



Phoenix Ironworks, Jersey Street, Manchester Ecological Impact Assessment

Prepared For: Manchester Life Development Company 3 Ltd.

Document Reference: 9803.001

April 2023

Version 1.0

TEP
Genesis Centre
Birchwood Science Park
Warrington
WA3 7BH

Tel: 01925 844004
Email: tep@tep.uk.com

Offices in Warrington, Market Harborough, Gateshead, London and Cornwall

Project Name:	Phoenix Ironworks
Location:	Jersey Street, Manchester
Document Title:	Ecological Impact Assessment
Client:	Manchester Life Development Company 3 Ltd.
Year of Surveys:	2023
Report Prepared:	May 2023
Prepared by:	The Environment Partnership Ltd
Office:	Warrington
Document Ref:	9803.001

Document history and status:

Version	Date	Description of Issue	Author	Checked	Approved
1.0	24/05/23	First Issue	RL	TW	JC
2.0	14/06/23	Addressing client comments.	TW	TW	JC

The Environment Partnership Ltd is a private limited company registered in England. Registered number 7745159. Registered office: Genesis Centre, Birchwood Science Park, Warrington, WA3 7BH.

© Copyright 2022 The Environment Partnership Ltd. All Rights Reserved.

This document has been prepared by The Environment Partnership Ltd ("TEP") for sole use of our Client in accordance with the provisions of the contract between TEP and the Client. No third party may use or rely upon this document or its content. TEP accepts no liability or responsibility for any such use or reliance thereon by any third party.

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	2
	Proposals	3
	Planning Context	3
	Scope	4
2.0	METHODS	5
	Desk Study	5
	Habitats and Flora	6
	Fauna	7
	Ecological Assessment Process	9
	Assumptions	10
3.0	RESULTS	11
	Planning Context	11
	Designated Sites	11
	Habitats and Flora	12
	Fauna	13
4.0	ASSESSMENT OF POTENTIAL IMPACTS	22
	Wildlife Sites	22
	Habitats and Flora	22
	Fauna	23
5.0	MITIGATION AND ENHANCEMENT	24
	Habitats and Flora	24
	Fauna	24
6.0	CONCLUSIONS	26

Figures

Figure 1: Site location	3
Figure 2: Buildings and hardstanding on south-east of site	12
Figure 3: Ephemeral Vegetation on west of site	13

Tables

Table 1: Categorisation of buildings for bat roost suitability	8
Table 2: Preliminary bat roost assessment	15

Appendices

Appendix A: Target Notes

Appendix B: Desk Study Report

Drawings

Phase 1 Habitat Survey Map: G9803.007

Executive Summary

Site Details	The site is located between Jersey Street, Poland Street, Naval Street and Radium Street in Ancoats, Manchester. The site application boundary measures 0.79ha. The whole site is anticipated to be used for the footprint of the project.
Proposals	Application for Full Planning Permission for demolition of existing structures and the erection of a part 5, part 10 storey building comprising residential apartments and townhouses, residents amenity space (Use Class C3), ground floor commercial (Use Class E), cycle and car parking, landscaping, access and servicing, and other associated works.
Designated wildlife sites	■ Rochdale Canal SAC & SSSI lies 4.4km north-east of the site ■ Rochdale Canal; Stott's lane to Ducie Street Basin SBI lies 0.3km south-east of the site
Important Ecological Features present within or adjacent to the site	■ The most valuable habitat on site is ephemeral / short perennial vegetation ■ Roosting bats ■ Nesting birds
Recommendations	The following recommendations are made to ensure that delivery of the project remains compliant with relevant legislation and policy: ■ Further bat surveys are required on the four buildings on site; ■ A BNG assessment is required to illustrate how the site will create a 10% net gain in biodiversity; ■ A pre-commencement nesting bird check is required immediately prior to works on Building 4 and immediately prior to removal of the bird box on B2 and ivy on B1 if undertaken inside the bird breeding season (March-August).
Conclusions	No ecological impact arising from the proposals is likely to be significant at more than the site level. All impacts are anticipated to temporary and reversible in the short term. With implementation of the recommended precautionary working methods and compensatory features, no residual significant ecological effects are expected to impact upon statutory or non-statutory wildlife sites, notable habitats or protected or 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 Manchester Life Development Company 3 Ltd. in January 2023 to undertake an Ecological Assessment to support an Application for Full Planning Permission (details given in para. 1.7). This application relates to Phoenix Ironworks, Jersey Street, Manchester (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: 9803.003; Appendix B). 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. 15th March – 15th September 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.

Site Location

- 1.5 The site is located between Jersey Street, Poland Street, Naval Street and Radium Street in Ancoats, Manchester. The location of the site is depicted by the red line shown in Figure 1 below. The approximate central grid reference of the site is SJ 85139 98766. The site lies within an industrial area, surrounded by industrial and commercial buildings and associated infrastructure on all sides.
- 1.6 The wider area comprises buildings and infrastructure comprising Manchester city centre. This includes new and renovated residential and commercial buildings.

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.

Figure 1: Site location



Proposals

- 1.7 Application for Full Planning Permission for demolition of existing structures and the erection of a part 5, part 10 storey building comprising residential apartments and townhouses, residents amenity space (Use Class C3), ground floor commercial (Use Class E), cycle and car parking, landscaping, access and servicing, and other associated works.

Planning Context

- 1.8 Relevant information regarding local planning policy is provided in the Ecological Desk Study (TEP Ref 9803.003).
- 1.9 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 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.

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

Scope

- 1.11 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.
- 1.12 This report provides baseline information on the habitats and protected species present on site, gathered during March 2023:
- An ecology desk study (TEP Ref: 9803.003; Appendix B);
 - An Extended Phase 1 habitat survey and UKHab & conditions assessment survey;
 - A preliminary bat roost assessment.
- 1.13 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 9803.003; 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 and UKHab & Conditions Assessment Survey habitat survey was completed by Rosie Langley, certified to Level 4 under the Field Identification Skills Certification⁷. The survey was completed on 15th March 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

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

Preliminary Ecological Appraisal (CIEEM, 2017b⁴). The 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.

- 2.10 Habitats present within the site boundary are displayed on Drawing G9803.007.

Limitations

- 2.11 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.
- 2.12 The survey was undertaken outside the optimum survey period of April to mid-October. This is not considered a constraint due to the basic nature of the habitat types on site and their low ecological value.

Fauna

- 2.13 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.
- 2.14 The habitat survey included an extended assessment of the habitats present for their potential to support notable or protected wildlife species, as defined within paragraph 2.7. Any signs indicating the presence of these species were recorded.
- 2.15 In combination, these data informed the scope for further surveys required to inform this Ecological Assessment.

Limitations

- 2.16 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

- 2.17 A daytime building survey was carried out at all buildings on site on 15th March 2023 by John Crowder (NE Class 2 licence ref: 2015-10700-CLS-CLS) and Rosie Langley (NE Class 1 licence ref: 2018-35011-CLS-CLS).

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

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

- 2.18 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 and an endoscope were used as aids. The survey was conducted with year-round use by bats in mind.
- 2.19 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.

Limitations

- 2.1 Bat droppings are one of the field signs the survey looks to identify as evidence of bat activity. Given that the buildings do not hold hibernation suitability, droppings and other signs on external surfaces from the summer season will have been washed or blown away by weather due to the time of year of the survey. This was taken into account within the recommendations.

Ecological Assessment Process

- 2.20 This Ecological Assessment follows the published guidelines (CIEEM, 2018²) and accepted best practice approach (BS42020:2013¹²) 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.
- 2.21 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.
- 2.22 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.
- 2.23 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*”.
- 2.24 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:

¹² British Standards Institution (2013) BS 42020:2013: Biodiversity — Code of practice for planning and development. BSI Standards Limited, London

- 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).

2.25 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

2.26 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 9803.003). 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 9803.003; Appendix B).
- 3.4 There is one statutory designated site of international importance within 10km of the site, one of national importance within 5km and none of regional or local importance within 2km. These are both Rochdale Canal (Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) which lies 4.4km north-east 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 a single Impact Risk Zone (IRZ). The proposals do not meet any of the risk parameters identified for this IRZ.

