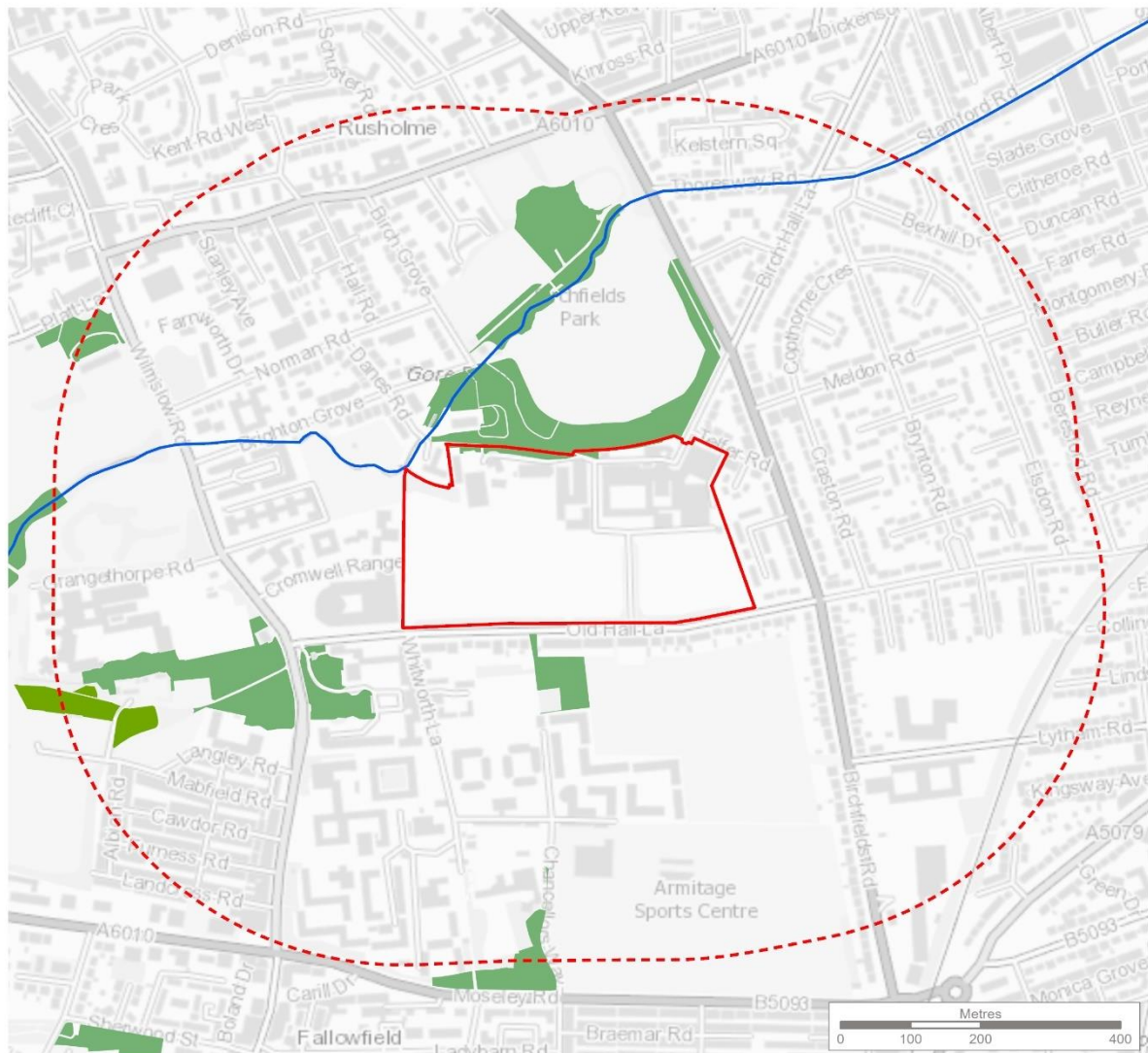
- 5.4 There are no non-statutory locally designated wildlife sites identified within 2km.

6.0 Notable Habitats

Habitats of Principal Importance (HPI)

- 6.1 Deciduous woodland, traditional orchard habitat and statutory main rivers are identified on Natural England's priority habitat inventory. These are the three notable habitats within 2km of the site, the closest being on the site.
- 6.2 There is no ancient woodland on/adjacent to the site and one statutory main river present within 2km of the site.

