

Ref: BEK-22096-2

26 July 2022

VIEWS (HOLDINGS) LIMITED

Blenheim Court
Carrs Road
Cheadle
SK8 2JY
Guidelines

136 Withington Road, Manchester - Preliminary Ecological Assessment and Potential Bat Roost Survey

This assessment has been designed to meet:

- Chartered Institute of Ecology and Environmental Management 'Guidelines for Preliminary Ecological Appraisal' (2013);
- British Standard 42020 (2013) 'Biodiversity – Code of Practice for Planning and Development'.
- The Bat Conservation Trust publication *Bat Surveys for Professional Ecologists – Good Practice Guidelines* (Collins, J. (Ed) 2016).
- National Planning Policy Framework 2021 (NPPF, Para 170(d) and Para 175(d))
- CIEEM, CIRIA, IEMA *Biodiversity net gain. Good practice principles for development. A practical guide*. CIRIA C776a. London, 2019.

Summary

Carol Edmondson MSc MRSB, undertook a Preliminary Ecological Assessment and Potential Bat Roost Survey at 136 Withington Rd, M16 8FD on 14/07/22. The aim of the assessment was to complete an extended Phase 1 Habitat Survey of the survey area (all land that will be impacted by the proposals) and to consider the value and suitability of the land and any structures to be affected by the development for protected wildlife species, including identifying any potential for roosting bats (PRA).

The site is overall is of moderate conservation and wildlife value due to the condition of the buildings and the location in the landscape. Further bat emergence re-entry surveys will be required, see recommendations below.

Biodiversity enhancement as recommended at 4.3 and mitigation recommendations need to be incorporated into any landscaping and building design.

Recommendations – This is work you will need to commission to obtain planning permission or comply with legislation.

Ecological Factor	Recommendations
Bats	Three bat emergence/re-entry surveys are required during the active bat season (May – September) to determine the presence/absence of bats. At least two of the surveys should be completed during the optimal survey period mid-May to August inclusive. Sub-optimal: early May and September. One of these surveys should be a dawn re-entry survey. Seven surveyors are required to provide full coverage of the buildings. Some ecologist supervised scrub clearance is required to allow access to all areas of the site for bat surveys. If bat roosts are confirmed in the building a Protected Species Mitigation Licence application to Natural England will be required once planning permission is granted, and before work can commence. Lighting scheme in the final design to be in line with Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK. See also Enhancement measures at 4.3



GEO-ENVIRONMENTAL CONSULTING ENGINEERS

Preliminary Ecological Appraisal & Potential Bat Roost Survey

136 Withington Rd, M16 8FD

Report Ref BEK-22096-2, July 2022

Birds	Any building works should be commenced outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the trees and scrub to be removed should be undertaken immediately prior to clearance. All active nests will need to be retained until the young have fledged. RAMS Method statement for site clearance to be followed. See also enhancements at 4.3
Amphibians and reptiles, European Hedgehog and other terrestrial mammals.	No further surveys required. A Reasonable Avoidance Measures (RAMS) approach should be adopted. Method statement at Annex 3 to be strictly adhered to. Enhancement measures according to section 4.3

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1.0 INTRODUCTION AND CONTEXT

1.1 Background

BEK Enviro Limited were commissioned to undertake a Preliminary Ecological Appraisal (PEA) and Potential Bat Roost Survey at 136 Withington Rd, M16 8FD to support a planning application.

1.2 Site Context

The site is located at central National Grid Reference SJ 82962 95009, currently a derelict site with overgrown gardens.

1.3 Scope of the report

This report describes the baseline ecological conditions at the site; evaluates habitats within the survey area in the context of the wider environment; and describes the suitability of those habitats for notable or protected species. It identifies significant ecological impacts as a result of the development proposals; summarises the requirements for further surveys and mitigation measures, to inform subsequent mitigation proposals, forms the baseline survey data for Biodiversity Net Gain calculations, achieve planning or other statutory consent, and to comply with wildlife legislation.

The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development and establishing the baseline conditions for future monitoring. To achieve this, the following steps were taken:

A desk study has been carried out, including:

- The desk study area (2km radius of site) and field survey area (generally 50m from the site boundary/proposed footprint and including the 'zone of influence' of the scheme) have been identified.
- A desk study has been carried out, including a search on MaGIC, and Google Earth websites.
- Baseline information on the site and surrounding area has been recorded through an 'Extended Phase 1 Habitat Survey', including a Phase 1 Habitat Survey (JNCC 2010) and recording further details in relation to notable or protected habitats and species
- The ecological features present within the survey area have been evaluated where possible (CIEEM, 2006).
- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act [WCA]) have been identified.
- Likely impacts on features of value, as a result of the development proposals, have been identified.
- Recommendations for further survey and assessment have been made.