Non-Statutory Wildlife Sites

- 3.6 There are two non-statutory wildlife sites identified within 2km of the site. Details are presented in the Ecological Desk Study. These are:

- Rochdale Canal; Stott's lane to Ducie Street Basin Site of Biological Interest (SBI) – 0.3km south-east of the site; and
- Ashton Canal (west) SBI – 0.5km south-east of the site.

Habitats and Flora

Pre-existing Data

- 3.7 The Desk Study identified the following notable habitat connected to the site: open mosaic habitat on previously developed land. The closest area of which lies 100m south of the site.
- 3.8 Two records of yellow bird's-nest *Hypopitys monotropa* (SPI) were returned. The closest record was 0.9km north of the site. No other 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 G9803.007. Target notes (TN) illustrative of the habitats described are provided in Appendix A.

Buildings and hardstanding

- 3.10 The majority of the site comprises brick-built industrial buildings and hardstanding used as yards and for carparking (Figure 2, TN2). The hardstanding on site is largely devoid of vegetation. Several metal containers are present in the west of the site.

Figure 2: Buildings and hardstanding on south-east of site



Ephemeral / short perennial vegetation

- 3.11 Small areas of ephemeral vegetation have established over hardstanding in the yards on site, in particular between Buildings 2 and 4 (Figure 3, TN1) and north of Building 1. This includes a mix of low-growing plants and moss, with no dominant species. Creeping bent *Agrostis stolonifera* is present frequently and species occurring occasionally include white clover *Trifolium repens*, colt's-foot *Tussilago farfara*, groundsel *Senecio vulgaris* and hedge mustard *Sisymbrium officinale*. This habitat cannot be classed as open mosaic habitat on previously developed land as the area is less than 0.25ha in size, and it does not include spatial variation of more than one successional community.

Figure 3: Ephemeral Vegetation on west of site



Habitat Connectivity

- 3.12 The site holds no connectivity to habitats outside the site as it is isolated between roads. All boundaries on site and along the site boundaries comprise either brick walls or fences.

Fauna

Amphibians

- 3.13 No records of amphibians were returned on the site or within 2km of the site.

- 3.14 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. No evidence of amphibians was found on site.
- 3.15 There are no implications for the proposed development with regard to amphibians and therefore they are not discussed further within this report.

Badger

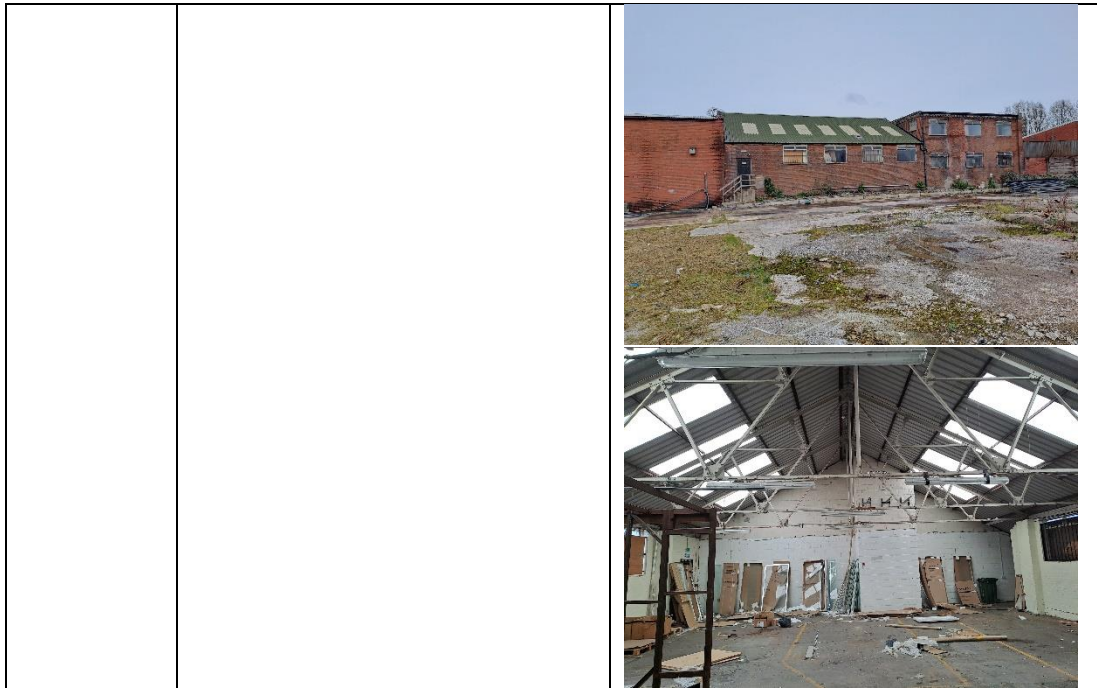
- 3.16 26 records of badger were returned within 2km of the site. None of these records were mapped on or adjacent to the site. This includes only one badger sett recorded in 2013 over 1.5km from the site, separated by a large amount of urban infrastructure.
- 3.17 The habitats on site; hardstanding and ephemeral / short-perennial vegetation provide no foraging, ranging or sett building habitat for badgers. No evidence of badger was recorded within the site or adjacent to the site during the Phase 1 habitat survey.
- 3.18 There are no implications for the proposed development with regard to badger and therefore they are not discussed further within this report.

Bats

- 3.19 Records of at least six 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*;
 - *Myotis* species
 - noctule *Nyctalus noctula*; and
 - soprano pipistrelle *P. pygmaeus*.
- 3.20 No bats were recorded on or adjacent to the site. The closest bat records were common pipistrelle and noctule which were both recorded 400m south-west of the site. 24 Natural England mitigation licences for bats were identified within 2km of the site. None of these were recorded on or adjacent to the site.
- 3.21 No trees are present within the site and the site itself offers limited suitability for commuting or foraging bats due to the lack of vegetation and lack of connectivity to suitable foraging habitat in the wider area.
- 3.22 Four buildings are present on site. The findings of the preliminary bat roost assessment of these buildings is provided in Table 2 below.

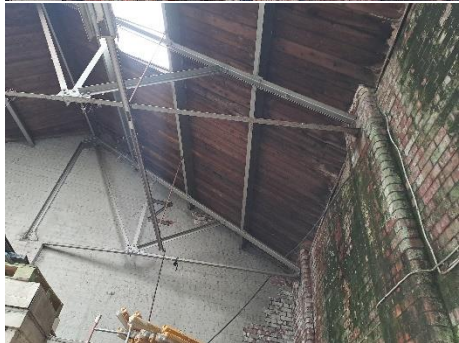
Table 1: Preliminary bat roost assessment

Building Ref.	Description	Photographs
B1	External: Building 1 comprises a two-storey flat roofed section on the east, connected to a one-storey section with a pitched roof on the west. The brickwork, roof and render on the two-storey section are well-sealed. Wooden bargeboards are present. These are intact and flush to the walls on the south and east. The bargeboard on the south-western aspect is lifted, providing a small cavity, this does not lead internally. The one-storey section has a pitched sheet metal roof with skylights. No features suitable for bats are present associated with the roof. Two gaps are present on the southern wall that may provide internal bat access. The cavity wall is unsealed along the edge of the door on the northern elevation. This provides potential shelter for a large number of bats, however will not provide the constant conditions or darkness required for a maternity or hibernation roost due to the cavity being completely open along the door edges allowing ingress of wind and rain. A wall is connected to the north of B1 that extends to Naval Street. A number of cavities are present where mortar is missing on the north-eastern aspect. These could each provide features for a small number of bats, however, are unsuitable for a maternity or hibernation roost due to the size of entrance preventing the constant conditions required. Internal: Internally, no roof void is present, and the internal space is lit by daylight through the windows and skylights. Wooden and metal roof beams are present in the pitched roof section and no cavities are present internally that could be used by bats. <u>Roosting Suitability:</u> Moderate (summer) Negligible (hibernation)	   



B2	External: Building 2 is a brick-built building with wooden cladding on the north-western aspect and a pitched, metal panelled roof. A gap is present under the metal capping on the northern corner of the western gable on the eastern section of the building. A gap is present at the top of the wooden cladding on the north-western aspect on the eastern section of the building. Both features do not appear to lead inside the building, therefore would only provide cover for a low number of bats opportunistically. No features suitable for maternity or hibernation roosts are present on this building. Internal: Internally, no roof void is present, metal roof beams are present and the underside of the roof is unlined. The internal space is lit by daylight through the windows. A ventilation chimney is present in the roof on the east of the building. This is blocked, preventing bat access. No other potential access points for bats are present. <u>Roosting Suitability:</u> Low (summer) Negligible (hibernation)	  
----	---	---

