

**Boddington Brewery,
Greater Manchester**
Preliminary Ecological Appraisal
Report for Clarion Housing Group

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Executive Summary

Temple was commissioned in July 2023 by Clarion Housing Group to carry out an update Preliminary Ecological Appraisal (PEA), comprising a Phase 1 habitat survey, protected species assessment and ecological evaluation of land at Boddington Brewery, Greater Manchester (henceforth referred to as 'the Site'). The PEA is required in support of a detailed planning application for 'Former Boddington Brewery, Manchester', a residential housing scheme. A previous PEA of the Site was undertaken by The Ecology Consultancy (now Temple) in July 2021. The main findings of the update PEA are as follows:

- The Site comprised predominantly hardstanding habitat, having previously been in use as a car park, with adjacent poor semi-improved grassland and ephemeral/short perennial habitats within the Site along the west and north-west Site boundaries.
- The Site is not subject to any statutory or non-statutory nature conservation designations. The nearest non-statutory designated site is Rochdale Canal Stott's Lane to Dulcie Street SBI located 1.3km south-east.
- Habitats present are considered of importance within the immediate vicinity of the Site only.
- **Foraging Bats** – The Site has limited potential to support foraging and/or commuting bats. However, this is considered negligible, and these do not pose a constraint. There are opportunities for habitat enhancement for these species.
- **Breeding birds** – The Site has limited potential to provide foraging opportunities only for birds such as black redstart, an LBAP species. However, the quality and extent of suitable habitat on Site makes constraints posed by breeding birds to be negligible. There are, however, opportunities for habitat enhancement for this species.

Where possible on the basis of information available to date, recommendations to enhance the importance of the Site for biodiversity in accordance with the Environment Act 2021 and national and local planning policies, have been provided. These comprise nesting and perching opportunities for breeding birds, particularly black redstart, and roosting features for bats, as well as provision of green roofs, planters, SuDS and urban

trees which will offer suitable shelter and foraging habitat for these species and provide a biodiversity net gain post development.

1 Introduction

BACKGROUND TO COMMISSION

- 1.1 Temple was commissioned by Clarion Housing Group on the 26th of July 2023 to carry out a Preliminary Ecological Appraisal (PEA) of land at Boddington Brewery, Greater Manchester. The appraisal was carried out to provide ecological information to inform a detailed planning application for a proposed residential development. A previous PEA was undertaken by The Ecology Consultancy (now Temple) in July 2021 (The Ecology Consultancy, 2021). This update appraisal considers land within the planning application site boundary (henceforth referred to as 'the Site') as indicated on the plan provided by the client (Exterior Architecture, 2023).

SCOPE OF THE REPORT

- 1.2 The aim of this appraisal is to provide baseline ecological information about the Site. This will be used to identify any potential ecological constraints associated with the proposed development and/or to identify the need for additional survey work to further evaluate any impact that may risk contravention of legislation or policy relating to protected species and nature conservation. Where possible, this report outlines any avoidance, mitigation, compensation and enhancement measures as may be required to ensure compliance with legislation and policy. Although enhancement measures may be used to achieve a net gain in biodiversity in line with national and local planning policies, this does not comprise a formal Biodiversity Net Gain assessment and no metric calculations have been made. These are provided in a separate report (Temple Group, 2023)
- 1.3 This appraisal is based on the following information sources:
- a desk study of the Site and land within a 2km surrounding radius;
 - a search for international wildlife sites within a 15km surrounding radius;
 - a Phase 1 habitat survey (JNCC, 2010) of the Site to identify and map the habitats present;

- a Species Assessment of the Site to identify features with potential to support legally protected and/or notable species including those defined by Section 41 of the NERC Act 2006 as Species of Principal Importance; and
- an evaluation of the Site's importance for nature conservation.

- 1.4 This appraisal has been prepared with reference to best practice guidance published by the Chartered Institute for Ecology and Environmental Management (CIEEM, 2017) and as detailed in British Standard 42020:2013 *Biodiversity – Code of Practice for Biodiversity and Development* (BSI, 2013).
- 1.5 The survey, assessment and report were conducted and written by Ross Quick, BSc, MSc, an ecologist with over two years' experience who is trained and competent in carrying out Phase 1 habitat surveys and protected species assessment.
- 1.6 A habitat map of the Site is presented in Appendix 1, with a botanical species list of plants recorded in Appendix 2 and target notes for features too small to map in Appendix 3. Photographs of the site are presented in Appendix 4.

SITE CONTEXT AND STATUS

- 1.7 The proposed development site is 0.55ha in size and is centred on Ordnance Survey National Grid reference SJ 83774 99260. The Site was used as a car park with commercial and residential properties to the north, south, east, and west, but is currently fenced off and disused, with evidence of development activities on site (rubble piles, trenches etc). The wider surroundings largely consist of residential and commercial properties.

DEVELOPMENT PROPOSALS

- 1.8 The development proposals for the Site, based on current plans provided by the client (Exterior Architecture, 2023), are for a residential development supplying a large number of affordable homes.

RELEVANT LEGISLATION AND PLANNING POLICY

1.9 The following key pieces of nature conservation legislation are relevant to this appraisal. A more detailed description of legislation is provided in Appendix 5:

- The Conservation of Habitats and Species Regulations 2017 (as amended) (commonly referred to as the Habitats Regulations);
- Wildlife and Countryside Act 1981 (as amended);
- Natural Environment and Rural Communities Act 2006;
- The Environmental Act 2021; and
- Wild Mammals (Protection) Act 1996.

1.10 The National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2021) and The Environment Act 2021 requires local authorities to avoid and minimise impacts on biodiversity and to provide net gains in biodiversity when taking planning decisions. In addition, in England, under Section 40 of the Natural Environment and Rural Communities Act 2006, all public bodies are required to have regard to biodiversity conservation when carrying out their functions.

1.11 Other planning policies at the local level of relevance to this development include the Manchester Core Strategy Development Plan (2012) and the Greater Manchester Biodiversity Strategy 2022 – 2030 (Lancashire Wildlife Trust and Manchester City Council, 2022). Further information is provided in Appendix 5.

NOMENCLATURE

1.12 A botanical species list, including scientific names in accordance with Stace (2019), is provided in Appendix 2. Common names of species, in accordance with the Natural History Museum Species Dictionary (Natural History Museum, 2023), are used throughout this report with scientific names given at first mention only for fauna.