A survey plan is presented in Annex 1, the proposed Project Plan is included in Annex 2, RAMS method statement at Annex 3 and a summary of relevant legislation can be found in Annex 4.

2.0 METHODOLOGY

2.1 Desk Study methodology

Existing biological records data relating to the site and a surrounding 2km radius (the study area) are required to conform to national guidelines and these can be supplied by Greater Manchester Local Record Centre (GMLRC).

A review of the following information sources has also been undertaken to inform the assessment:

- Landscape structure using aerial images from Google Earth and OS maps
- Designated sites, habitat and granted EPSL records held on Magic.gov.uk.

2.2 Site Survey methodology

The survey was undertaken by Carol Edmondson MSc MRSB (Natural England bat licence number: **2015-12195** CLS-CLS) on 14th July 2022.

The methodology for the Phase 1 habitat survey is based on the best practice publication Phase 1 Habitat Survey Methodology (JNCC, 2010). All land parcels are described and mapped according to JNCC Phase 1 habitat classification (see site map in Annex 1). Where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management.

During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species. The likelihood of the presence of protected species is ranked; the habitats on site are evaluated against their likelihood to provide suitable habitat for protected species.

The ecological value of the survey area has been assessed based on the Guidelines for Ecological Impact Assessment (CIEEM, 2018), using geographic frames of reference. The biodiversity value of any identified designated sites, habitat types and associated species assemblages has been considered. Botanical assemblages were assessed; the site was inspected for the presence of red listed (Stroh *et al*, 2014), NERC s.41 listed and LBAP listed species, alongside specially protected species listed under Schedule 8 of the Wildlife and Countryside Act (WCA) (1981) and/or Schedule 5 of the Conservation of Habitats and Species Regulations (2017). The site was also assessed in relation to the presence of invasive species listed under Schedule 9 (Part II) of the Wildlife and Countryside Act (1981) (as amended).

2.3 Breeding birds and other incidental observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls *Tyto alba*.

2.4 Suitability Assessment

The likelihood of occurrence of protected species is ranked according to the criteria listed in Table 1. The habitats on site were evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Table 1: showing criteria considered when assessing the likelihood of occurrence of protected species

Present	Species are confirmed as present from the current survey or historical confirmed records.
High	Habitat and features of high quality for species/species assemblage. Species known to be present in wider landscape (desk study records). Good quality surrounding habitat and good connectivity.
Moderate	Habitat and features of moderate quality. The site in combination with surrounding land provides all habitat/ecological conditions required by the species/assemblage. Within known national distribution of species and local records in desk study area. Limiting factors to suitability, including small area of suitable habitat, some severance/poor connectivity with wider landscape, poor to moderate habitat suitability in local area.
Low	Habitats within the survey area poor quality. Few or no records from data search. Despite above, presence cannot be discounted as within national range, all required features/conditions present on site and in surrounding landscape. Limiting factors could include isolation, poor quality landscape, or disturbance.
Negligible	Very limited poor quality habitats and features. No local records from desk study; site on edge of, or outside, national range. Surrounding habitats considered unlikely to support species/species assemblage.

All affected survey features on site were categorised according to the likelihood of bats being present, in line with best practice guidelines (Collins, J. (ed) 2016). The features that dictate the likelihood of roosting bats are summarised in Tables 2 and 3 below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

Table 2: Features of a building that are correlated with use by bats

Likelihood of bats being present	Feature of building and its context
Higher	Buildings/structures with features of particular significance for roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data).
Lower	A small number of possible roost sites/features, used sporadically by more widespread species. Habitat suitable for foraging in close proximity, but isolated in the landscape. Or an isolated site not connected by prominent linear features. Few features suitable for roosting, minor foraging or commuting.

Table 3: Features of a tree that are correlated with use by bats

Likelihood of bats being present	Feature of tree and its context
Higher	A tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Lower	A tree of sufficient size and age to contain potential roosting features but with none seen from the ground or features seen with only very limited roosting potential.

2.5 Limitations

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site. This assessment provides a preliminary view of the likelihood of protected species being present.

Specific limitations:

- Some areas of the site were not accessible due to dense bramble growth.
- The interior of the building was not surveyed due to lack of access and the derelict state of the building.

The survey was carried out to the extent based on those areas visible and accessible, and the conclusions based on the range of evidence available at the time of the survey.

3.0 RESULTS AND EVALUATION

3.1 Desk Study Results

A summary of desk study results is provided below; full details are available on request.