B3	External: Building 3 is a multi-pitched, brick built industrial unit with a pitched slate-tiled roof. The doors and majority of the brickwork are well-sealed. Render is missing at the top of the south-eastern gable end, in these areas the mortar is missing which may lead to cavities suitable for a small number of bats. The slate tiles are largely in place and intact apart from the end ridge tiles on the north-eastern pitch. Internal: Internally, no roof void is present and metal roof beams are present which do not provide potential roosting features. A couple of areas of damage are present in the walls. These were inspected and do not lead to external access points. The underside of the roof is lined by wooden sarking boards. A number of areas of damage are present which were inspected. These areas are damp and if connected to areas of damaged tiles could provide a roost for a small number of bats. The features provided are unlikely to provide suitability for a roost of high importance such as a maternity or hibernation roost. <u>Roosting Suitability:</u> Moderate (summer) Negligible (hibernation)	   
----	--	--

B4	External: Building 4 is a brick-built, multi-pitched former industrial building in the south of the site, adjacent to Jersey Street. Several slate tiles are lifted at the gable ends and a couple of tiles are missing. This could provide internal access for bats or features for opportunistic bats to roost. Small areas of mortar are missing in the brickwork, these are minimal and do not provide cavities for roosting bats. Internal: Internally no roof void is present. The underside of the roof is lined by wooden boards and skylights are present. The roof beams provide no potential bat roosting features. Small areas of missing mortar are present in the walls which could provide a feature for a low number of bats. No features provide the stable conditions required for a maternity or hibernation roost. <u>Roosting Suitability:</u> Moderate (summer) Negligible (hibernation)	  
Containers & other features	Several metal containers are present on site. These are in good material condition, providing no suitable roosting habitat for bats and hold a poor thermal capacity. Brick walls are present along the north-western, north-eastern, and south-eastern site boundaries. These were inspected and found to hold no features suitable for roosting bats. <u>Roosting Suitability:</u> Negligible (summer and hibernation)	 

- 3.23 Very low bat foraging or commuting habitat is present on site due to the lack of vegetation cover.
- 3.24 All bat species are LBAP species, as well as EPS and WCA5. Therefore, further consideration with regards to bats is required.

Birds

- 3.25 No records of birds were recorded from within the site boundary.
- 3.26 Schedule 1 birds recorded within 2km of the site: barn owl *Tyto alba*, black redstart *Phoenicurus ochruros*, kingfisher *Alcedo atthis*, little ringed plover *Charadrius dubius*) and peregrine *Falco peregrinus*.
- 3.27 SPI birds recorded within 2km of the site: bullfinch *Pyrrhula pyrrhula*, cuckoo *Cuculus canorus*, dunnock *Prunella modularis*, herring gull *Larus argentatus*, house sparrow *Passer domesticus*, lapwing *Vanellus vanellus*, lesser redpoll *Acanthis cabaret*, linnet *Linaria cannabina*, song thrush *Turdus philomelos*, spotted flycatcher *Muscicapa striata*, starling *Sturnus vulgaris*, yellow wagtail *Motacilla flava*.
- 3.28 BRd birds recorded within 2km of the site: herring gull, house sparrow, lapwing, lesser redpoll, linnet, spotted flycatcher, starling, and yellow wagtail.
- 3.29 LBAP birds recorded within 2km of the site: black redstart.
- 3.30 The ephemeral vegetation on site offers limited foraging habitat for birds. A growth of ivy *Hedera helix* is present on the north-eastern elevation of Building 1, this could provide cover for nesting birds. No other trees or shrubs that could provide bird nesting habitat are present on site. A bird box is present on the south-eastern aspect of Building 2 and Building 4 is suitable for nesting birds due to access points present and the vacant nature of the building. A number of feral pigeons *Columba livia* and their nests were observed inside Building 4 during the Phase 1 habitat survey.
- 3.31 Black redstart favour brownfield sites, however, these birds, require complex, structured habitats including many vertical features and open water for foraging, commuting and shelter which this site does not hold. Therefore, there are no implications with regards to black redstart.
- 3.32 The site does not provide habitats suitable for barn owl, kingfisher, little ringed plover or peregrine. Therefore, legal requirements beyond protection of nests will not need to be considered for birds.

Other Relevant Species

Invertebrates

- 3.33 Two species of SPI invertebrates were recorded within 2km of the site; cinnabar moth *Tyria jacobaeae* and white-letter hairstreak *Satyrrium w-album*. The foodplant of the cinnabar moth is ragwort. This is present on site within the ephemeral / short perennial vegetation. The foodplant of the white-letter hairstreak is elm *Ulmus* sp. No elm trees are present on or adjacent to the site.

- 3.34 The small areas of ephemeral vegetation within the site provide potential habitat for invertebrates. Although the site has some potential to support invertebrates, due to the limited extent of these habitats and lack of connectivity to suitable off site habitats any potential loss of habitats on site is unlikely to have significant effects on local populations. As such, invertebrates are not discussed any further within this report.

Water Vole and Otter

- 3.35 Two records of otter *Lutra lutra* were returned from 2km of the site. These were recorded 1.4km north-west of the site along the River Irwell in 2018. No records of water vole *Arvicola amphibious* were returned in the data search.
- 3.36 Water vole require primarily riparian habitats for foraging, commuting and shelter, while otter require riparian habitats for foraging and commuting with wetlands or woodland in close proximity for shelter. There are no watercourses on site or within 60m of the site and the site is isolated between roads and buildings. As such, there are no implications with regards to water vole or otter and these species are not discussed any further within this report.

Reptiles

- 3.37 No records of reptiles were returned in the data search. The hardstanding on site provides potential basking habitat for reptiles, however no vegetation that would provide suitable sheltering habitat is present on site. The site is within a heavily developed area isolated from optimal reptile habitat. As such, reptiles are not discussed any further within this report.

Hedgehog

- 3.38 Eight records of hedgehog were returned in the data search. The closest hedgehog record lies 0.6km south-west.
- 3.39 No hedgehog or evidence of hedgehog was observed on site. The site does not provide sufficient cover or foraging habitat for hedgehog. As such, there are no implications with regards to hedgehog and these species are 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 (proposals plans ref: PIW - CRL - ZZ - 00 - DR - AR – 1200, Callison RTKL Ltd.).
- 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 4.4km north-east of the proposed development site, separated from the site by buildings and infrastructure.
- 4.4 Given the distance from the site, the lack of hydrological connection between the site and the designated site 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

- 4.5 The closest non-statutory site is Rochdale Canal; Stott's lane to Ducie Street Basin SBI which is located approximately 0.3km south-east of the proposed development site.
- 4.6 Given the small footprint of the proposed development, the fragmentation by developed land and lack of hydrological connection between the sites, no direct or indirect impacts are anticipated with regard to the proposed development.

Habitats and Flora

Notable Habitats

- 4.7 No notable habitats are present on or adjacent to the site, therefore there will be no impacts on notable habitats as a result of the development.

Buildings and hardstanding

- 4.8 The buildings on site will be demolished and the existing yards and carparking areas will be lost. As this will be replaced by new development this will have a neutral impact.

Ephemeral / short perennial

- 4.9 The ephemeral / short perennial vegetation on site will be lost. These areas are small and hold limited ecological value. This will be a minor adverse impact to biodiversity on site only.

Notable or Invasive Flora

- 4.10 The SPI species yellow bird's-nest *Hypopitys monotropa* was returned in the data search. This species grows on leaf litter in woodlands or on sand dunes. As these habitats are not present on site and the species was not found on site, this species is not considered a constraint. No protected (WCA8) or invasive (WCA9) plant species were identified during the extended Phase 1 habitat survey. There are no implications for the development proposals with regard to protected or invasive plant species.

Fauna

Bats

- 4.11 All buildings and structures on site will be lost by the proposed development. No evidence of bats was found on site during the daytime bat assessment. Three buildings on site hold moderate suitability for a summer bat roost (B1, B3 and B4) and one building holds low suitability for a bat roost (B2). Further assessment of these buildings will be required to support a planning application and permit future demolition of the buildings. No other structures on site were found to hold suitability for a bat hibernation roost.