2 Methodology

DESK STUDY

2.1 The following data sources were reviewed to provide information on the location of statutory designated sites¹, non-statutory designated sites², legally protected species³, Species and Habitats of Principal Importance⁴, and other notable species⁵ and habitats⁶ that have been recorded within a 2-15km radius of the Site:

- Greater Manchester Local Records Centre, the local Biological Records Centre, principally for species records and information on non-statutory sites;
- MAGIC (<http://www.magic.gov.uk/>) – the Government’s on-line mapping service; and
- Ordnance Survey mapping and publicly available aerial photography.

2.2 A summary of key records provided by the desk study is presented in Section 3 of this report. All records have been used to inform the assessment of the potential for protected or otherwise notable species to be present at the Site to provide a preliminary view of the Site’s ecological importance, but these are not presented in full in the report.

¹ **Statutory designations** include Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites (referred to collectively as National Site Network sites in England), National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR).

² **Non-statutory sites** are designated by local authorities (e.g. Sites of Importance for Nature Conservation or Local Wildlife Sites).

³ **Legally protected species** include those listed in Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981; Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended); or in the Protection of Badgers Act 1992.

⁴ **Species/Habitats of Principal Importance** are those defined by Section 41 of the Natural Environment and Rural Communities Act, 2006.

⁵ **Notable species** include Species of Principal Importance under the Natural Environment and Rural Communities Act 2006; Local Biodiversity Action Plan (LBAP) species; Birds of Conservation Concern (Stanbury *et al.* 2021); and/or Red Data Book/nationally notable species (JNCC, undated).

⁶ **Notable habitats** include Habitats of Principal Importance under the Natural Environment and Rural Communities Act, 2006; those included in an LBAP; Ancient Woodland Inventory sites; and Important Hedgerows as defined by the Hedgerow Regulations 1997.

HABITAT SURVEY

- 2.3 A habitat survey of the Site was carried out on the 1st August 2023 in overcast, drizzly weather. It covered the entire Site including boundary features. Habitats were described and mapped following standard Phase 1 habitat survey methodology (JNCC, 2010) and marked on a paper base map and subsequently digitised using ESRI ArcGIS software (Appendix 1, Figure 1). Habitats were also assessed against descriptions of Habitat of Principal Importance as set out by the JNCC (2010)⁷ where appropriate.
- 2.4 For formal Biodiversity Net Gain (BNG) assessment, the habitats described for Phase 1 habitat assessment have been converted to UK Habitat Classifications (UK Habitat Classification Working Group, 2018) for the purposes of calculating the preliminary baseline units – see Table 3.3. The condition of each of these habitats on site has been recorded in line with the Biodiversity Net Gain 4.0 Technical Supplement (Panks *et al.*, 2022).
- 2.5 Records for dominant and notable plants are provided, as are incidental records of birds and other fauna noted during the habitat survey. The latter have been used to justify the potential presence of important ecological features where applicable.
- 2.6 The Site was also surveyed for the presence of invasive plant species as defined by Schedule 9 of the Wildlife and Countryside Act 1981 (as amended); however, detailed mapping of such species is beyond the scope of this commission and locations on the habitat plan are indicative only.
- 2.7 Target notes are used to provide information on specific features of ecological interest (e.g., a badger sett) or habitat features that were too small to be mapped (Appendix 3).

⁷ Collection of data required to confirm that certain habitats (including rivers and ponds) meet criteria for HPI is beyond that obtained during a Phase 1 habitat survey. In these cases, the potential for such habitats to meet relevant criteria is noted but further surveys to confirm this assessment may be recommended.

PROTECTED AND INVASIVE SPECIES ASSESSMENT

- 2.8 The suitability of the Site for legally protected species was assessed on the basis of relevant desk study records⁸ combined with field observations from the habitat survey. The likelihood of the habitat(s) supporting protected and/or notable species was ranked on a scale from 'negligible' to 'present' as described in Table 2.1 below.
- 2.9 The assessment of habitat suitability for protected or notable species was based on professional judgement drawing on experience of carrying out surveys of a large number of urban and rural sites and best practice survey guidance.

Table 2.1: Protected species assessment

Category	Description
Present	Presence confirmed by the current survey or by recent and/or desk study records.
High	Habitat present provides all of the known key requirements for a given species/species group. Local records are provided by desk study. The Site is within or close to a national or regional stronghold for a particular species. Good quality surrounding habitat and good connectivity.
Moderate	Habitat present provides some of the known key requirements for a given species/species group. Several desk study records and/or the Site are within known national distribution and with suitable surrounding habitat. Factors limiting the likelihood of occurrence may include small habitat area, barriers to movement and disturbance.
Low	Habitat present is of relatively poor quality for a given species/species group. Few or no desk study records. Presence cannot be discounted on the basis of national distribution, nature of surrounding habitats or habitat fragmentation.
Negligible	Habitat is either absent or of very poor quality for a particular species or species group. No desk study records. Surrounding habitat unlikely to support wider populations of a species/species group. Outside or peripheral to the known range of a species.

- 2.10 The findings of this assessment help establish the need for protected species surveys. Surveys may be required where a site is judged to be of suitability for a particular species/ species group even if that suitability is deemed to be Low – this is particularly the case where there the risk of contravening the relevant

⁸ Primarily dependent on the age of the records, distance from the site and types of habitats at the site.

conservation legislation is unknown or cannot be quantified based on the information available. However, in some cases there may be opportunities to ensure compliance with the legislation without further survey through precautionary measures prior to and during construction.

SITE EVALUATION

- 2.11 Where sufficient baseline data are available, the Site's ecological importance has been evaluated broadly following guidance issued by CIEEM (CIEEM, 2018) which ranks the nature conservation importance of a site according to a geographic scale of reference: international, national, regional (Lancashire), metropolitan, county, vice-county or other local authority-wide area (Manchester City Council); and of importance at the zone of influence of the Site only. In evaluating the nature conservation importance of the Site, the following factors were considered: nature conservation designations; species/habitat rarity; naturalness; fragility and connectivity to other habitats. Where no importance has been assigned this is due to insufficient information.