Figure 6: Notable habitats within 2km of the site (map provided by TEP)



- Key**
- Site boundary
 - Site boundary - 500m buffer
 - Statutory main rivers (England)
 - Deciduous woodland
 - Traditional orchard

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Project
Manchester Grammar School

Title
Notable Habitats Within and Adjacent to the Site

Drawing Number
G9991.005

Scale
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Date
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Drawn BJ	Checked CW	Approved HS
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7.0 Protected and Notable Species

Protected Species Licences

- 7.1 A review of Natural England's open datasets for granted protected species licences did not return any class licence returns or pond survey data for great crested newts between 2017 and 2019 within 2km of the Scheme.
- 7.2 Six Natural England mitigation licences for bat species have been identified within 2km of the site. These are summarised in the table below.

Table 4: Natural England mitigation licences within 2km of the site

Species	Licence Number	Dates	Licensable Activities
Common pipistrelle	2015-15766-EPS-MIT	01/11/2015 to 31/07/2016	Destruction of a resting place
Common pipistrelle	2015-17752-EPS-MIT	04/01/2016 to 30/09/2016	Destruction of a resting place
Common pipistrelle	2016-22910-EPS-MIT	25/04/2016 to 24/04/2021	Damage of a resting place Destruction of a resting place
Common pipistrelle	2016-22910-EPS-MIT-1	08/09/2016 to 24/04/2021	Damage of a resting place Destruction of a resting place
Common pipistrelle	2016-21779-EPS-MIT	01/04/2016 to 01/04/2021	Destruction of a resting place
Common pipistrelle	2015-15766-EPS-MIT-1	20/07/2016 to 20/07/2016	Destruction of a resting place

Pre-existing Species Records

- 7.3 Numerous species records were returned from GMEU for within 2km of the site. These are summarised in table 6.

Table 6: Summary of pre-existing species records returned by GMEU

Name of Species	Relevant Legislation / Status (as assigned by GMEU records centre)	Number of records (if provided)	Nearest record relevance
Amphibians			
N/A	N/A	N/A	N/A
Birds			
Bullfinch <i>Pyrrhula pyrrhula</i>	SPI, BAm	118	Within 2km of the site
Dunnock <i>Prunella modularis</i>	SPI, BAm	128	Within 2km of the site
Herring Gull <i>Larus argentatus</i>	SPI, BRd	3	Within 2km of the site
House Sparrow <i>Passer domesticus</i>	SPI, BRd	178	Within 2km of the site
Kingfisher <i>Alcedo atthis</i>	WCA1	2	Within 2km of the site

Name of Species	Relevant Legislation / Status (as assigned by GMEU records centre)	Number of records (if provided)	Nearest record relevance
Linnet <i>Linaria cannabina</i>	SPI, BRd	3	Within 2km of the site
Reed Bunting <i>Emberiza schoeniclus</i>	SPI, BAm	1	Within 2km of the site
Song Thrush <i>Turdus philomelos</i>	SPI, BAm	69	Within 2km of the site
Starling <i>Sturnus vulgaris</i>	SPI, BRd	78	Within 2km of the site
Tree Sparrow <i>Passer montanus</i>	SPI, BRd	1	Within 2km of the site
Flowering plants			
N/A	N/A	N/A	N/A
Invertebrates			
Buff Ermine <i>Spilosoma luteum</i>	SPI	1	1km of the site
Cinnabar <i>Tyria jacobaeae</i>	SPI	25	0.9km of the site
Mottled Rustic <i>Caradrina morpheus</i>	SPI	1	1.5km of the site
Sallow <i>Xanthia icteritia</i>	SPI	1	1.6km of the site
Small Heath <i>Coenonympha pamphilus</i>	SPI	1	1.6km Northeast of the site
Small Square-spot <i>Diarsia rubi</i>	SPI	1	0.5km of the site
Mammals			
Bat sp Chiroptera	EPS, WCA5, LBAP	2 signs	0.5km Northwest of the site
Brown Long-eared Bat <i>Plecotus auritus</i>	EPS, WCA5, SPI, LBAP	3	0.8km Northwest of the site
Common Pipistrelle <i>Pipistrellus pipistrellus</i>	EPS, WCA5, LBAP	13 roosts & 163 signs	1.9km North of the site
Daubenton's Bat <i>Myotis daubentonii</i>	EPS, WCA5	3	0.5km Southwest of the site
Myotis sp <i>Myotis sp.</i>	EPS, WCA5, LBAP	8	0.4km North of the site
Noctule Bat <i>Nyctalus noctula</i>	EPS, WCA5, SPI, LBAP	9	0.6km Southwest of the site
Pipistrelle bat <i>Pipistrellus sp.</i>	EPS, WCA5, LBAP	1 roost & 1 sign	1.4km Northwest of the site
Soprano Pipistrelle <i>Pipistrellus pygmaeus</i>	EPS, WCA5, SPI, LBAP	34	0.2km Northwest of the site
Eurasian badger <i>Meles meles</i>	PBA	7	Within 2km of the site
West European hedgehog <i>Erinaceus europaeus</i>	SPI	73	0.1km Northeast of the site