Birds

- 4.12 There is a risk of damage or destroying a nest if clearance to the ivy on Building 1 or the bird box on Building 2 is carried out in the nesting period (generally considered to be between March to August inclusive, although geographical position of the site will influence this period and some species nest also commonly nest outside this period) or if works to Building 4 are carried out while pigeon are nesting.
- 4.13 There will 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. Replacement planting and nesting provision will provide enhanced nesting and foraging habitat for birds. Overall, there will be a minor adverse impact on birds.

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.

Habitats and Flora

- 5.2 The proposals include tree, shrub and hedgerow planting on site. Biodiversity offsetting may be required to mitigate for the loss of ephemeral vegetation on site. This will likely be accounted for with planting of higher distinctiveness or equal distinctiveness habitats at greater quantities and will be addressed fully in a separate biodiversity net gain assessment.

Fauna

Bats

- 5.3 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

- 5.4 Further survey will be required on buildings B1, B2, B3 and B4 which have been identified as offering suitability for roosting bats and will be directly impacted by the development. The required surveys are currently being undertaken with a first survey visit undertaken 17th May 2023. A singular common pipistrelle *Pipistrellus pipistrellus* was observed emerging from B1 during this survey. Following the second survey (scheduled 4th July 2023) a supplementary report will be provided week commencing 24th July during the determination period of the planning application.
- 5.5 Following the first nocturnal roost survey, a singular common pipistrelle was noted to be roosting in B1. Therefore, there will be a requirement to obtain a European Protected Species (EPS) Mitigation Licence from Natural England (NE) prior to demolition works. Following submission of a licence application (which requires planning permission to be in place), NE aim to return the outcome of the licence application within 6 weeks. This should be taken into consideration in line with the proposed programme of works.

Additional Mitigation Measures or Enhancement Recommended

- 5.6 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.

- 5.7 In addition, roosting habitat for bats will 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.
- 5.8 Planting of linear features such as hedgerows, flowering plants that attract invertebrates and night-scented plants will enhance the site for foraging and commuting bats.

Birds

- 5.9 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

- 5.10 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 bird box on site 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.
- 5.11 Feral pigeons can nest throughout the year. As feral pigeon were found in Building 4 a nesting bird check will be required on this building before it is demolished, at any time of year.

Additional Measures or Enhancement Recommended

- 5.12 In addition to new planting, nesting habitat for birds will 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 The footprint of the project comprises ephemeral vegetation, buildings and hardstanding. It is anticipated that full site clearance will be required to facilitate the proposals.
- 6.3 Semi-natural habitats to be affected by the proposals are simple and are readily recreated within the short term. Impacts upon protected or notable species that may utilise the habitats will be avoidable by the implementation of precautionary working measures including timing vegetation removal to avoid sensitive periods and adopting sensitive construction methods.
- 6.4 A BNG assessment is required to confirm if net gain in biodiversity can be achieved for the site.
- 6.5 Further survey will be required on buildings B1, B2, B3 and B4 which have been identified as offering suitability for roosting bats and will be directly impacted by the development. The required surveys are currently being undertaken with a first survey visit undertaken 17th May 2023. A singular common pipistrelle was observed emerging from B1 during this survey. Following the second survey (scheduled 4th July 2023) a supplementary report will be provided week commencing 24th July during the determination period of the planning application.
- 6.6 A EPS Mitigation Licence from Natural England (NE) will be required to allow demolition works to proceed lawfully.
- 6.7 All impacts are therefore anticipated to 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 – Phoenix Ironworks, Manchester

Survey 9803

Target Note TN1

Ephemeral / short perennial vegetation growing over hardstanding in areas of the yards on site.

<i>Agrostis stolonifera</i>	Creeping Bent	F
<i>Buddleja davidii</i>	Buddleia	O
<i>Cardamine flexuosa</i>	Wavy Bitter-cress	O
<i>Cerastium fontanum</i>	Common Mouse-ear	O
<i>Chamaenerion angustifolium</i>	Rosebay Willowherb	O
<i>Erigeron canadensis</i>	Canadian Fleabane	O
<i>Erophila verna</i>	Common Whitlowgrass	O
<i>Euphorbia</i> sp.	Spurge species	O
<i>Festuca rubra</i>	Red Fescue	O
<i>Galium aparine</i>	Cleavers	O
<i>Geranium robertianum</i>	Herb-Robert	O
<i>Jacobaea vulgaris</i>	Common Ragwort	O
<i>Moss</i> sp.	Moss species	O
<i>Poa annua</i>	Annual Meadow-grass	O
<i>Poa trivialis</i>	Rough Meadow-grass	O
<i>Rubus fruticosus</i> agg.	Bramble	O
<i>Rumex obtusifolius</i>	Broad-leaved Dock	O
<i>Senecio vulgaris</i>	Groundsel	O
<i>Sisymbrium officinale</i>	Hedge Mustard	O
<i>Sonchus arvensis</i>	Perennial Sow-thistle	O
<i>Stellaria media</i>	Chickweed	O
<i>Taraxacum officinale</i> agg.	Dandelion	O
<i>Trifolium repens</i>	White Clover	O
<i>Tussilago farfara</i>	Colt's-foot	O
<i>Urtica dioica</i>	Nettle	O
<i>Veronica chamaedrys</i>	Germander Speedwell	O

Target Note TN2

Areas of hardstanding and gravel on site make up yards and carparking surrounding the buildings.

Appendix B

Desk Study Report



Phoenix Ironworks

Jersey Street, Manchester

Ecological Desk Study

Prepared For: Manchester Life Development Company 3 Ltd.

Document Reference: 9803.003

April 2023

Version 1.0

TEP
Genesis Centre
Birchwood Science Park
Warrington
WA3 7BH

Tel: 01925 844004
Email: tep@tep.uk.com

Offices in Warrington, Market Harborough, Gateshead, London and Cornwall

Project Name:	Phoenix Ironworks
Location:	Jersey Street, Manchester
Document Title:	Ecological Desk Study
Client:	Manchester Life Development Company 3 Ltd.
Year of Surveys:	April 2023
Prepared by:	The Environment Partnership Ltd
Office:	Warrington
Document Ref:	9803.003

Document history and status:

Version	Date	Description of Issue	Author	Checked	Approved
1.0	May 2023	First Issue	HS	AE	AE
2.0	June 2023	Addressing client comments.	TW	TW	JC

The Environment Partnership Ltd is a private limited company registered in England. Registered number 7745159. Registered office: Genesis Centre, Birchwood Science Park, Warrington, WA3 7BH.

© Copyright 2023 The Environment Partnership Ltd. All Rights Reserved.

This document has been prepared by The Environment Partnership Ltd ("TEP") for sole use of our Client in accordance with the provisions of the contract between TEP and the Client. No third party may use or rely upon this document or its content. TEP accepts no liability or responsibility for any such use or reliance thereon by any third party.

TEP is a Registered Practice of the Chartered Institute of Ecology and Environmental Management (CIEEM). The content of this document has been prepared in accordance with the CIEEM Code of Professional Conduct and is also 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.

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.....	2
2.0	METHODS.....	3
	Scope and Data Sources.....	3
3.0	LEGISLATION AND POLICY	6
	Local Planning Policy	7
4.0	BIODIVERSITY INITIATIVES AND STRATEGIES.....	9
	Local Biodiversity Action Plans (BAP).....	9
5.0	WILDLIFE SITES.....	10
	Statutory Sites	10
	Non-Statutory Wildlife Sites.....	2
6.0	NOTABLE HABITATS	4
	Habitats of Principal Importance (HPI).....	4
7.0	PROTECTED AND NOTABLE SPECIES	6
	Protected Species Licences	6
	Pre-existing Species Records	7
	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)	11
Figure 3: Nationally designated sites withing 5km of the site (map provided by TEP).....	12
Figure 4: Local designated sites within 2km of the site (map provided by TEP).....	13
Figure 5: SSSI Impact Risk Zones relevant to the Scheme (refer to Table 3 for IRZ criteria)	2
Figure 6: Non-statutory wildlife sites within 2km of the site (map provided by GMEU).....	3
Figure 7: Notable habitats within 2km of the site (map provided by TEP).....	5

Tables

Table 1: Scope and preliminary ecological Zones of Influence (ZOI).....	3
Table 2: Statutory wildlife sites.....	10
Table 3: SSSI Impact Risk Zones crossed by the options.....	1

Table 4: Non-statutory local wildlife sites.....	2
Table 5: Natural England mitigation licences within 2km of the site.....	6

1.0 Introduction

- 1.1 The Environment Partnership (TEP) was commissioned by Manchester Life Development Company 3 Ltd. in January 2023 to undertake an Ecological Impact Assessment (EcIA) to support an Application for Full Planning Permission for demolition of existing structures and the erection of a part 5, part 10 storey building comprising residential apartments and townhouses, residents amenity space (Use Class C3), ground floor commercial (Use Class E), cycle and car parking, landscaping, access and servicing, and other associated works. This application relates to Phoenix Ironworks, 109 Jersey Street, Manchester (hereafter referred to as 'the site').