3.2 Designated sites & priority habitats

3.2.1 National and internationally designated areas:

The site lies within the following designated areas:

- The Site does not lie within any designated areas, nor are there any designated areas within the 2km survey area

3.2.2 Biological Heritage Sites & Local Nature Reserves within 2km survey area (*Priority habitat in brackets*):

- Zero results

3.2.3 Other Priority Habitats

- Deciduous Woodland 450m east of The Site at Alexandra Park.

3.3 Landscape

A review of the designated sites, aerial photographs (Figure 1), the Magic database and OS maps has been undertaken. Collated together, the site's local habitat is described below:

Located south of Manchester City in Whalley Range the surrounding landscape is predominantly urban mainly residential and retail areas with associated gardens. Alexandra Park provides some green space with a large pond, woodland and playing fields at 450m to the east. This area will provide some nesting and feeding habitat for birds, foraging habitat for bats; terrestrial habitat for amphibians, reptiles and terrestrial mammals.

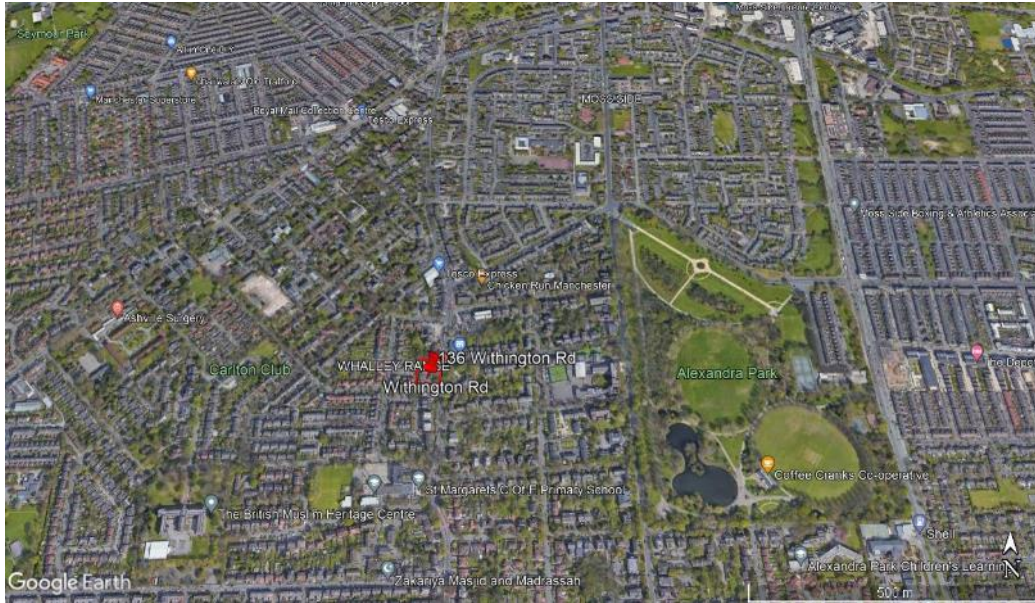


Figure 1: Aerial photo of site, showing landscape structure

3.4 Protected species: Species Protected under Schedule 5 Section 9.1a of the Wildlife and Countryside Act 1981 (as amended) and Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act.

3.4.1 Bats

A search of the magic database for granted European Protected Species Mitigation Licences (EPSMLs) within a 2km radius found 2 licenced sites which include damage to a breeding and/or resting site for common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *P.pygmeus* and Brown Long eared bats (*Plecotus auretus*). This is evidence of the presence of these species within the proximity of the site, but does not exclude the presence of other bat species. These species of bat are known to roost in residential areas and buildings, foraging along hedgerows and under trees around urban areas and parks.

3.4.2 Birds

A search of the Magic database for Priority bird species within a 1000m radius returned records of Lapwing just outside the area.

3.4.3 Great Crested Newts (GCN)

A search of the MAGIC database returned no positive class licence results, or granted mitigation licences pertaining to GCN. The pond located at 450m east in Alexandria Park was not suitable breeding habitat for GCN due to the nature of the steep straight sides, presence of waterfowl and lack of emerging vegetation.

3.5 Field Survey Results

The environmental variables recorded at the time of the survey:

Date: 14/07/22	
Temperature	18°C
Cloud Cover	45%
Wind	0km/h
Rain	none

3.5.1 Site Feature descriptions and photos

Site description

The site of the proposed development is an area of approx. 0.2ha comprising of a former residential building with large extension, and overgrown gardens, with several mature trees.