IMPACT ASSESSMENT

- 2.12 An assessment of likely ecological impacts has been undertaken in accordance with CIEEM guidelines (CIEEM, 2018) only where clear evidence is available to substantiate and justify the findings. In the absence of such evidence, the ecological feature is merely identified as a potential constraint to development.
- 2.13 Where ecological constraints to development are identified, further survey requirements and/or mitigation measures that are proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development are described. In addition, in accordance with the Environment Act 2021, National Planning Policy Framework (NPPF) and local/regional planning policies, opportunities to enhance or create benefits for wildlife are provided where this is possible based on the information available to date. These measures may be appropriate for the attainment of net gains in biodiversity, although this assessment does not provide a formal measure of Biodiversity Net Gain.

DATA VALIDITY AND LIMITATIONS

2.14 Every effort has been made to provide a comprehensive description of the Site; however, the following limitations apply to this assessment.

- The protected species assessment provides a preliminary view of the likelihood of protected species occurring on the Site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if on the basis of the preliminary assessment or during subsequent surveys it is considered reasonably likely that protected species may be present and potentially affected by the proposed development.
- The ecological evaluation is preliminary and may change subject to the findings of further ecological surveys (should these be required).
- The records from Greater Manchester Local Records Centre presented in this report were obtained in July 2021 as part of the original PEA. Update records have not been requested as it is considered that given the small scale and urban nature of the Site, and that conditions at the Site remain unchanged from those in 2021, it is unlikely that there will be any new significant data resulting in any material changes to the assessment.
- Even where data for a particular species group are provided in the desk study, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest, the area may simply be under-recorded.
- Where only four figure grid references are provided for protected species by third parties, the precise location of species records can be difficult to determine and they could potentially be present anywhere within the given 1km x 1km square. Equally, six figure grid references are accurate to the nearest 100m only.
- The Phase 1 habitat survey does not constitute a full botanical survey or provide accurate mapping of invasive plant species.
- Ecological survey data are typically valid for 12-18 months unless otherwise specified (CIEEM, 2019).

- On the day of survey, the Site could not be accessed and was surveyed by observation from Great Ducie Street. However, views of the sight were not obstructed, and clear lines of sight were achieved for the entire site.

2.15 Despite these limitations, it is considered that this report accurately reflects the habitats present, their biodiversity importance and the potential of the Site to support protected and otherwise notable species.

3 Results and Evaluation

DESIGNATED SITES

Statutory designated nature conservation sites

- 3.1 The proposed development site is not subject to any statutory nature conservation designations.
- 3.2 There are two internationally important nature conservation sites within a 15km radius of the site; Rochdale Canal Special Area of Conservation (SAC) and Manchester Mosses SAC (see Table 3.1). Due to the distance from the site, the proposed works are unlikely to have any significant effect on these international sites.
- 3.3 There are no nationally important statutory sites located within 2km of the site.

Table 3.1: Statutory Designated Sites

Site Name	Distance from Site and orientation	Ecological Importance	Qualifying features/Description	Potential constraint
Rochdale Canal SAC	5.5km west	International	Rochdale canal supports a significant population of floating water-plantain <i>Luronium natans</i> (Annex II species – primary reason for selection) in a botanically diverse water plant community which also holds a wide range of pond weeds <i>Potamogeton</i> spp.	No
Manchester Mosses SAC	13.6km west	International	Much of the mossland in Greater Manchester has been lost to agriculture or development, but several examples such as Risley Moss, Astley and Bedford Mosses and Holcroft Moss have survived as degraded raised bogs (Annex I habitat – primary reason for selection).	No

Non-statutory designated nature conservation sites

- 3.4 The proposed development site is not subject to any non-statutory nature conservation designations. There are three non-statutory sites designated as Sites of Biological Importance (SBI) within 2km of the site (see Table 3.2). Given the distance from the site, the proposed works are unlikely to have any significant effect on these international sites.

Table 3.2: Non-Statutory Designated Site

Site Name	Distance from Site and orientation	Ecological Importance	Qualifying features/Description	Potential constraint
Rochdale Canal Stott's Lane to Dulcie Street SBI	1.3km south-east	County	Not included in information from local records centre.	No
River Irwell SBI	1.4km west	County	Not included in information from local records centre.	No
Ashton Canal (West) SBI	1.4km south-east	County	Not included in information from local records centre.	No

Habitat inventories and landscape-scale conservation initiatives

Ancient woodland

- 3.5 There are no areas of ancient woodland appearing within a 2km radius of the site on the Ancient Woodland Inventory (Natural England, 2021).

Habitats of Principal Importance

- 3.6 There are several areas of deciduous woodland, an HPI (Habitat of Principal Importance), located within 2km of the site (Natural England, 2021). The closest of these is located north of Hargreaves Street, approximately 600m west of the site. These are likely to be of county importance only and are unlikely to pose a constraint on the development.

PHASE 1 HABITAT SURVEY

Site character

- 3.7 The Site predominantly comprised hardstanding, with strips of bare ground along the western site boundary and sparsely vegetated urban land along the western half of the northern boundary (Appendix 4, Photo 1). The character of the Site was largely unchanged from that recorded in July 2021. However, a narrow band of scrub which was present along the western boundary in 2021, was not present at the time of the update survey.
- 3.8 Phase 1 habitat types are mapped in Appendix 1, Figure 1 and areas are given in Table 3.3 below alongside their UKHab equivalent and an assessment of habitat condition in accordance with Panks *et al.*, (2022).
- 3.9 A description of dominant and notable species and the composition of each habitat is provided below, with a species list (including all scientific names) provided in Appendix 2. Target notes, which are used to provide information on specific features of ecological interest, are included in Appendix 3 and photographs are located in Appendix 4.

Table 3.3: Phase 1 Habitat Areas

Phase 1 Habitat	UKHab	Condition	Extent (Ha)	%
Hardstanding	Other developed land (u1b6)	n/a	0.517	93.54
Poor semi-improved grassland	Sparsely vegetated urban land (u1f)	Moderate	0.017	3.05
Bare ground	Artificial unvegetated, unsealed surface	n/a	0.013	2.41
Ephemeral/short perennial	Sparsely vegetated urban land (u1f)	Moderate	0.006	1.01

Habitat Description

Hardstanding

- 3.10 The majority of the Site comprised of hardstanding, having previously been in use as a car park. This was largely devoid of vegetation. Large rubble piles resulting from development works were present in the south-east and south-west of the car park (Appendix 4, Photo 1).