Annex A

Key Ecological Legislation and National Policy

Relevant Legislation

International Conventions

- A.1 The UK is a Contracting Party to numerous environmental conventions, the commonest form of international agreements to encourage a coordinated response to managing the environment. Key environmental conventions ratified in the UK include:
- The Convention on Wetlands of International Importance especially as Waterfowl Habitat ('Ramsar Convention'²² or 'Wetlands Convention') - provides the only international mechanism for protecting sites of global importance;
 - The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention²³) - imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1,000 wild animal species;
 - The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention²⁴ or CMS) - provides strict protection for endangered migratory species. The UK has currently ratified four legally binding Agreements under the convention relating to bats (EUROBATS), African-Eurasian migratory birds (AEWA), small cetaceans in the Baltic, Irish and North Seas (ASCOBANS) and albatrosses and petrels (ACAP) in addition to five Memorandum of Understanding (MoU) and is non-party range state to a further Agreement and a further MoU;
 - The Convention Concerning the Protection of the World Cultural and Natural Heritage (UNESCO World Heritage Convention) - seeks to protect both cultural and natural heritage;
 - The Convention on Biological Diversity (Biodiversity Convention²⁵ or CBD) - provides a legal framework for biodiversity conservation. Within the UK, delivery of the CBD and the Strategic Plan for Biodiversity 2011-2020²⁶ is guided by the UK Post-2010 Biodiversity Framework²⁷.
- A.2 The legal obligations of the multiple Conventions to which the UK is a Contracting Party are enacted through a suite of national environmental legislation. The most relevant are described in the following paragraphs.

²² Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 2.2.1971 <https://www.ramsar.org/>

²³ Convention on the Conservation of European Wildlife and Natural Habitats. Bern, 1979 <https://www.coe.int/>

²⁴ Convention on the Conservation of Migratory Species of Wild Animals, Bonn, June 1979 <https://www.cms.int/>

²⁵ Convention on Biological Diversity, Rio de Janeiro, June 1992 <https://www.cbd.int/>

²⁶ In October 2010, at the 10th Conference of the Parties to the CBD in Nagoya, Japan, the Parties adopted a new 'Strategic Plan for Biodiversity 2011–2020' along with its 20 'Aichi targets'. <https://www.cbd.int/sp/>

²⁷ The framework is overseen by the Environment Departments of the four UK governments working through the Four Countries' Biodiversity Group. It demonstrates how the UK, through each of the four countries, contributes to achieving the 'Aichi targets', and identifies the activities required to complement the individual country biodiversity strategies <https://jncc.gov.uk/our-work/uk-post-2010-biodiversity-framework/>

Conservation of Habitats and Species Regulations

- A.3 The Conservation of Habitats and Species Regulations 2017²⁸ (2017 Regulations) 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 domestic law.
- A.4 The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019²⁹ (2019 Regulations) amends the 2017 Regulations to make them operable following the withdrawal of the United Kingdom from the European Union (EU). Most of the changes involve transferral of functions from European Commission to the appropriate authorities in England and Wales, also extending to Scotland and Northern Ireland and applies to Scotland and Northern Ireland (including the adjacent territorial sea to a limited degree), as regards reserved and excepted matters respectively. It also amends Section 27 of the Wildlife and Countryside Act 1981 to maintain existing protections and enforcement for species of wild birds.
- A.5 All other processes or terms in the 2017 Regulations remain unchanged and existing guidance and obligations (of a competent authority) remain relevant.