Phase 1 Habitats

Within the site boundary the site comprises J36 buildings, UKHABS code u1b5.109 residential, Hardstanding UKHABS u1b. 89 urban sealed surface, w1g6, 1171 line of mature trees, A2.1 /h3d dense bramble scrub, overgrown garden area g4,77,230 with occasional introduced shrub J1.4 (See survey plan at App.1).

Habitats are described below using the DAFOR scale, Phase 1 codes in brackets:

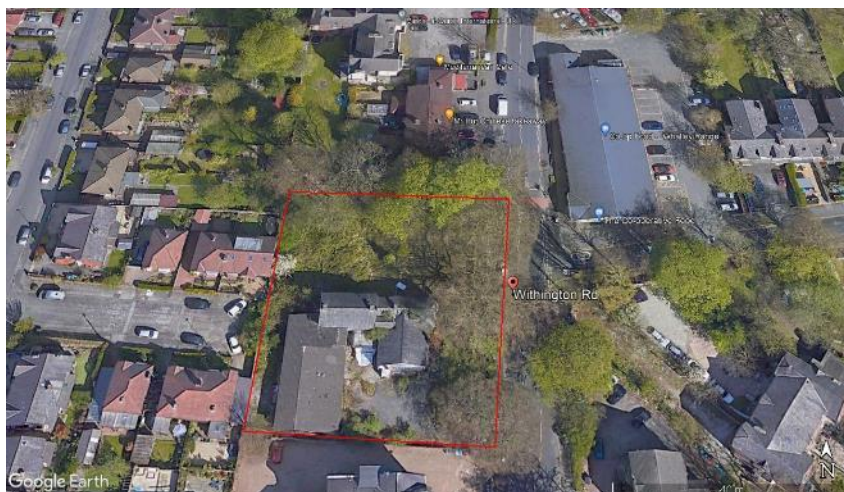


Figure 2: Aerial view of the site.

w1g6, 1171 line of mature trees

On the north, west and east boundary are occasional mature deciduous trees including:
beech, sycamore, lime *Tilia sp.* and horse chestnut.



Figure 3: Mature trees to the east boundary.

Potential bat roosts in trees

Under the current proposals, the trees on site are shown to be retained. However should the proposals change and any are to be felled they will require further survey for bat roosting features by means of a tree climbing bat survey.



Figure 4: Mature trees to the east boundary.

Neglected garden g4,77,230 with occasional introduced shrub 1160 (J1.4)

Adjacent to the building at the north and east were areas of overgrown garden dominated in places by ivy sp. *Hedera sp.*, and ground elder *Aegopodium podagraria* with occasional ragwort *Senecio sp.* stinging nettle *Urtica dioica* and frequent creeping buttercup *Ranunculus repens* and ribwort plantain *Plantago lanceolata*. Grasses: cocksfoot *Dactylis glomerata* (F), creeping bent *Agrostis stolonifera* (A), and false oat grass *Arrhenatherum elatius* (F). Occasional on paving/gravel substrate wavy hair grass *Deschampsia flexuosa*.



Figure 5: Over-grown garden on the east side of the property, with introduced shrub.



Figure 5: Over-grown garden on the north side of the property.

h3d (A2.1) dense bramble scrub

Large areas of dense impenetrable scrub dominated by bramble spp. *Rubus spp.* have developed to the north and east of the site. There are some of the deciduous tree saplings also emerging through the brambles.



Figure 6: Dense bramble scrub dominating a large proportion of the site on the west and north boundaries.



Figure 7: Dense scrub at the north of the site with tree saplings emerging.

Building description and potential bat roosting features.

B1: The derelict dwelling on site consists of a two-storey main building with multiple extensions, the largest of which is a single storey annex at right angles to the main house.

The multiple-pitched roof of the original building is traditional slate covered, in a poor state of repair with gaps, slipped and raised slates and some missing slates.

The dual pitched roof of the large single storey extension is cement fibre tiles, which overall are close fitting. However the building has been the subject of vandalism, with bricks thrown onto the roof causing some broken tiles.

B1 cont.

Many areas of the roof are obscured by shrubs and other vegetation, with the west elevation being totally inaccessible due to the dense bramble scrub.



Figure 8: Example locations of broken roof tiles



Figure 9: The west gable end of the building obscured by shrubs..



Figure 10: South elevation showing shrubs growing from the extension roof.

B2. Cont..

The windows and doors were all securely boarded



Figure 11: East elevation of original dwelling showing boarded windows.

The timber soffits and fascia boards on all aspects of the building are in a poor state of repair with gaps in soffit boards, sarking to the eaves on the roof overhang and also the behind the fascia board on some of the smaller extensions.



Figure 12: South elevation showing examples of gaps in timber roofline materials..