Poor Semi-improved Grassland

- 3.11 A small strip of a low density perennial rye-grass sward was present along the northern boundary in the western half of the Site with patches of bare ground amongst it. Rarely occurring within this habitat was greater plantain, ribwort plantain, and bramble (Appendix 4, Photo 2).

Bare Ground

- 3.12 Areas of bare ground were present in the south-west of the Site along the boundary. Patches were also present within the poor semi-improved grassland in the north-west of the site (Appendix 4, Photo 2).

Ephemeral/Short Perennial

- 3.13 A small area of ephemeral/short perennial vegetation was found in the western corner of the Site. This was not dominated by a single species but was a mix of frequently occurring hawksbeard, clover, herb-robert and dandelion, with occasional to rarely occurring spear thistle, common nettle, rosebay willowherb and redshank (Appendix 4, Photo 3).

PROTECTED, NOTABLE AND INVASIVE SPECIES ASSESSMENT

- 3.14 The potential for the Site to support protected and/or notable species, as set out in Table 3.4 below, has been assessed using criteria provided in Table 2.1 and is based on the results of the desk study and observations made during the survey of habitats at the Site. Those legally protected species not referred to have been scoped out as it is considered that the Site does not contain habitats suitable to support them.

3.15 Key pieces of statute are summarised in Section 1 and set out in greater detail in Appendix 5.

Table 3.4. Protected, notable and invasive species assessment

Ecological feature	Status ⁹¹⁰	Likelihood of occurrence	Ecological importance	Potential constraint
Bats: Foraging/commuting	HR WCA S5	NEGLIGIBLE: There are no habitats or features on Site suitable for roosting bats. However, the site could be used by commuting bats, though the lack of linear habitat feature makes the Site largely unsuitable.	Local	No
Breeding Birds	WCA S1 SPI LBAP BoCC	NEGLIGIBLE: The habitats on Site are largely unsuitable for nesting or foraging birds, and none were observed during the site survey. Black redstarts have been recorded at multiple locations within a 2km radius of the site. There was no evidence of black redstarts within the site during the survey, and the location of the site offers little in the way of perching/food or optimal nesting habitat. It is unlikely that breeding birds will occur at the site, however there is potential for low numbers to be present and as such they are considered further in Section 4 of this report.	Local	No

⁹ The following abbreviations have been used to signify the legislation afforded different species: HR = Conservation of Habitats and Species Regulations 2017 (as amended); WCA S1 = Schedule 1 of the Wildlife and Countryside Act 1981 (as amended); WCA S5 = Schedule 5 of the Wildlife and Countryside Act 1981 (as amended); WCA S9 = Schedule 9 of the Wildlife and Countryside Act 1981 (as amended); PBA = Protection of Badgers Act 1992.

¹⁰ The following abbreviations have been used to signify the policy of conservation assessments applying to notable species: SPI = Species of Principal Importance under the NERC Act 2006; LBAP = Local Biodiversity Action Plan species; BoCC = Birds of Conservation Concern - amber list / red list (Stanbury *et al.*, 2021); and/or RD/NN = red data book/nationally notable species (JNCC, undated).

NATURE CONSERVATION EVALUATION

- 3.1.1 There are no statutory protected sites within 2km of the site. There are three non-statutory sites and several areas of deciduous woodland HPI within 2km of the site, however due to the distance between these and the proposed works, it is considered that there will be no impact on any non-statutory sites or HPI as a result of the proposals.
- 3.1.2 The habitats within the site are dominated by hardstanding, which is of negligible ecological importance. Small areas of poor semi-improved grassland and ephemeral/short perennial vegetation are present at the margins of the site, however these are common and widespread within the local area and of importance at the site level only.

4 Recommendations

- 4.1 This section summarises the potential impacts on habitats and notable species that may be present at this Site. It also sets out the recommendations for further survey and mitigation where required.

FURTHER SURVEY AND MITIGATION

- 4.2 No further surveys or mitigation are required due to the negligible potential of the Site to support protected species and biodiversity, generally.
- 4.3 A range of measures should be undertaken to satisfy the requirement for ecological enhancement included in planning policy.

ENVIRONMENTAL BEST PRACTICE

- 4.4 Best environmental practice measures which should be implemented where appropriate to include the appropriate storage of fuels and chemicals to minimise the risk of accidental spillage. Sources of best construction practice and environmental management include CIRIA guidance (Connolly and Charles, 2005) and various Defra/Environment Agency guidelines (2016). This guidance relates to various pieces of legislation including the Environmental Damage (Prevention and Remediation) Regulations 2009.

FURTHER SURVEY REQUIREMENTS

- 4.5 There are no further survey requirements.

SUMMARY OF RESIDUAL EFFECTS

- 4.6 Provided that the above is adhered to, all identified impacts to ecological receptors will have been addressed, with no residual impacts.

OPPORTUNITIES FOR ECOLOGICAL ENHANCEMENT

- 4.7 Planning policy at the national and local level and strategic biodiversity partnerships encourage inclusion of ecological enhancements in development projects. Ecological enhancements can also contribute to green infrastructure and ecosystem

services such as storm water attenuation and reducing the urban heat island effect. Measures set out below can be used to achieve a net gain in biodiversity. Please note, however, that no formal calculations have been provided in this instance.

- 4.8 Enhancement measures for black redstarts could include the addition of foraging habitat and nest creation. The installation of ledges and purpose-built integral nesting boxes at varying heights will help provide perching and nesting opportunities. A suitably designed green roof, the addition of planters, SuDS and urban trees will provide habitat that supports invertebrates on which the black redstart feed and will contribute to a biodiversity net gain post development. These proposals are in line with Manchester's Local Plan Policy EN 15 (Manchester City Council, 2012).
- 4.9 Enhancement measures for bats could include the addition of bat boxes and urban trees to the Site. These will make the Site more suitable for foraging and roosting activities for bats whilst generally increasing the biodiversity potential of the Site. Schwegler bat boxes are recommended, these are well tested and offer high quality roosting features. Bat boxes should be placed out of direct light and a bat-friendly lighting scheme should be implemented as per the Institution of Lighting Professionals (2018).