National Site Network

- A.6 Under the 2019 Regulations, Special Areas of Conservation (SAC) and Special Protection Areas (SPA) in the UK no longer form part of the EU's 'Natura 2000' ecological network, but instead (along with new SACs and SPAs designated under the 2019 Regulations) form the new National Site Network (NSN). Ramsar sites⁷ do not form part of the NSN but remain protected in the same way as SACs and SPAs.
- A.7 Proposals which may significantly affect a site belonging to the NSN and which are not connected with or necessary to the management of that site require (by Regulations 63 and 64 of the 2017 Regulations, as amended by Regulations 24 and 25 of the 2019 Regulations, respectively) competent authorities to undertake an Appropriate Assessment of the implications of the plan or project in view of that site's conservation objectives. This process is commonly referred to as a 'Habitats Regulations Assessment' (HRA). The assessment must consider the potential effects both of the plan/project itself and in combination with other plans or projects. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest (IROPI) and if the necessary compensatory measures can be secured.

Protected Species

- A.8 Certain animals and their breeding sites or resting places are protected under Regulation 43 of the 2017 Regulations, which makes it illegal to:

²⁸ Conservation of Habitats and Species Regulations 2017 (SI 2017/1012) <https://www.legislation.gov.uk/uksi/2017/1012/>

²⁹ Conservation of Habitats and Species Regulations 2019 (SI 2019/579) <https://www.legislation.gov.uk/uksi/2019/579/>

- Deliberately capture, injure or kill any such animal or to deliberately take or destroy the eggs of such an animal;
 - Deliberately disturb such an animal; and
 - Damage or destroy a breeding site or resting place of such an animal.
- A.9 Disturbance is defined in the 2017 Regulations as an activity which is likely to impair a species' ability to survive, to breed or reproduce, to rear or nurture young or, in the case of animals hibernating or migratory species, to hibernate, migrate or which may affect significantly the local distribution or abundance; of the species.
- A.10 A bat's resting place is known as a roost site. Because bats tend to be faithful to roost sites but their biology is such that different roost site characteristics are preferred at different times of the year by different species for different functions, a bat roost is considered to be afforded protection even when it is not occupied.
- A.11 Certain plant species are protected under Regulation 47 of the 2017 Regulations against deliberate picking, collecting, cutting, uprooting or destruction. It is also an offence to be in possession or control and to transport any live or dead plant or part of a plant of such a species which has been taken in the wild.
- A.12 The 2017 Regulations (Regulation 55) enables a relevant licensing body to grant a licence for certain activities that may affect animal or plant species protected by the above provisions. The purpose must conform to one of those listed under Regulation 55(2). For most development related activities, the purpose normally relates to Regulation 55(2)(e) 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment' – commonly known as the IROPI test. Regulation 55(9) introduces two further tests that the licensing body must consider:
- There is no satisfactory alternative; and
 - The favourable conservation status of the species concerned will be maintained and/or enhanced.
- A.13 Under Regulation 9(1) of the 2017 Regulations (as amended), competent authorities "must exercise their functions which are relevant to nature conservation... so as to secure compliance with the requirements of the Directives". Regulation 9(3) requires a competent authority, in exercising any of its function, to "have regard to the requirements of the Directives so far as they be affected by the exercise of those functions." Local planning authorities must therefore consider the above three 'tests' when determining if planning permission should be granted for developments likely to cause an offence under the Regulations.

Wildlife and Countryside Act 1981

- A.14 The Wildlife and Countryside Act 1981 (as amended)³⁰ (WCA) is a major legal instrument for wildlife protection in the UK. In respect of habitats and flora, the WCA

³⁰ Wildlife and Countryside Act 1981 c. 69 <https://www.legislation.gov.uk/ukpga/1981/69/>

protects important habitats and/or species as Sites of Special Scientific Interest (SSSI). The designation of UK Ramsar sites⁷ has usually been underpinned through prior notification of these areas as SSSI and accordingly they receive statutory protection under the WCA.