The eaves of the single storey extension has a section of soffit missing, allowing possible ingress to this section of the building for bats and/or birds.



Figure 13: Large section of missing soffit on the single storey extension leaving a gaps allowing bats or birds to enter the building.

The lead flashing has been removed in most areas leaving gaps in the mortar suitable for crevice dwelling bats.

There are multiple gaps in the mortar around the chimneys.



Figure 14: North elevation, showing missing lead and mortar with some gaps in roofing materials marked in red.

The porch on the north elevation has a dual-pitched felt covered roof, and under-drawn with tongue and groove timber. There are gaps to the wall of a suitable size for bats to enter the void of the roof space.



Figure 15: Gaps to the wall on the underside of the north elevation porch cladding.

4.0 CONCLUSIONS, IMPACTS AND RECOMMENDATIONS

4.1 Informative guidelines

The habitats on site were evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat. The likelihood of occupancy of protected species is ranked according to the criteria listed in Table 1.

Where this report supports a planning application, the ecological interest of the study area (including the survey area) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity. It will be clearly stated where a preliminary value can be given and where further information is required.

Appropriate justification for this assessment is provided in Section 2.3 and Table 1 of this report.

4.2 Evaluation

Taking the desk-based assessment and site survey results into account, the following value for protected species has been placed on each site survey feature.

Table 4: Evaluation of site

Ecological Factor	Survey assessment conclusions (with justification)	Foreseen impacts	Mitigation & Recommendations The following recommendations are valid for two years from the date of this report; if the development is delayed beyond this point, an update survey will be required.
Designated sites	N/A	No impact	N/A
Notable habitats and plants	No notable plants recorded at the time of the survey, no priority habitats on site. Deciduous woodland 450m east, outside the zone of influence. Mature deciduous trees on site.	Some possible disturbance from construction traffic to tree root systems. Damage to trees from pollutants.	Mitigation measures to include: Tree root protection zones to be established and maintained throughout construction activities. Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations.
Invasive Non-native species	No INNS were recorded on the site.	No impact	No further action
Bats	Given the number of potential roosting features, and the poor quality surrounding landscape, this building has a moderate likelihood of	As the proposals include the demolition of these buildings, any bat roosts present would be destroyed. This could result in the death or injury of any bats present.	Due to the overgrown and derelict nature of the site three bat emergence/re-entry surveys are deemed necessary to gain maximum data on bat activity during the active bat season (May – September) and to determine the presence/absence of bats. Two of the

	supporting roosting bats. Trees on The Site boundary to be retained under current proposals will require further survey should the plans change.	Disturbance from unsuitable lighting schemes on site. Disturbance is also possible during construction phase from noise and lighting during winter for hibernating bats in tree roosts.	surveys should be completed during the optimal survey period mid-May to August inclusive. Sub-optimal: early May and September. One of these surveys should be a dawn re-entry survey if no infra-red/thermal imaging equipment is used. Seven surveyors are required to provide full coverage of the buildings due to the complicated and obscured roof structure. Some supervised scrub clearance will be required prior to any bat surveys being carried out, to allow access to all aspects of the building. If bat roosts are confirmed in the buildings a Protected Species Mitigation Licence application to Natural England. will need to be made once planning permission is granted, and before work can commence. Lighting scheme in the final design to be in line with Bat Conservation Trust and Institute of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK. See also Enhancement measures at 4.3
Birds	There is ample habitat for nesting birds on the Site, particularly within the dense ivy covering of the trees, and the dense scrub present across The Site.	Active nests could be destroyed during vegetation removal. Breeding and foraging resources for local birds will be destroyed with the removal of vegetation.	Any tree and scrub removal should be undertaken outside the period 1st March to 31st August for nesting birds. If this timeframe cannot be avoided, a close inspection of the trees and scrub to be removed should be undertaken immediately prior to clearance by an ecologist. All active nests will need to be retained until the young have fledged.
Reptiles and amphibians	Small areas of terrestrial habitat on site e.g. Fallen timber, leaf litter and tussocky grass. One pond 250 east of the site (no access to survey) Biological records data would confirm reptile or amphibian records within 500m.	The proposed development will result in the loss of small areas of terrestrial habitat for amphibians and reptiles. Any present during the works could be injured or killed.	A Reasonable Avoidance Measures (RAMS) approach should be adopted as described at Annex 3.
Water voles/otters	No habitat for otter or water vole on site, or within the 200m buffer zone.	No potential to disturb water voles during the construction phase.	No further surveys.