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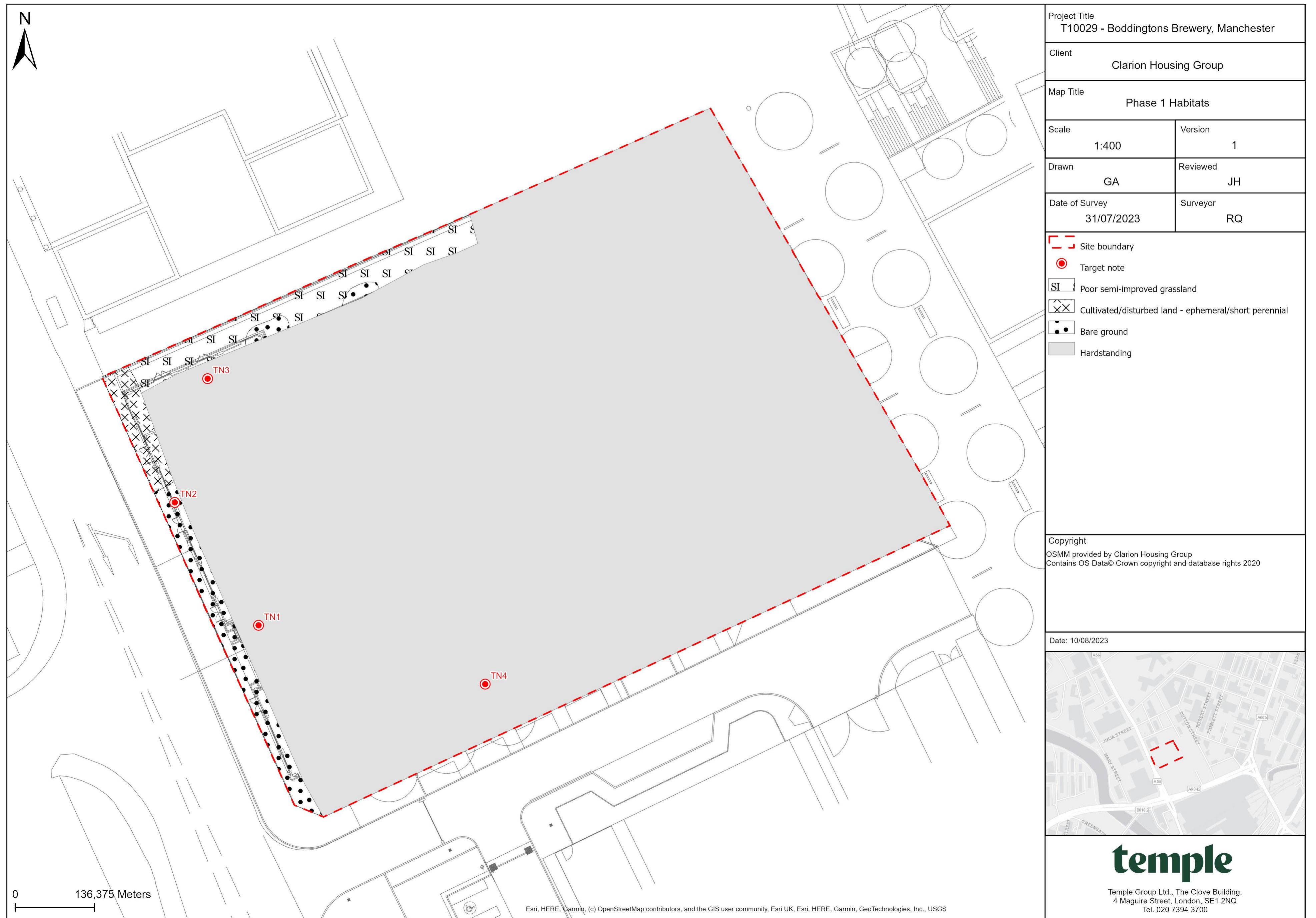
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Appendix 1: Habitat Survey Map

Figure 1: Phase 1 Habitat Survey Map



Appendix 2: Species List

Botanical Species List for Boddington Brewery, Manchester, compiled from Phase 1 habitat survey carried out on the 1st August 2023.

Scientific nomenclature and common names for vascular plants follow Stace (2019) and Blockeel and Long (1998) for bryophyte species. Please note that this plant species list was generated as part of a Phase 1 habitat survey, does not constitute a full botanical survey and should be read in conjunction with the associated results section of this PEA.

Abundance was estimated using the DAFOR scale and additional notes taken as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, L = locally
c=clumped, e=edge only, g=garden origin, p=planted, y = young, s=seedling or sucker,
t=tree, h=hedgerow, w=water

Scientific Name	Common Name	Abundance	Qualifier
<i>Trifolium sp.</i>	unidentified clover sp.	F	c
<i>Taraxacum officinale agg.</i>	dandelion	F	e
<i>Plantago lanceolata</i>	ribwort plantain	O	e
<i>Plantago major</i>	greater plantain	O	e
<i>Equisetum sp.</i>	horsetail sp.	R	e
<i>Lolium perenne</i>	perennial rye-grass	F	e
<i>Chamaenerion angustifolium</i>	rosebay willowherb	R	e
<i>Vicia sativa</i>	common vetch	R	e
<i>Euphorbia peplus</i>	petty spurge	R	e
<i>Urtica dioica</i>	common nettle	O	e
<i>Geranium robertianum</i>	herb-Robert	O	e
<i>Cirsium vulgare</i>	common thistle	R	e
<i>Crepis sp.</i>	hawksbeard sp.	O	e
<i>Rubus fruticosus</i>	bramble	R	e
<i>Persicaria maculosa</i>	redshank	R	e
<i>Cymbalaria mularis</i>	ivy-leaved toadflax	R	e

Appendix 3: Target Notes

Target Notes List for Boddington Brewery, Manchester from the Phase 1 habitat survey and protected and notable species assessment carried out on the 1st August 2023.