- A.15 The obligations of the Bern Convention⁸ (the protection of wild plant and animal species and their natural habitats) are transposed into law for England and Wales³¹ by the WCA. The legal requirement for the protection of migratory species listed by the Bonn Convention⁹ is also provided by the WCA.
- A.16 All wild birds (as defined by the WCA and with exception to species listed in Schedule 2) are protected under the WCA, which makes it illegal to:
- Intentionally kill, injure or take any wild bird;
 - Take, damage or destroy the nest (whilst being built or in use) of any wild bird; or
 - Take or destroy the eggs of any wild bird.
- A.17 Special penalties are available for offences related to birds listed in Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of Special Protection (subject to exceptions) to provide further protection to birds. The WCA also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.
- A.18 Certain animal species (listed under Schedule 5) of the WCA receive protection which makes it illegal (with certain exceptions) to:
- Intentionally kill, injure or take any such animal;
 - Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal;
 - Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
- A.19 The Environment Act (EA) 2021 amends the licensing regime under Section 16 of the WCA 1981 to enable licences to be granted (in England only) for reasons of overriding public interest. This new purpose will enable those involved in development activities to apply for a derogation under the WCA for species domestically protected under Schedule 5 of the WCA 1981.
- A.20 The amendments introduced by the EA 2021 at Section 16(3) requires that licensed may only be granted (in England) where:
- there is no other satisfactory solution, and
 - the grant of the licence is not detrimental to the survival of any population of the species of animal or plant to which the licence relates.

³¹ In Scotland by the Nature Conservation (Scotland) Act 2004 (as amended) and in Northern Ireland by Wildlife (Northern Ireland) Order 1985 and the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

- A.21 Plant species listed under Schedule 8 of the WCA 1981 are protected from unauthorised intentional picking, uprooting and destruction.
- A.22 It is an offence to plant or otherwise cause to grow in the wild any plant that is included in Schedule 9.

Countryside and Rights of Way Act 2000

- A.23 Part III of the Countryside and Rights of Way Act 2000³² (CROW) deals specifically with wildlife protection and nature conservation. It requires that Government Departments have regard for the conservation of biodiversity, in accordance with the CBD. In addition, it requires that The Secretary of State publishes a list of living organisms and habitat types that are considered to be of principal importance in conserving biodiversity.
- A.24 CROW also amends the WCA, expanding the terms of offences to include reckless activity. It increases the legal protection of threatened species, by also making it an offence to “recklessly” obstruct access to a sheltering place used by an animal listed in Schedule 5 of the WCA or “recklessly” disturb an animal occupying such a structure or place.

Natural Environment and Rural Communities (NERC) Act 2006

- A.25 Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC)³³ places a duty to conserve biodiversity on public authorities in England. It requires local authorities and government departments to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision-making. 'Conserving biodiversity' may include enhancing, restoring or protecting a population or a habitat.
- A.26 Section 41 requires the Secretary of State to publish and maintain lists of species and types of habitats which are regarded by Natural England to be of "principal importance" for the purposes of conserving biodiversity in England.
- A.27 These habitats and species of principal importance (HPI and SPI) are drawn from earlier lists of United Kingdom Biodiversity Action Plan Priority Species and Habitats. The Section 41 (SPI) lists of HPI and SPI are needed by decision-makers in local and regional authorities when carrying out their duties under Section 40 of the Act.

Environment Act 2021

- A.28 The Environment Act 2021³⁴ was passed into law in November 2021. The Act applies only to England, although many of its measures are designed to be operable across the UK with the consent of devolved administrations. The Act requires statutory long-term (15+ years) targets to be set (and monitored, reported and reviewed) in the four

³² Countryside and Rights of Way Act 2000 c. 37 <https://www.legislation.gov.uk/ukpga/2000/37/>

³³ Natural Environment and Rural Communities Act 2006 c. 16 <https://www.legislation.gov.uk/ukpga/2006/16/>

³⁴ Environment Act 2021 c.30 <https://www.legislation.gov.uk/ukpga/2021/30/>

priority areas of waste reduction, air quality, water resources and biodiversity as well as additional targets relating to species abundance and fine particulates by 2030.