Badgers, hare, hedgehog, red squirrel.	No badger tracks, latrines, snuffle holes or other signs of presence were recorded. Biological records data would confirm records within 500m.	Negligible potential for impact on these species.	A Reasonable Avoidance Measures (RAMS) approach should be adopted as described at Annex 3.
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4.3 Biodiversity Enhancement

Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under the NPPF and circular 06/2021: Biodiversity and Geological Conservation.</i>	A wildflower meadow area and further native hedge and tree planting will be incorporated into the biodiversity enhancement plan for the site. Such areas offer habitat for invertebrates which in turn feed the local bird and bat population. A wildflower area requires much less maintenance than a lawned area, and enhances the visual aspect of a landscaping scheme. Advice on sourcing seed and maintenance is available at http://www.magnificentmeadows.org.uk/assets/pdfs/Mini-meadow.pdf Any landscape planting should include native pollinator friendly species, including night scented shrubs and fruit producing native species. Guidance can be found at: https://www.bumblebeeconservation.org/wp-content/uploads/2017/06/Buzzing-Communities-%E2%80%93-English-Proof-6_web_interactive-compressed_WEBSITE-VIEW.pdf Tree species for proposed landscaping will be a mix of native species which offer habitat for insects and autumn foraging for birds, and reflect the surrounding landscape. Suggested examples include: <table> <tr> <td>Common Oak</td><td>Quercus robur</td></tr> <tr> <td>Rowan</td><td>Sorbus aucuparia</td></tr> <tr> <td>Bird Cherry</td><td>Prunus padus</td></tr> <tr> <td>Silver Birch</td><td>Betula pendula</td></tr> <tr> <td>Willow spp.</td><td>Salix spp.</td></tr> <tr> <td>Alder</td><td>Alnus glutinosa</td></tr> </table> Any introduced boundary hedgerows will include a mix of native species eg: <table> <tr> <td>Hawthorn</td><td>Craetagus montana</td></tr> <tr> <td>Hazel</td><td>Corylus avellana</td></tr> <tr> <td>Blackthorn</td><td>Prunus spinosa</td></tr> <tr> <td>Dog rose</td><td>Rosa canina agg.</td></tr> <tr> <td>Rowan</td><td>Sorbus aucuparia</td></tr> <tr> <td>Holly</td><td>Ilex aquifolium</td></tr> <tr> <td>Native honeysuckle</td><td>Lonicera spp.</td></tr> </table> Yew <i>Taxus baccata</i> offers an excellent evergreen alternative to non-native hedging species.	Common Oak	Quercus robur	Rowan	Sorbus aucuparia	Bird Cherry	Prunus padus	Silver Birch	Betula pendula	Willow spp.	Salix spp.	Alder	Alnus glutinosa	Hawthorn	Craetagus montana	Hazel	Corylus avellana	Blackthorn	Prunus spinosa	Dog rose	Rosa canina agg.	Rowan	Sorbus aucuparia	Holly	Ilex aquifolium	Native honeysuckle	Lonicera spp.
Common Oak	Quercus robur																										
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Holly	Ilex aquifolium																										
Native honeysuckle	Lonicera spp.																										
	Bats There is good foraging habitat in the area in the form of residential gardens & deciduous woodland in the immediate area.																										

Mitigation & Enhancement will be designed following further surveys to determine species relevant installations, but could include:

The installation of a minimum number of bat boxes or integrated bat bricks/tubes on each new building will provide additional roosting habitat for bats. for example (depending on the final design):

- [Build-In Woodstone Bat Access \(wildcare.co.uk\)](https://www.wildcare.co.uk/build-in-woodstone-bat-access/)
- <https://www.wildcare.co.uk/soffit-bat-box.html>
- 1FF Schwegler Bat Box
- Greenwoods Ecohabitats
- <https://www.greenwoodsecohabitats.co.uk/bats>

Bat boxes should be positioned 3-5m above ground level facing in a south/south-westerly direction with a clear flight path to and from the entrance.

- **Birds**

Bird nesting boxes will be included in the building plans to add to the available nesting opportunities in the local area. For example:

- Schwegler 1SP Sparrow Terrace
- Schwegler 1B nest boxes
- Schwegler 2H Robin Boxes

At least 8 bird boxes to be located on the new building and must include a sparrow terrace. Nest boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight, away from any artificial lighting source.

- **Insects**

Bee hotels and bee bricks to be incorporated into building designs.

- **Hedgehogs**

Hedgehog numbers are rapidly declining across the UK; providing a refuge on site will help to protect hedgehogs from predators and loss of habitat in which they can shelter. It is recommended that hedgehog homes are provided on the north and east boundary of the new buildings. They should be sited in a quiet a position out of prevailing wind in an area with some nearby cover, such as below hedgerow.