Location of Scheme

- 1.2 The site is located between Jersey Street, Poland Street, Naval Street and Radium Street in Ancoats, 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 85139 98766. The site is located within an industrial area, surrounded by development on all sides.

Figure 1: Location of Scheme



Contains OS data © Crown Copyright and database right 2023

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 Ecological Impact Assessment (TEP Ref: 9803.001).

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 Popular |
| ■ Black redstart | ■ Twite |
| ■ Farmland birds | ■ Water Vole |
| ■ Great crested newts | ■ Willow tit |
| ■ Hares | |

5.0 Wildlife Sites

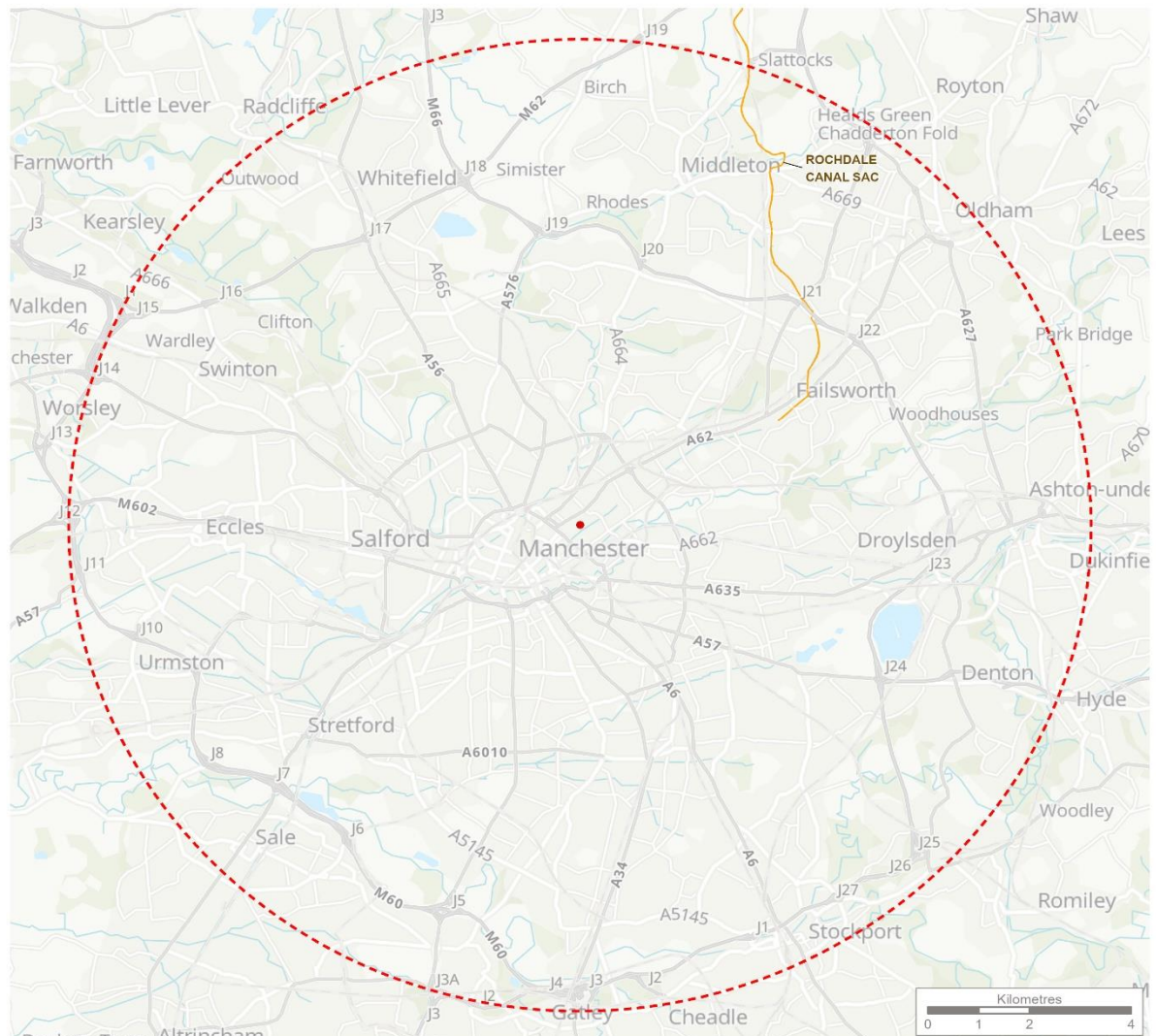
Statutory Sites

5.1 Internationally significant designations within 10 km are illustrated on Drawing G9803.002 (Figure 2), nationally significant within 5 km on Drawing 9803.003 (Figure 3), and local designations within 2 km on Drawing 9803.004 (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)	4.4km 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			
Rochdale Canal	SSSI SSSI detail (naturalengland.org.uk)	4.4km northeast of the site	The Rochdale Canal contains important habitats for submerged aquatic plants and emergent vegetation, including extensive colonies of the nationally scarce SAC species floating water plantain <i>Luronium natans</i> . The site also supports a diverse assemblage of aquatic flora, notably its assemblage of pondweeds, <i>Potamogeton</i> spp; the nine species of which found in the canal represent a balanced community which reflects the quality of water.
Statutory wildlife sites of regional/local significance within 2km of Scheme			
N/A	N/A	N/A	N/A

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



Key

- Site location
- Site location - 10km buffer
- Special Area of Conservation (SAC)

Sites searched for were as follows:

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



THE
ENVIRONMENT
PARTNERSHIP

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

Project

Project
Phoenix Ironworks, Manchester

Title
Internationally Designated Sites Within a
10km Buffer

Drawing Number
G9803.002

Scale
1:110,000 @ A4

Date	24/04/2023
------	------------

Drawn
BJ

Checked	
CW	

Approved RL	
----------------	--

© Natural England

Contains public sector information licensed under the Open Government Licence v3.0.

Government Licence v3.0.
© Scottish Natural Heritage

© Scottish Natural Heritage
Contains public sector information licensed under
the Open Government Licence v3.0.