- A.29 The Environment Act amends the Town and Country Planning Act 1990³⁵ in that planning permissions granted after the provisions come into force³⁶ are deemed to be subject to a condition prohibiting the start of development before a biodiversity gain plan has been submitted to and approved by the Local Planning Authority (LPA).
- A.30 The biodiversity gain plan must demonstrate a net gain of at least 10% in the biodiversity value of the development site “as at the time the development is completed”. Biodiversity net gain must be demonstrated by calculations using the biodiversity metric (currently version 3.1 published by Natural England)
- A.31 The Environment Act introduces Local Nature Recovery Strategies (LNRS), a new system of spatial strategies for nature, covering the whole of England. LNRS are to be prepared and published by the ‘responsible authority’, namely the local authority, mayoral authority or National Park authority whose area is, or is within, the strategy area, the Broads Authority or Natural England. Section 40 of the NERC Act (duty to conserve biodiversity) makes provision about the duties of public authorities in relation to LNRS.
- A.32 A ‘responsible authority’ is to be appointed to lead each LNRS area, which could include LPAs and which in mayoral combined authorities is highly likely to be the mayor. The responsible Authority must map the most valuable existing natural habitat in its area and develop a biodiversity strategy, including specific proposals for creating or improving habitats and priorities for nature recovery.
- A.33 In addition to the above, the Environment Act Part 6 (Nature and biodiversity) will also:
- Strengthen the biodiversity duty through amendments to Section 40 of the NERC Act.
 - Impose a duty upon Local Authorities to consult on street tree felling;
 - Strengthen woodland protection enforcement measures;
 - Introduce Conservation Covenants (agreements between a landowner and a responsible body);
 - Protected Site Strategies (prepared and published by Natural England) to improve the conservation and management of a protected site (including SACs, SPAs listed before exit day, Sites of Community Importance (SCI)³⁷ listed before exit day and those sites proposed before exit day as SACs).
 - Species Conservation Strategies (prepared and published by Natural England) to improve the conservation status of any species of flora or fauna, with which a LPA in England and any prescribed authority must have regard so far as relevant to its functions, including when discharging its duties under the 2017 Regulations (as amended);

³⁵ Town and Country Planning Act 1990 c. 8 <https://www.legislation.gov.uk/ukpga/1990/8/>

³⁶ The Biodiversity Gain provision of the Environment Act requires the Secretary of State to first publish detailed regulations (see s147(3) of the Act). These are anticipated in November 2023.

³⁷ SCIs are established under the European Union Habitats Directive (92/43/EEC) and are (under the Habitats Directive) the pre-requisite step for establishing SACs and SPAs.

- Prohibit larger UK businesses from using commodities associated with wide-scale deforestation (where ‘forest’ is defined as “an area of land of more than 0.5 hectares with a tree canopy cover of at least 10% (excluding trees planted for the purpose of producing timber or other commodities)”, which includes “land that is wholly or partly submerged in water whether temporarily or permanently”);
- Require regulated businesses to establish a system of due diligence for each regulated commodity used in their supply chain, requires regulated businesses to report on their due diligence, introduces a due diligence enforcement system.

Hedgerow Regulations 1997

- A.34 Important hedgerows are protected from removal by the Hedgerows Regulations³⁸ (as amended). Regulation 3 defines the hedgerows to which the Regulations apply. Regulation 4 sets out the criteria for identifying “important hedgerows” including ecological, landscape or historical/cultural reasons. Under the Hedgerow Regulations it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Works to “important hedgerows” are exempt under the Hedgerow Regulations if planning consent is granted which allows their removal.
- A.35 The identification of important hedgerows also provides an additional means to value hedgerows aside from their botanical value (e.g. species richness) as the assessment of importance also includes characteristics relating to maturity and structure (e.g. associated features, connectivity, integrity) which will affect the functional value of the hedgerow.

Protection of Badgers Act 1992

- A.36 Badgers and their setts receive statutory protection under the Protection of Badgers Act 1992 (PBA)³⁹. This makes it an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett.
- A.37 Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as “any structure or place, which displays signs indicating current use by a badger.”