(See <https://www.hedgehoghighway.co.uk/news/> for further information).

- **Lighting**

Any external lighting should not be directed at any wildlife features of the building as this will cause disturbance.

[See Bat Conservation Trust Guidance note 8/18 Bats and artificial lighting in the UK](#)

**Biodiversity
Net Gain
(BNG)**

The NPPF updates of July 2021, 179b indicate that a measurable gain should be secured by means of the DEFRA BNG Metric.

BNG will need to be achieved by the implementation of all the above enhancement schemes, the inclusion of native specimen trees & Sustainable Urban Drainage Systems (SUDS).

Further guidance can be found at: <https://www.bats.org.uk/our-work/landscapes-for-bats/landscape-and-urban-design>

The final landscape design will need to utilise these schemes to meet the minimum biodiversity net gain requirement for planning (10%). A full net gain calculation can be reported once the full landscape design is complete.

5.0 BIBLIOGRAPHY

- Bat Conservation Trust (2018) Bats and Artificial Lighting UK, Guidance note 8/18 Institute of Lighting Professionals.
- British Trust for Ornithology (2016) www.bto.org/about-birds/nbnw/putting-up-a-nest-box
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Annex I: Survey Plan

Extended Phase 1 survey map. 136 Withington Rd, Whalley Range July 2022



Annex 2: Proposed Site Plan



Annex 3: Reasonable Avoidance Measures (RAMS)

Method Statement for Reasonable Avoidance Measures

Reasonable Avoidance Measures (RAMS) - Method Statement in relation to:

- Reptiles
- Great Crested Newt (*Triturus cristatus*) (GCN) and common amphibians
- Terrestrial Mammals e.g hedgehog, badger, hare
- Water Vole

Objectives of the Method Statement

Some development related activities on the site, such as excavation creation and removal of materials from site in areas local to otherwise suitable terrestrial habitat, has the potential to affect common amphibian and reptiles, and some terrestrial mammals, whilst protected mammals are known in the extending area. Therefore, safeguards must be implemented to protect these species and the Method Statement below outlines measures to be implemented in order to ensure this objective is achieved. Following these methods reduces the likelihood of negative impacts.

Timings – preferred timing of scrub clearance to minimise impact

- **GCN** : When the GCN are found in their aquatic habitat and not in terrestrial habitat (core breeding season: March-May inclusive).
- **Nesting Birds**: Outside the key breeding season which is 1st March – 31st August inclusive
- **Mammals** : All year

Before Any Works

- Before any work commence at the site all contractors will be attend a ‘tool box’ talk by a suitably licenced ecologist of the potential for protected species to occur on site, what to look out for and what to do in the event that protected animals are found.
- Photograph(s) of relevant protected species will be displayed at the site office and/or kept by the contractor’s personal being for visual reference purposes.
- Contractors to ask any questions as required following toolbox talk, before signing the Toolbox Talk Audit Form.

During Works

- Clearance works within the site should only commence after a careful visual inspection (Hand Search) has been carried out by a suitably qualified and experienced ecologist has determined that no animals are present on site/targeted areas and is satisfied no animals are at risk.

- Habitat manipulation - vegetation that can support reptiles is to be reduced to a height of 150-200 mm, followed by a visual hand search. After the hand search the vegetation is then to be cut to ground level and raked bare.
- Habitat manipulation will encourage animals to temporarily move away/abandon the area.
- For the full duration of the work, vegetation will be kept at ground level.
- No works are to extend off site in the areas adjacent to the red line boundary.
- The impact of works on adjacent habitats will be avoided by the clear demarcation of the works area.
- All work must strictly be in accordance with all of the relevant Pollution Prevention Guidelines published by the Environment Agency which may include, but is not limited to, PPG1 (general), PPG5 (works in, near, or liable to affect watercourses) and PPG6 (work at construction & demolition sites). Contingency/emergency plan should be drawn up to address chemical spillage, drainage, collision, etc.
- Machinery and materials are to remain on bare ground and reasonable efforts must be made to avoid the compiling of accumulated piles. Materials that do require piling will be stored within areas of bare ground above ground level using pallets in order to prevent animals from seeking shelter beneath.
- Any excavated material stored overnight should be searched prior to being used as infill.
- Where open vertical-sided trenches are excavated it should be ensured that they are not left open overnight to avoid amphibians or small mammals falling into them and becoming trapped. If trenches cannot be back filled after the working day planks of 150-200 mm wide should be placed in them at a 45 degree diagonal angle to serve as an escape mechanism.
- Excavations should also be checked in the morning on a daily basis for the presence of any animals that may have fallen in during the night. In the event that a protected species is located in trenches then it/they should be left in situ and the ecologist promptly contacted to identify and provide further advice.