the Open Government Licence v3.0.
© Natural Resources Wales

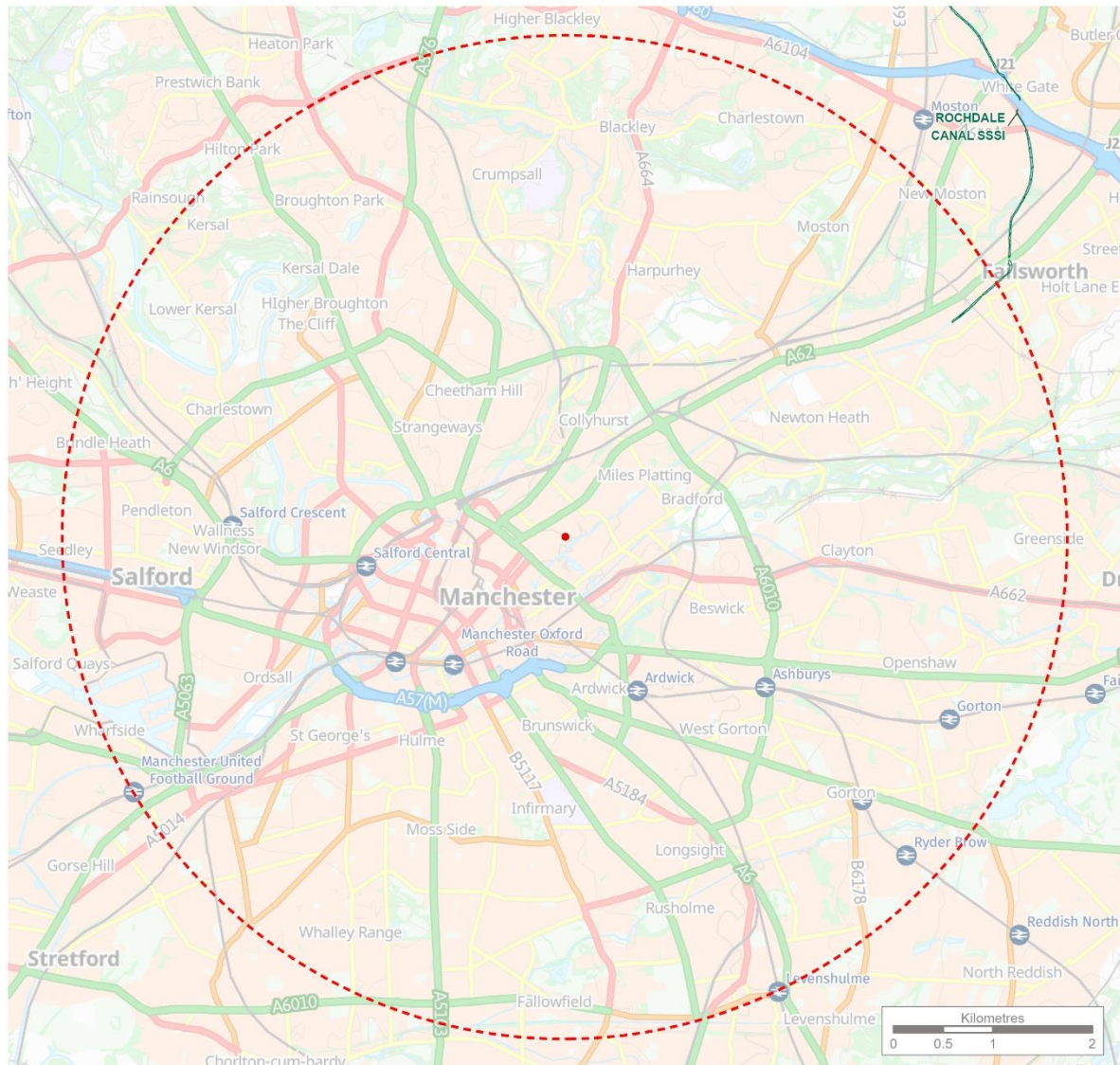
© Natural Resources Wales
Contains public sector information licensed

Contains public sector information
under the Open Government Licence
OS licence number 100019741

OS licence number 100019741
Ordnance Survey Data
 Contains OS data © Crown copyright and database right 2023.
 Contains data from OS Zoomstack

Contains data from OS Zoomstack

Figure 3: Nationally designated sites withing 5km of the site (map provided by TEP)



- Key**
- Site location
 - Site location - 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)

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

Project
Phoenix Ironworks, Manchester

Title
Nationally Designated Sites Within a 5km Buffer

Drawing Number
G9803.003

Scale
1:55,000 @ A4

Date
24/04/2023

Drawn BJ	Checked CW	Approved RL
-------------	---------------	----------------

© Natural England
Contains public sector information licensed under the Open Government Licence v3.0

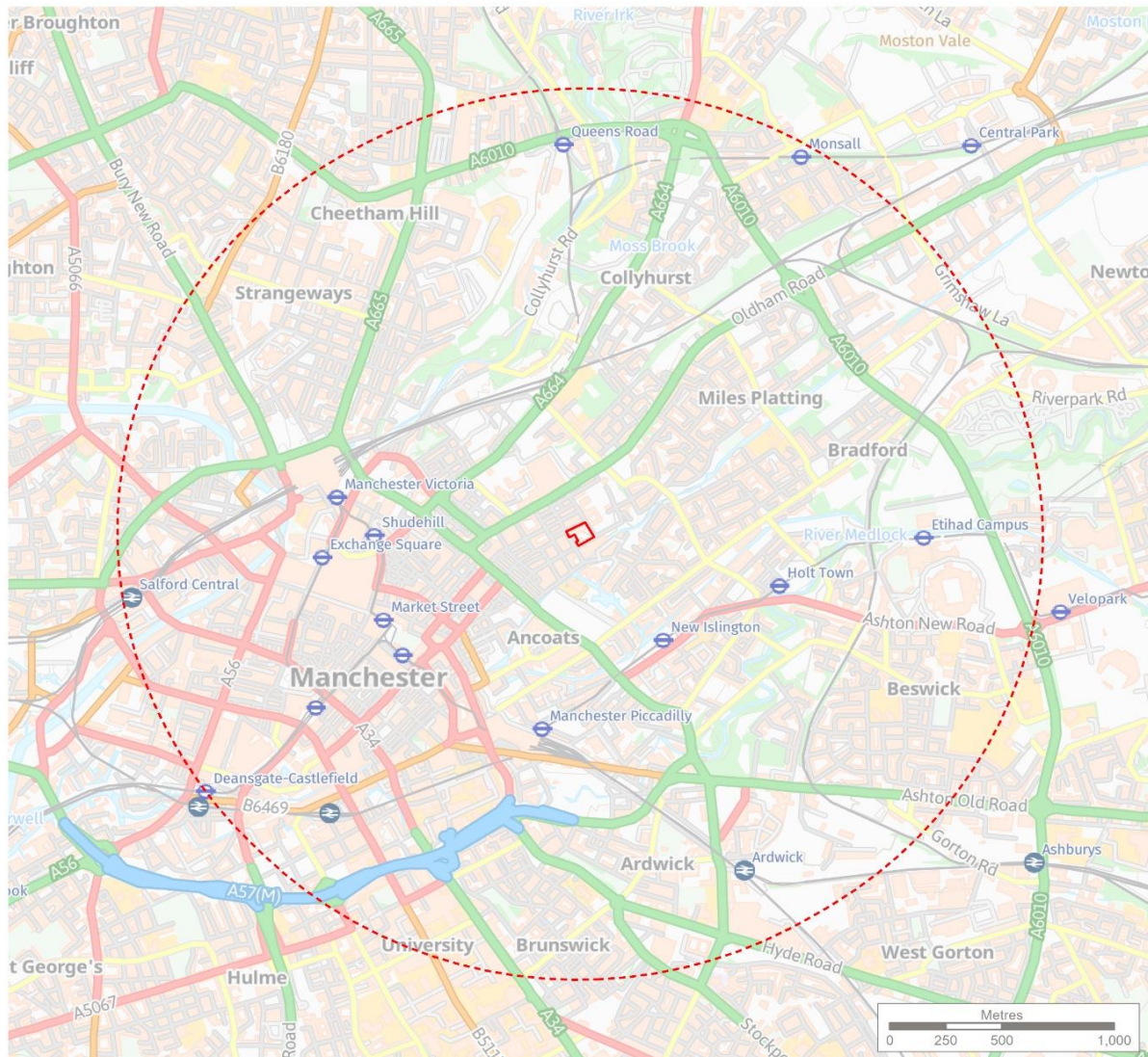
© Scottish Natural Heritage
Contains public sector information licensed under the Open Government Licence v3.0.
OS licence number 100017908

© Natural Resources Wales
Contains public sector information licensed under the Open Government Licence v2.0.
OS licence number 100019741

Ordnance Survey Data
Contains OS data © Crown copyright and database right 2023.
Contains data from OS Zoomstack



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

Sites searched for were as follows:
- Local Nature Reserves

No records found



**THE
ENVIRONMENT
PARTNERSHIP**

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

Project
Phoenix Ironworks, Manchester

Title
Statutory Locally Designated Sites Within a 2km Buffer

Drawing Number
G9803.004

Scale
1:25,000 @ A4

Date
24/04/2023

Drawn BJ	Checked CW	Approved RL
--------------------	----------------------	-----------------------

© **Natural England**
Contains public sector information licensed under the Open Government Licence v3.0.

© **Scottish Natural Heritage**
Contains public sector information licensed under the Open Government Licence v3.0.