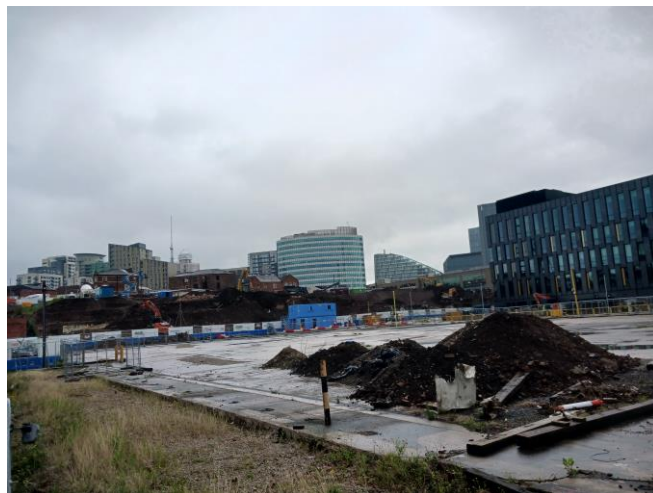
Target note (TN)	Description
1	Trenches in the south-west of the site, along the Site boundary. Presumably dug out for installation of underground pipes or cables.
2	Trench in the west of the site, next to the Site boundary (Appendix 4, Photo 4).
3	Two large rubble piles in the west of the Site, likely produced from trench excavations.
4	Another large rubble pile in the south of the Site

Appendix 4: Photographs

Photograph 1 A view of the Site facing west showing the disused car park and associated hardstanding, taken from the western boundary corner. A rubble pile (TN4) is visible on the right.



Photograph 2 The poor semi-improved grassland and associated patches of bare ground present in the north-west of the site, facing west. Inset are also the rubble piles (TN3) and hardstanding.



Photograph 3 Vegetation of ephemeral/short perennial habitat on-site



Photograph 4 Trench in the west of the Site, by the Site boundary (TN2)



Appendix 5: Legislation and Planning Policy

Important Notice: This section contains details of legislation applicable in England and Wales only (i.e. not including Scotland, the Isle of Man, Northern Ireland, the Republic of Ireland or the Channel Islands) and is provided for general guidance only. While every effort has been made to represent the current (at the time of writing) situation with respect to the UK's position outside of the EU and to ensure accuracy throughout, this section should not be relied upon as a definitive statement of the law.

Over the past few years, three important bills have been published which are intended to shape how growing pressures on the environment post-Brexit (post-transition period) are tackled. Both the Agriculture Bill and Fisheries Bill gained Royal Assent in November 2020 and are now the Agriculture Act 2020 and Fisheries Act 2020 respectively; and, more recently, the Environment Bill was passed into law in November 2021, becoming the Environment Act 2021. *N.B. as environment policy is a devolved matter, most of this Act applies to England only.*

A LEGISLATION AFFORDED TO SPECIES

The objective of the EC Habitats Directive¹² is to conserve the various species of plant and animal which are considered rare across Europe. The Directive is transposed into UK law by **The Conservation of Habitats and Species Regulations 2017 (as amended)** and **The 'Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)**.

Various amendments to the 2017 Regulations in England and Wales have been made through the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. These changes came into effect on the 1 January 2021 following the UK's departure from the EU and the end of the Transition Period. The changes are largely limited to 'operability changes' that will ensure the Regulations can continue to have the same working effect as before.

¹² Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora

The Wildlife and Countryside Act 1981 (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Since the passing of the Wildlife & Countryside Act 1981, various amendments have been made, details of which can be found on www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000).

As well as delivering long-term targets to reduce waste and improve resource efficiency and improve air and water quality targets, the **Environment Act 2021** aims to halt the decline of nature by 2030, mandates Biodiversity Net Gain for developments in England and amends the Wildlife and Countryside Act 1981 (as amended) to introduce an additional purpose for granting a protected species licence in relation to development which is ‘for reasons of overriding public interest’. The Act also introduces the Office for Environmental Protection (OEP), which will be a new public body intended to hold government and public authorities to account, although the government will be able to issue guidance to the OEP on how it enforces policies and legislation.

Some of the key biodiversity elements in the Act that will have a bearing on species protection in the UK include:

- A strengthened biodiversity duty on Local Planning Authorities;
- Biodiversity net gain to ensure developments, including Nationally Significant Infrastructure Projects (NSIP), deliver at least 10% increase in biodiversity;
- Local Nature Recovery Strategies to support a Nature Recovery Network;
- Duty upon Local Authorities to consult on street tree felling;
- Strengthen woodland protection enforcement measures;
- Conservation Covenants;
- Protected Site Strategies and Species Conservation Strategies to support the design and delivery of strategic approaches to deliver better outcomes for nature;

- Introduces the power for the Habitats Regulations to be amended or ‘refocused’ to ‘to deliver creative public policy thinking that delivers results’.

This section does not provide further detail on the Environment Act 2021 as, at the time of writing (November 2021), the Act, in its final form, has not been published and it remains to be seen how and when the various elements will be enacted at a national and local level.

Other legislative Acts affording protection to wildlife and their habitats include:

- Salmon and Freshwater Fisheries Act 1975;
- Deer Act 1991;
- Protection of Badgers Act 1992;
- Wild Mammals (Protection) Act 1996;
- Countryside and Rights of Way (CROW) Act 2000;
- Natural Environment & Rural Communities (NERC) Act 2006;
- The Eels (England and Wales) Regulations 2009; and
- Environment (Wales) Act 2016.

Species and species groups that are protected or otherwise regulated under the aforementioned legislation, and that are most likely to be affected by development activities, include herpetofauna (amphibians and reptiles), badger, bats, birds, dormouse, invasive species, otter, plants, red squirrel, water vole and white clawed crayfish.

Explanatory notes relating to species protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which includes smooth snake, sand lizard, great crested newt, natterjack toad, all bat species, otter, dormouse and some plant, invertebrate and fish species, are given below. **These should be read in conjunction with the relevant species sections that follow.**

- In the Habitats Directive, the term ‘deliberate’ is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.