If in the event a GCN/Water vole is found work must cease; the ecologist will be made aware of the finding and can then appraise the situation providing further advice.

Site staff must be made aware that if GCN /water vole are found there is a correct procedure in place to follow, and failure to halt works may result in committing an offence.

At no point should any person handle a water vole or suspected GCN. Unlicensed handling is illegal and untrained handling may cause the animal unnecessary stress and injury.

A Natural England Protected Species Mitigation Licence may be required following the discovery of any protected species on site.

Annex 4: Legislation and Planning Policy

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive the, Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe in order to conserve the 189 habitats and 788 species (non- bird) identified in Annexes I and II of the Directive (as amended).

SPAs are classified under Article 2 of the EC Birds Directive both for rare bird species (as listed on Annex I) and for important migratory species.

SACs and SPAs up to 12 nautical miles (nm) from the coast are afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010 which consolidate all amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994. In Scotland, the requirements of Habitats Directive are implemented through a combination of the 1994 and the 2010 (reserved matters) Regulations. The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) provide a means for designating and protecting SACs in UK offshore waters (from 12-200 nm).

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres” however they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs).

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally. Further provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species

The Habitats Directive

The EC Habitats Directive aims to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those species of European importance. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations) and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). The following notes are relevant for all species protected under the EC Habitats Directive:

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

The Habitats Regulations do not define the act of 'migration' and, therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.

In order to obtain a European Protected Species Mitigation (EPSM) licence, the application must demonstrate that it meets all of the following three 'tests':

the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment;

- There is no satisfactory alternative; and

- The action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

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

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

Badgers

Badgers *Meles meles* are protected under The Protection of Badgers Act which makes it an offence to:

- Wilfully kill, injure, take, or attempt to kill, injure or take a badger
- Cruelly ill-treat a badger, including use of tongs and digging
- Possess or control a dead badger or any part thereof
- Intentionally or recklessly damage, destroy or obstruct access to a badger sett or any part thereof
- Intentionally or recklessly disturb a badger when it is occupying a badger sett
- Intentionally or recklessly cause a dog to enter a badger sett
- Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works:

A development licence will be required from the relevant countryside agency for any development works liable to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agency's to define what would constitute a licensable activity. It is not possible to obtain a licence to translocate badgers.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally (or recklessly in Scotland) kill, injure or take any wild bird
- Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- Intentionally or recklessly obstruct or prevent any wild bird from using its nest (Scotland only)

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC) and are commonly referred to as "Schedule 1" birds.

This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young

- Intentional or reckless disturbance of dependent young of such a bird
- In Scotland only, intentional or reckless disturbance whilst lekking
- In Scotland only, intentional or reckless harassment

Effects on development works:

Works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Herpetofauna (Amphibians and reptiles)

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2.

Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

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

Other native species of herpetofauna are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to:

- Intentionally or recklessly kill or injure these species.

Effects on development works:

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

Water voles

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

- Intentionally kill, injure or take (capture) water voles
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection
- Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works:

If development works are liable to affect habitats known to support water voles, the relevant countryside agency must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and translocation of water voles may be issued by the relevant countryside agency (e.g. Natural England) for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

Otters

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

An EPSM Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

Bats

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
 - To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
 - To impair their ability to hibernate or migrate

- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works:

Works which are liable to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Wild Mammals (Protection Act) 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

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

Legislation afforded to Plants

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person from:

- Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)
- Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof
- In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:
 - Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species
 - Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Effects on development works:

An EPSM licence will be required from the relevant countryside agency for works which are liable to affect species of plants listed on Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Invasive Species

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species included (but not limited to):

- Japanese knotweed *Fallopia japonica*



GEO-ENVIRONMENTAL CONSULTING ENGINEERS

Preliminary Ecological Appraisal & Potential Bat Roost Survey
136 Withington Rd, M16 8FD
Report Ref BEK-22096-2, July 2022

- Giant hogweed *Heracleum mantegazzianum*
- Himalayan balsam *Impatiens glandulifera*

Effects on development works:

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site however it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

Injurious weeds

Under the Weeds Act 1959 any land owner or occupier may be required prevent the spread of certain 'injurious weeds' including (but not limited to):

- Spear thistle *Cirsium vulgare*
- Creeping thistle *Cirsium arvense*
- Curled dock *Rumex crispus*
- Broad-leaved dock *Rumex obtusifolius*
- Common ragwort *Senecio jacobaea*

It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

NATIONAL PLANNING POLICY (ENGLAND)

National Planning Policy Framework

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as UK Biodiversity Action Plan priority species) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act, 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

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