© **Natural Resources Wales**
Contains public sector information licensed under the Open Government Licence v2.0.
OS licence number 100019741

Ordnance Survey Data
Contains OS data © Crown copyright and database right 2023.
Contains data from OS Zoomstack



-
- 5.2 The site lies within one 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)



Key

-  Site boundary
-  Site boundary - 1km buffer
-  Sites of Special Scientific Interest (SSSI)
-  Sites of Special Scientific Interest - Impact Risk Zone



**THE
ENVIRONMENT
PARTNERSHIP**

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

Project
Phoenix Ironworks, Manchester

Title
Sites of Special Scientific Interest - Impact Risk Zone

Drawing Number
G9803.006

Scale: 1:30,000 @ A4 Date: 24/04/2023

Drawn BJ	Checked CW	Approved RL
-------------	---------------	----------------

© Natural England
Contains public sector information licensed under the Open Government Licence v3.0.

© Scottish Natural Heritage
Contains public sector information licensed under the Open Government Licence v3.0.

© Natural Resources Wales
Contains public sector information licensed under the Open Government Licence v2.0.
OS licence number 100019741

Ordnance Survey Data
Contains OS data © Crown copyright and database right 2023.
Contains data from OS Zoomstack



Contains OS data © Crown Copyright and database right 2023

Table 3: SSSI Impact Risk Zones crossed by the options

Proposal	Plan / project which may impact SSSI
All Planning Applications	N/A
Infrastructure	Airports, helipads and other aviation proposals.
Wind & Solar Energy	N/A
Minerals, Oil & Gas	N/A
Rural Non Residential	N/A
Residential	N/A
Rural Residential	N/A
Air Pollution	Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, livestock & poultry units with floorspace > 500m ² , slurry lagoons & digestate stores > 750m ² , manure stores > 3500t).
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*

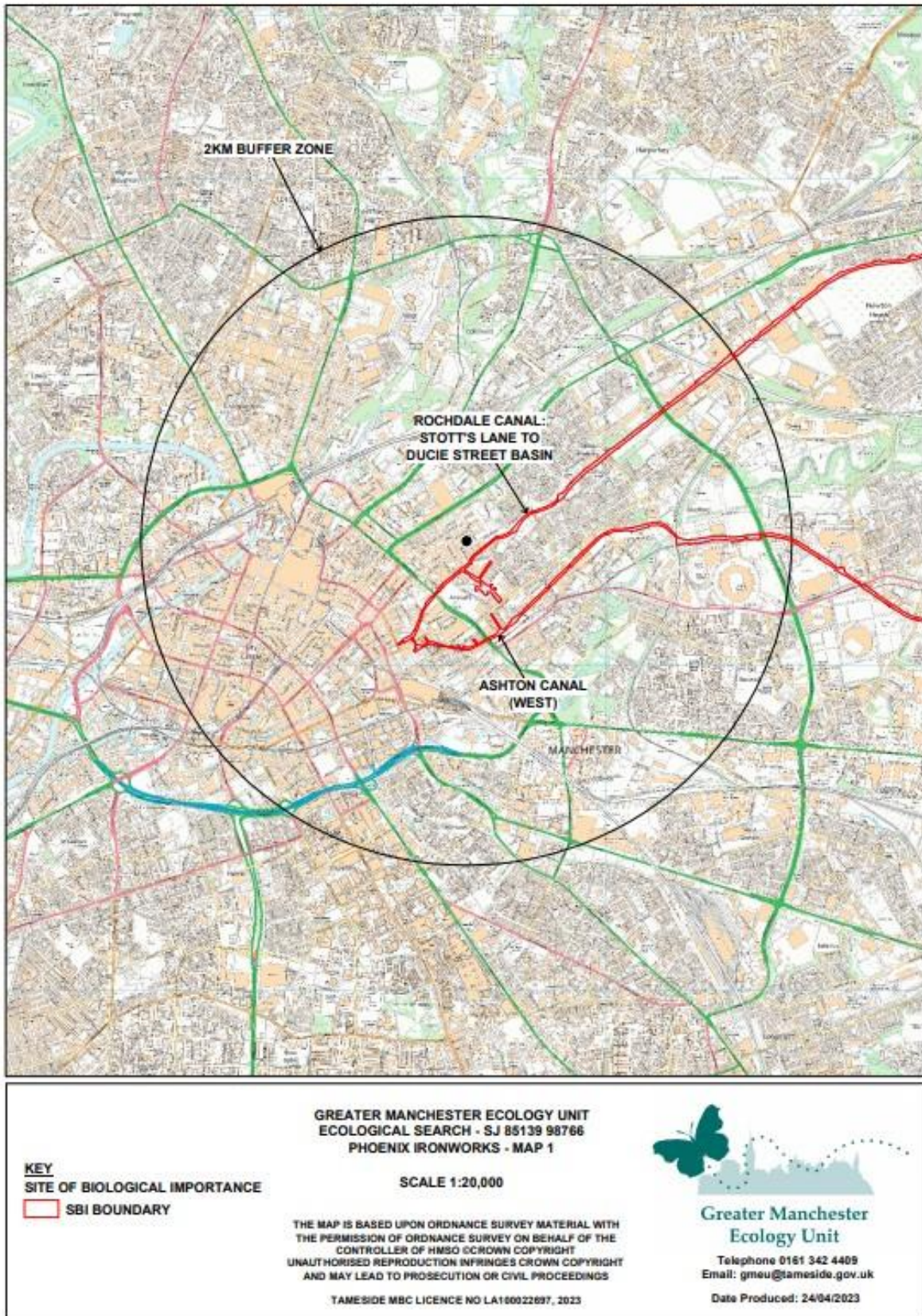
Non-Statutory Wildlife Sites

- 5.4 Table 4 summarises the non-statutory locally designated wildlife sites identified within 2km. Distances are calculated between the closest points.
- 5.5 Data relating to local wildlife sites, were provided by GMEU record centre. These sites, in so far as they fall within 2km of the Scheme.

Table 4: Non-statutory local wildlife sites

Site Name	Status	Distance and Direction from Scheme	Key Interest Feature(s)
Rochdale canal: Stott's Lane to Ducie Street basin	SBI	0.3km east of the site	Populations of white-clawed crayfish (UK Biodiversity Priority Species) and fresh water sponge have been recorded in crevices and on the stonework elsewhere on the canal. Water vole has also been recorded. Floating water-plantain is well recorded from Failsworth just in Oldham, though it has not been recorded recently from the Manchester section. However as this species has rarely been recorded flowering, floating leaves are observed only occasionally and systematic surveys only occur in the statutory section of the canal its presence cannot be ruled out Nine species of pondweed (Potamogeton) have been recorded and/or reported in the past. Of these, five have been recorded in recent surveys by the Canal & River Trust in the Oldham and Rochdale sections of the canal.
Ashton canal (west)	SBI	0.5km southeast of the site	Manchester canal is a green link from the city centre to Ashton-under-Lyne, bordered by an interesting mix of modern and industrial architecture. Improvements to the towpath have made it into a pleasant route, accessible to walkers, cyclists and wheelchair users.

Figure 6: Non-statutory wildlife sites within 2km of the site (map provided by GMEU)



Contains OS data © Crown Copyright and database right 2023

6.0 Notable Habitats

Habitats of Principal Importance (HPI)

- 6.1 There are no notable habitat types identified on Natural England's priority habitat inventories within the site (Figure 7). However, there are three areas of open mosaic habitats on previously developed land, a S41 priority habitat, within 2km from the site, the closest being 0.1km south from the site boundary.
- 6.2 There is no ancient woodland on/adjacent to the site and no statutory main rivers are present within 2km of the site.

Figure 7: Notable habitats within 2km of the site (map provided by TEP)



Key

- Site boundary
- Site boundary - 500m buffer
- Open mosaic habitats on previously developed land



Contains OS data © Crown Copyright and database right 2023

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 24 Natural England mitigation licences for bat species have been identified within 2km of the site. These are summarised in the table below.