Wild Mammals (Protection) Act 1996

- A.38 All UK wild mammals are afforded a degree of protection from certain cruel acts. The Act is intended to preserve animal welfare more so than nature conservation. The Act makes it an offence to use a variety of methods to intentionally cause suffering to a wild mammal. It also has exemptions including in relation to euthanasia and otherwise lawful use of certain methods of killing.

³⁸ The Hedgerow Regulations 1997 (SI 1997/1167) <https://www.legislation.gov.uk/uksi/1997/1160/>

³⁹ Protection of Badgers Act 1992 c. 51 <https://www.legislation.gov.uk/ukpga/1992/51/>

Relevant National Policy

National Planning Policy Framework

- A.39 The National Planning Policy Framework (NPPF21)⁴⁰ sets out the Government's planning policies for England and how these are expected to be applied at a local level in development plans and how developers should address them. The Framework places great emphasis on plans and developments contributing to sustainable development.
- A.40 Relating to the planning and delivery of large-scale developments, Paragraph 22 requires that a vision should look at least 30 years ahead. Paragraph 73 identifies a number of considerations to help guide such large-scale proposals including consideration of opportunities presented by the scope for net environmental gains, ensuring sustainable communities, quality of places, rates of delivery and establishment of Green Belt around or adjoining new developments of significant size.
- A.41 Paragraph 174 requires that planning policies and decisions should contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- A.42 Paragraph 180 requires local planning authorities to apply the following principles when determining planning applications:
- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

⁴⁰ National Planning Policy Framework (2021) Ministry of Housing, Communities and Local Government
www.gov.uk/government/publications

- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and;
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

A.43 Paragraph 181 stipulates that the following should be given the same protection as habitats sites⁴¹:

- potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

A.44 Paragraph 182 confirms the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Government Circular 06/2005

A.45 Government Circular 06/2005⁴² remains pertinent in national policy even though PPS9, which it originally supported, was revoked by the NPPF.

A.46 The Circular outlines the legislative provisions relating to biodiversity and geological conservation which affect planning and development. The Circular provides guidance on the protection of designated international and national nature conservation sites, non-designated sites, the conservation of species, and advice on the related issues and statutory powers.

A.47 Paragraphs 123 and 124 of Part IV of Circular 06/2005 state that “the likelihood of disturbing a badger sett, or adversely affecting badgers’ foraging territory, or links

⁴¹ Defined by NPPF21 as “Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites”.

⁴² Office of the Deputy Prime Minister (2005) ‘Government Circular: Geological and Biological Conservation – Statutory obligations and their implications within the planning system’ ODPM circular 06/2005, DEFRA circular 01/2005 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf

between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions. Although consideration of the case for granting a licence is separate from the process of applying for planning permission, a planning authority should advise anyone submitting an application for development in an area where there are known to be badger setts that they must comply with the provisions of the Act”.