- The Conservation of Habitats and Species Regulations 2017 (as amended) does not define the act of 'migration' and therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered where relevant.
- In order to obtain a mitigation licence for species protected under the Conservation of Habitats and Species Regulations 2017 (as amended), the application must demonstrate that it meets all of the following three 'tests': i) the action(s) are necessary for the purpose of preserving public health or 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; ii) that there is no satisfactory alternative and iii) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

BATS

All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 43 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats);
- Deliberate disturbance of bat species as:
 - a) to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young; or
 - to hibernate or migrate.
 - b) to affect significantly the local distribution or abundance of the species.
- Damage or destruction of a breeding site or resting place; and
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

Bats are also protected under the Wildlife and Countryside Act 1981 (as amended) in respect to sub-sections 9 (4) (b) and (c) and 9 (5) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to bats liable to affect development works?

The appropriate licence issued by the relevant countryside agency (e.g. Natural England, Natural Resources Wales) will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Though there is no case law to date, the legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost¹³.

BIRDS

All wild birds, their nests and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). A wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild state. Among other things, the legislation makes it an offence to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy an egg of any wild bird; or
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.

¹³ Garland and Markham (2008) Is important bat foraging and commuting habitat legally protected? Mammal News, No. 150. The Mammal Society, Southampton.

Certain species of bird, for example the barn owl *Tyto alba*, black redstart *Phoenicurus ochruros*, hobby *Falco subbuteo*, bittern *Botaurus stellaris* and kingfisher *Alcedo atthis* receive additional special protection under Schedule 1 of the Act. This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young.
- Intentional or reckless disturbance of dependent young of such a bird.

How is the legislation pertaining to birds liable to affect development works?

To avoid contravention of the Wildlife and Countryside Act 1981 (as amended), works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction is to undertake work outside the main bird nesting season which typically runs from March to August¹⁴. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Those species of bird listed on Schedule 1 are also protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest. It should be noted that there is no threshold under which disturbance is not an offence, that is to say that disturbance need not be 'significant' for an offence to be committed.

While it is possible to obtain a licence to permit some activities that would otherwise constitute an offence, these can only be issued for specific purposes set out in the Act. This includes damage to crops, to preserve public health or safety and to preserve air

¹⁴ It should be noted that this is the main breeding period. Breeding activity may occur outside this period (depending on the particular species, geographical location of the site and vagaries of the season in any particular year) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

safety, but does not include development, some land management and recreational activities and damage to property.

WILD MAMMALS (PROTECTION) ACT 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to:

- Mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

NON-NATIVE SPECIES (FAUNA)

Under Section 14(1) of the Wildlife and Countryside Act 1981 (as amended), it is an offence to release, or allow to escape into the wild, any animal that is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state, or is listed on Schedule 9 of the Act. Examples of species included on Schedule 9 are signal crayfish *Pacifastacus leniusculus*, American mink *Neovison vison*, grey squirrel *Sciurus carolinensis* and European pond terrapin *Emys orbicularis*. In the main, Schedule 9 species are those that are already established in the wild, but which continue to pose a threat to the conservation of native biodiversity and habitats, such that further releases should be regulated. The Schedule also includes some native species, such as barn owl *Tyto alba*, to ensure that any releases or re-introduction programmes are undertaken in consultation with the relevant authorities and in accordance with best practice guidelines.

How is the legislation pertaining to non-native faunal species liable to affect development works?

In most cases, development works are unlikely to infringe the legislation. This is because such operations are unlikely to result in the release or escape of non-native faunal

species. However, there may be circumstances, particularly where works involve watercourses or water bodies, which have the potential to exacerbate the spread of e.g. signal crayfish or certain fish or amphibian species. If this is deemed a possibility, it will be necessary to ensure appropriate preventative measures are in place prior to and during the works.

PLANTS AND FUNGI

All wild plants are protected under the Wildlife and Countryside Act 1981 (as amended). This makes it an offence for an 'unauthorised' person to intentionally uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant and fungi, for example some species of orchid, red-tipped cudweed *Filago lutescens*, spiked speedwell *Veronica spicata*, holly-leaved naiad *Najas marina*, field cow wheat *Melampyrum arvense* and sandy stilt puffball *Battarraea phalloides* are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 13. This prohibits any person:

- Intentionally picking, uprooting or destruction of any wild Schedule 8 species; and
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof.

In addition to the legislation outlined above, several plant species, such as slender naiad *Najas flexilis*, fen orchid *Liparis loeselii* and early gentian *Gentianella anglica*, are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2017 (as amended). These are species of European importance. Regulation 45 makes it an offence to:

- Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species; and
- Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

How is the legislation pertaining to protected plants liable to affect development works?

A mitigation licence issued by the relevant countryside agency (e.g. Natural England, Natural Resources Wales) will be required for works liable to affect species of plant listed under The Conservation of Habitats and Species Regulations 2017 (as amended). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

INVASIVE PLANT SPECIES

Under Section 14(2) of the Wildlife and Countryside Act 1981 (as amended), it is an offence to plant or otherwise cause to grow in the wild any species of plant listed on Part II of Schedule 9. Schedule 9 plant species include Japanese knotweed *Fallopia japonica*, giant hogweed *Heracleum mantegazzianum* and Himalayan balsam *Impatiens glandulifera*. In the main, Schedule 9 species are those that are already established in the wild, but which continue to pose a threat to the conservation of native biodiversity and habitats, such that further releases should be regulated.

How is the legislation pertaining to invasive plants liable to affect development works?

Although it is not an offence to have these plants on your land per se, it is an offence to cause these species to grow in the wild. Therefore, if they are present on site and development activities (for example movement of spoil, disposal of cut waste or vehicular movements) have the potential to cause the further spread of these species to new areas, it will be necessary to ensure appropriate measures are in place to prevent this happening prior to the commencement of works.

As a rule, planting on managed land (private gardens, estates and amenity planting, for example), where it is expected that the spread of the plant will be kept under control, and where the plant will not have an adverse impact, is not regarded as planting in the wild and thus would not constitute an offence. However, where the plant is inadequately managed or contained and is likely to have an adverse effect, it may. Whether or not planting is an offence should therefore be judged on a case by case basis, taking into

account the potential impacts on habitats and native flora and fauna, and the existence or extent of management practices to be employed¹⁵.

B EUROPEAN AND NATIONAL LEGISLATION AFFORDED TO SITES AND HABITATS

As for certain species described above, habitats and sites are also protected directly through the Wildlife & Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2017 (as amended) and The 'Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) through the notification, classification or designation of various protected sites as detailed below.