Table 5: Natural England mitigation licences within 2km of the site

Species	Licence Number	Dates	Licensable Activities
Brown long eared bat	EPSM2012-5061	10/12/2012 to 31/08/2015	Destruction of breeding site Destruction of a resting place
Common pipistrelle Soprano pipistrelle	2014-490-EPS-MIT	23/04/2014 to 30/06/2017	Destruction of a resting place
Common pipistrelle	2014-6380-EPS-MIT	18/02/2015 to 16/02/2020	Destruction of a resting place
Common pipistrelle	2014-6380-EPS-MIT-1	01/12/2015 to 16/02/2020	Destruction of a resting place
Common pipistrelle	EPSM2012-4767	28/08/2012 to 30/09/2013	Destruction of a resting place
Common pipistrelle	EPSM2013-5644	04/07/2013 to 01/03/2015	Destruction of a resting place
Common pipistrelle Soprano pipistrelle	EPSM2010-1888	25/10/2020 to 29/02/2012	Destruction of a resting place
Common pipistrelle	2016-24504-EPS-MIT	15/07/2016 to 01/01/2018	Destruction of a resting place
Common pipistrelle	2014-6380-EPS-MIT-2	15/08/2017 to 30/06/2023	Destruction of a resting place
Common pipistrelle	2017-31569-EPS-MIT	26/10/2017 to 31/10/2019	Destruction of a resting place
Common pipistrelle	2014-3531-EPS-MIT-2	01/12/2016 to 01/12/2016	Destruction of a resting place
Common pipistrelle	2016-24504-EPS-MIT-1	21/11/2016 to 21/11/2016	Destruction of a resting place
Common pipistrelle	2018-33674-EPS-MIT	12/03/2018 to 30/04/2040	Damage of a resting place Destruction of a resting place
Common pipistrelle	2019-38955-EPS-MIT	14/02/2019 to 28/02/2021	Damage of a resting place Destruction of a resting place
Common pipistrelle	2019-43484-EPS-MIT	14/11/2019 to 31/08/2020	Destruction of a resting place
Common pipistrelle	2020-45213-EPS-MIT	05/03/2020 to 01/01/2025	Destruction of a resting place

Species	Licence Number	Dates	Licensable Activities
Common pipistrelle	2020-50604-EPS-MIT	22/01/2021 to 16/01/2022	Destruction of a resting place
Common pipistrelle	2019-41924-EPS-MIT-1	13/01/2020 to 31/08/2031	Destruction of breeding site Destruction of a resting place
Common pipistrelle	2014-3531-EPS-MIT	01/10/2014 to 30/09/2019	Destruction of a resting place
Common pipistrelle	2014-3531-EPS-MIT-1	06/01/2015 to 30/09/2020	Destruction of a resting place
Common pipistrelle	2014-4400-EPS-MIT	23/12/2014 to 30/04/2015	Damage of a resting place
Common pipistrelle	2014-4400-EPS-MIT-1	25/03/2015 to 30/04/2015	Damage of a resting place
Common pipistrelle	EPSM2013-5575	23/05/2013 to 30/09/2016	Unknown
Common pipistrelle	2014-4219-EPS-MIT	27/10/2014 to 31/10/2020	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			
Barn Owl <i>Tyto alba</i>	WCA1	1	Within 2km of the site
Black Redstart	WCA1	41	Within 2km of the site
Bullfinch <i>Pyrrhula pyrrhula</i>	SPI, BAm	14	Within 2km of the site
Cuckoo	SPI	1	Within 2km of the site
Dunnock <i>Prunella modularis</i>	SPI, BAm	21	Within 2km of the site
Herring Gull <i>Larus argentatus</i>	SPI, BRd	10	Within 2km of the site
House Sparrow <i>Passer domesticus</i>	SPI, BRd	18	Within 2km of the site
Kingfisher	WCA1	9	Within 2km of the site
Lapwing <i>Vanellus vanellus</i>	SPI, BRd	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
Lesser Redpoll <i>Acanthis cabaret</i>	SPI, BRd	1	Within 2km of the site
Linnet <i>Linaria cannabina</i>	SPI, BRd	2	Within 2km of the site
Little Ringed Plover <i>Charadrius dubius</i>	WCA1	3	Within 2km of the site
Peregrine <i>Falco peregrinus</i>	WCA1	69	Within 2km of the site
Song Thrush <i>Turdus philomelos</i>	SPI, BAm	11	Within 2km of the site
Spotted Flycatcher <i>Muscicapa striata</i>	SPI, BRd	4	Within 2km of the site
Starling <i>Sturnus vulgaris</i>	SPI, BRd	18	Within 2km of the site
Yellow Wagtail <i>Motacilla flava</i>	SPI, BRd	2	Within 2km of the site
Flowering plants			
Yellow Bird's-nest <i>Hypopitys monotropa</i>	SPI	2	0.9km north of the site
Invertebrates			
Cinnabar <i>Tyria jacobaeae</i>	SPI	13	1.74km northeast of the site
White-letter Hairstreak <i>Satyrrium w-album</i>	SPI	4	1.74km southeast of the site
Mammals			
Bat sp Chiroptera	EPS, WCA5, LBAP	1	1.3km southwest of the site
Brown Long-eared Bat <i>Plecotus auritus</i>		1	1.8km west of the site
Common Pipistrelle <i>Pipistrellus pipistrellus</i>	EPS, WCA5, LBAP	26	0.4km Southwest of the site
Noctule Bat <i>Nyctalus noctula</i>	EPS, WCA5, SPI, LBAP	1	0.4km southwest of the site
Myotis sp <i>Myotis sp.</i>	EPS, WCA5, LBAP	1	0.9km southwest of the site
Pipistrelle bat <i>Pipistrellus sp.</i>	EPS, WCA5, LBAP	4	0.9km west of the site
Soprano Pipistrelle <i>Pipistrellus pygmaeus</i>	EPS, WCA5, SPI, LBAP	2	0.8km west of the site
Eurasian badger <i>Meles meles</i>	PBA	26	Within 2km of the site
Eurasian otter <i>Lutra lutra</i>	EPS, WCA5, SPI	2	1.4km northwest of the site
West European hedgehog <i>Erinaceus europaeus</i>	SPI	8	0.6km southwest 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”.



HEAD OFFICE

Genesis Centre,
Birchwood Science Park,
Warrington
WA3 7BH

Tel: 01925 844004
E-mail: tep@tep.uk.com

**MARKET
HARBOROUGH**

The Reynard Suite,
Bowden Business Village,
Market Harborough,
Leicestershire,
LE16 7SA

Tel: 01858 383120
E-mail: mh@tep.uk.com

GATESHEAD

Office 26, Gateshead
International Business
Centre,
Mulgrave Terrace,
Gateshead
NE8 1AN

Tel: 0191 605 3340
E-mail: gateshead@tep.uk.com

LONDON

8 Trinity Street,
London
SE1 1DB

Tel: 020 3096 6050
E-mail: london@tep.uk.com

CORNWALL

4 Park Noweth,
Churchtown,
Cury,
Helston
Cornwall
TR12 7BW

Tel: 01326 240081
E-mail: cornwall@tep.uk.com

Drawings

Phase 1 Habitat Map G9803.007



KEY

- Site boundary
- Target note
- Fence
- Wall
- Ephemeral vegetation
- Building
- Hardstanding

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

Reproduced by permission of Ordnance Survey on behalf of HMSO.
Contains OS data © Crown Copyright and database right 2023. All rights reserved.
Contains data from OS Zoomstack. OS licence number 0100057890.

1:20,000

Rev	Description	Drawn	Approved	Date

THE ENVIRONMENT PARTNERSHIP

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

Project
Phoenix Ironworks, Manchester

Title
Phase 1 Habitat Survey

Drawing Number
G9803.007

Drawn AR	Checked MK	Approved RL	Scale 1:500 @ A3	Date 14/06/2023
-------------	---------------	----------------	---------------------	--------------------



HEAD OFFICE

Genesis Centre,
Birchwood Science Park,
Warrington
WA3 7BH

Tel: 01925 844004
E-mail: tep@tep.uk.com

**MARKET
HARBOROUGH**

The Reynard Suite,
Bowden Business Village,
Market Harborough,
Leicestershire,
LE16 7SA

Tel: 01858 383120
E-mail: mh@tep.uk.com

GATESHEAD

Office 26, Gateshead
International Business
Centre,
Mulgrave Terrace,
Gateshead
NE8 1AN

Tel: 0191 605 3340
E-mail: gateshead@tep.uk.com

LONDON

8 Trinity Street,
London
SE1 1DB

Tel: 020 3096 6050
E-mail: london@tep.uk.com

CORNWALL

4 Park Noweth,
Churchtown,
Cury,
Helston
Cornwall
TR12 7BW

Tel: 01326 240081
E-mail: cornwall@tep.uk.com