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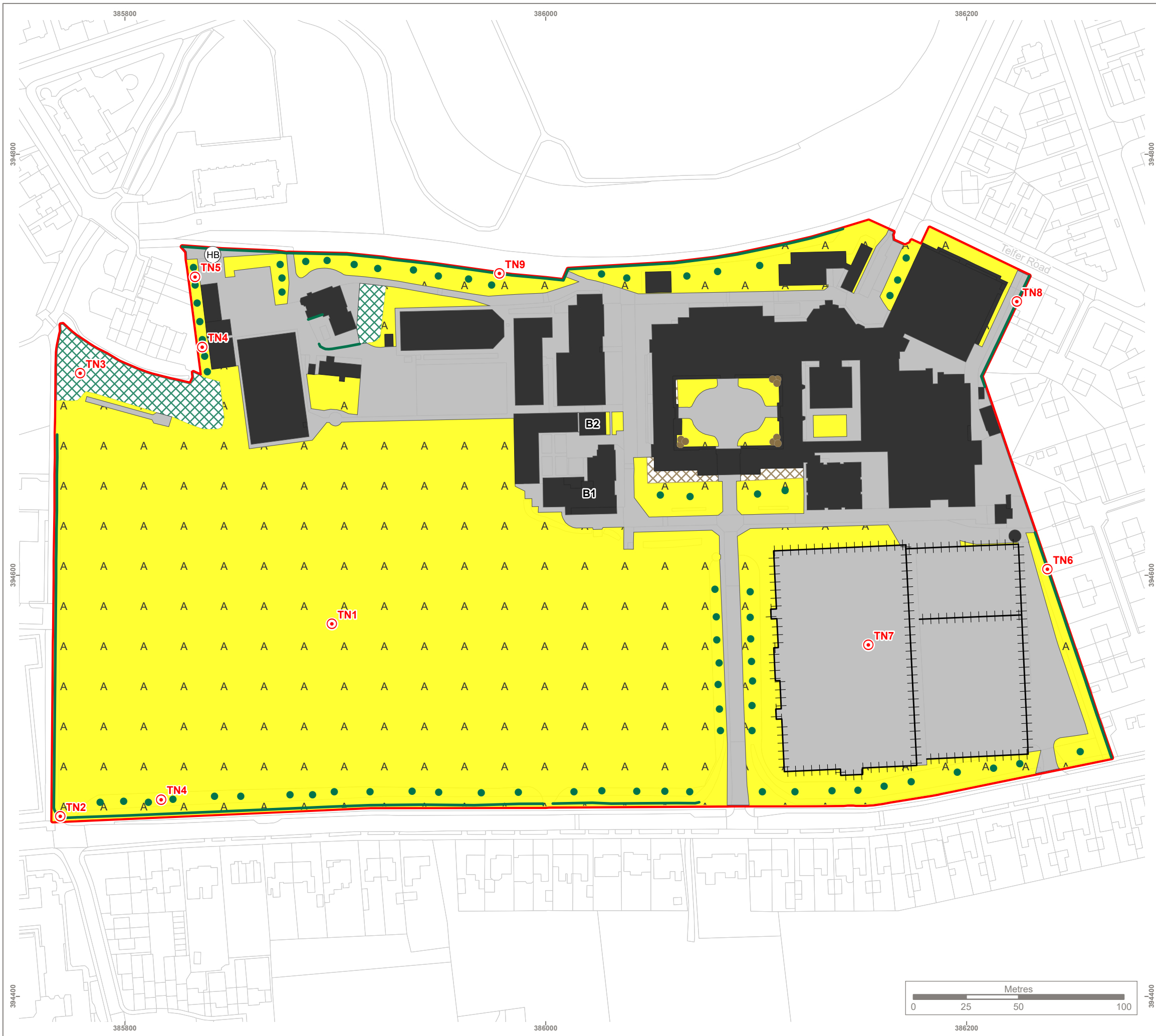
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Drawings

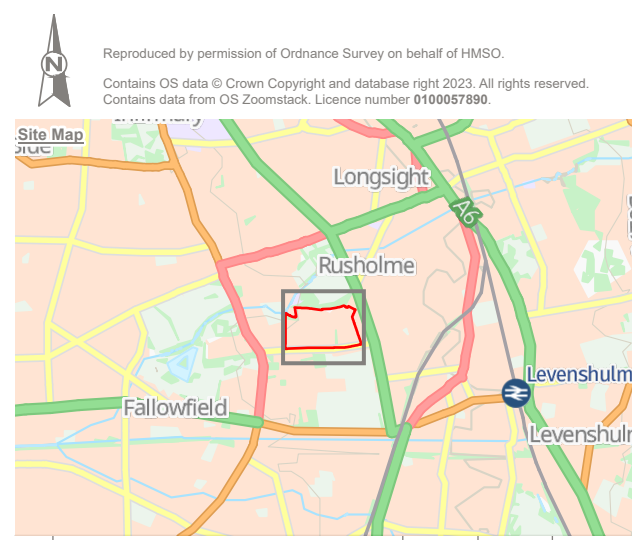
Phase 1 Habitat Map G9991.007



KEY

- Site boundary
- Target note
- Himalayan balsam
- Scattered broad-leaved tree
- Scattered introduced shrub
- Species-poor intact hedge
- Fence
- Dense/continuous scrub
- Amenity grassland
- Introduced shrub
- Building
- Hardstanding

Note:
The locations of habitats and habitat features are indicative.



Rev	Description	Drawn	Approved	Date

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Project
Manchester Grammar School

Title
Phase 1 Habitat Survey

Drawing Number
G9991.007

Drawn	Checked	Approved	Scale	Date
SP	CW	HS	1:1,800 @ A3	22/06/2023



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