In addition, The Environment Act 2021 and the Water Framework Directive indirectly afford protection to non-designated habitats through the duties placed on public and private bodies to promote nature conservation and biodiversity, for example, the creation of Local Nature Recovery Strategies (LNRS) and associated Species Conservation and Protected Site strategies, and to reduce or avoid harmful activities. Many of these duties and targets form the basis for national and local planning policy and wider conservation strategies and are not covered in detail here.

STATUTORY SITE DESIGNATIONS: NATIONAL

Nationally important areas of special scientific interest, by reason of their flora, fauna, or geological or physiographical features, are notified by the countryside agencies as statutory **Sites of Special Scientific Interest** (SSSI) under the National Parks and Access to the Countryside Act 1949 and latterly the Wildlife & Countryside Act 1981 (as amended). As well as underpinning other national designations (such as **National Nature Reserves** which are declared by the countryside agencies under the same legislation), the system also provides statutory protection for terrestrial and coastal sites which are important within a European context (formerly referred to as part of the Natura 2000 network and recently amended to the National Site Network in line with the UK's departure from the EU) and globally (such as Wetlands of International Importance) - see subsequent sections for details of these designations. Improved provisions for the protection and

¹⁵ Defra (2010) Guidance on Section 14 of the Wildlife and Countryside Act, 1981. [\[ARCHIVED CONTENT\]](https://nationalarchives.gov.uk) (nationalarchives.gov.uk)

management of SSSI have been introduced by the Countryside and Rights of Way Act 2000.

The Wildlife & Countryside Act 1981 (as amended) also provides for the making of **Limestone Pavement Orders**, which prohibit the disturbance and removal of limestone from such designated areas, and the designation of **Marine Nature Reserves**, for which byelaws must be made to protect them.

STATUTORY SITE DESIGNATIONS: INTERNATIONAL

Special Protection Areas (SPAs), together with **Special Areas of Conservation** (SACs) form the basis of the **National Site Network** (until recently, these were part of the Natura 2000 network whilst the UK was part of the EU). SPAs are identified and classified by the Government under the EC Birds Directive (Council Directive 2009/147/EC (formerly 79/409/EEC)) on the Conservation of Wild Birds) via the mechanisms set out in the Habitats Regulations (as applicable at the time of classification).

SPAs are areas of the most important habitat for rare (listed on Annex I of the Directive) and migratory birds within the European Union. Protection afforded SPAs in terrestrial areas and territorial marine waters out to 12 nautical miles (nm) is given by The Conservation of Habitats & Species Regulations 2017 (as amended). The 'Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) provide a mechanism for the classification and protection of European Marine Sites or EMS (SPAs and SACs) in UK offshore waters (from 12-200 nm).

SACs are identified and designated under the EC Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora) via the mechanisms set out in the Habitats Regulations (as applicable at the time of designation). These are areas which have been identified as best representing the range and variety of habitats and (non-bird) species listed on Annexes I and II to the Directive within the European Union. SACs in terrestrial areas and territorial marine waters out to 12 nautical miles are protected under The Conservation of Habitats & Species Regulations 2017 (as amended). The 'Conservation of Offshore Marine Habitats and Species Regulations 2017

(as amended) provide a mechanism for the designation and protection of European marine sites or EMS (SACs and SPAs) in UK offshore waters (from 12-200 nm).

NON-STATUTORY DESIGNATIONS

Areas considered to be of local conservation interest may be designated by local authorities as a **Wildlife Site**, under a variety of names such as **Local Wildlife Sites** (LWS), **County Wildlife Sites** (CWS), **Listed Wildlife Sites** (LWS), **Local Nature Conservation Sites** (LNCS), **Sites of Biological Importance** (SBIs), **Sites of Importance for Nature Conservation** (SINCs), or **Sites of Nature Conservation Importance** (SNCIs). The criteria for designation may vary between counties.

Together with the statutory designations, these are defined in Local Plan documents under the Town and Country Planning system and are a material consideration when planning applications are being determined. The level of protection afforded to these sites through local planning policies may vary between counties.

C PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework replaced PPS9 and emphasises the need for sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and priority species (see Section D below). An emphasis is also made for the need for ecological networks via preservation, restoration and re-creation. The protection and recovery of priority species is also listed as a requirement of planning policy. In determining planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from adverse harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

THE NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006 AND THE BIODIVERSITY DUTY

Section 40 of The Natural Environment and Rural Communities (NERC) Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act (Section 42 in Wales) requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity.' This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

LOCAL PLANS

The Greater Manchester Biodiversity Strategy 2022 – 2030 (Lancashire Wildlife Trust and Manchester City Council, 2022) sets out three key objectives:

Objective 1 – Managing and understanding biodiversity. This includes a Nature Recovery Network Strategy, active management of priority wildlife sites and identification and management for key indicator species.

Objective 2 – Involving People, through connecting new audiences with nature and educating land managers and practitioners on local, regional and national biodiversity issues.

Objective 3 – Planning, Policy and Partnerships. Embedding biodiversity into council policies and the identification of long-term funding opportunities for nature recovery in Manchester.

In addition, the Manchester Core Strategy Development Plan (2012) Core Strategy Policy EN15 seeks to increase the active conservation of SBIs, increase the total area covered by LNRs, increase BAP habitats and species and prevent the deterioration in condition of SSSIs.

D BIODIVERSITY ACTION PLANS (BAPs)

Since the publication of the **UK BAP** in 1994, new strategies and frameworks have resulted in the development of biodiversity issues and changes in the terminology used to describe these habitats and species in England. This has been brought about through the replacement of the previous England Biodiversity Strategy with *Biodiversity 2020: A Strategy For England's Wildlife and Ecosystem Services* (2011) and the replacement of the UK BAP itself with the *UK Post-2010 Biodiversity Framework* (2012). All previous UK BAP species and habitats are still of material consideration in the planning process but are now referred to as Habitats and Species of Principal Importance (as described under the NERC Act 2006 above).

The distribution of BAP/priority habitats has been used to identify **Biodiversity Opportunity Areas** at a regional scale through Biodiversity Strategies/Partnerships. They represent a strategic landscape scale approach to habitat creation, restoration or expansion. They represent regional priority areas of opportunity to restore and create key habitats. They are therefore a spatial representation of targets for Habitats of Principal Importance and are areas of opportunity, not constraint.

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