

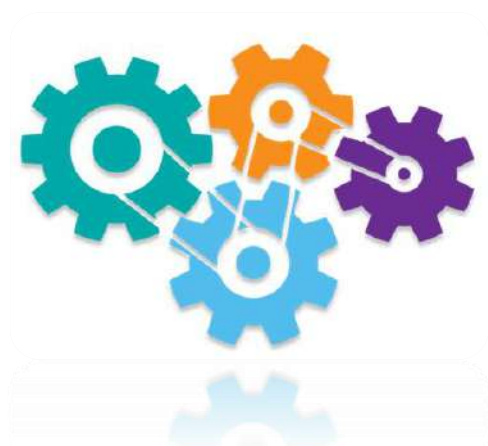


Newall Green HS,
Greenbrow Rd,
Manchester, M23
2SX

Preliminary Ecological Assessment Report

June 2022

Ref: 22-9204



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<i>Revision</i>	-	A
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1. SUMMARY

Purpose	Planning permission is being sought to carry out alternations to the Dixons Academy site in Manchester. A Preliminary Ecological Appraisal (PEA) of the site was commissioned to support the application for planning permission.
Results	The habitats on the site were identified to be relatively common habitats with the only priority habitat comprising native hedgerows present around the site. Habitats were identified to have previously been highly managed with no recent management at the time of the survey. Cotoneaster, an invasive non-native plant species was identified in several areas around the site. The potential for protected species was identified within the site. The ecological receptors present included: ○ Ponds suitable for great crested newts with abundant existing records within the surrounding area, including sites designated for the species, ○ Trees suitable to support roosting bats with existing records of bats within the closely surrounding area, ○ Habitats suitable for foraging and commuting bats, ○ Habitats suitable for a range of bird species for foraging and nesting, ○ Habitats suitable to support hedgehogs.
Recommendations	○ Retain protected or high value habitats and implement a sensitive landscaping plan to increase the ecological value of the site, ○ Carry out great crested newt presence/absence surveys of the pond on site to establish if the species are present, ○ Assess detailed development plans to identify areas of the works that may impact on great crested newts. Survey and obtain a Natural England licence where necessary, ○ Implement precautionary working methods for badgers and other mammals, ○ Carry out a further assessment of any trees affected by the works to establish if roosting bats are present, ○ Retain linear features and carry out additional bats surveys, where features will be removed, ○ Enhance the site with features for roosting bats and implement a sensitive lighting scheme, ○ Carry out additional bird surveys ahead of any site clearance during the nesting season and include enhancements for birds in the site design, ○ Implement precautionary working methods for hedgehogs during the development and include enhancements for the species in the site design, ○ Carry out any works in close proximity to areas of cotoneaster under strict control measures to prevent the spread of the plant.
Conclusions	If the proposed works are preceded by additional surveys, where required, are carried out with care and under strict control measures, where required, and include the retention of the high value habitats and additional enhancements for protected species, the impact of the proposed works on the ecological value of the site and the surrounding area will be negligible.

2. INTRODUCTION

2.1. Purpose

2.1.1. Planning permission is being sought to carry out alternations to the Dixons Academy site in Manchester.

2.1.2. A Preliminary Ecological Appraisal (PEA) of the site was commissioned to support the application for planning permission.

2.2. Site Description and Location

2.2.1. The site comprises the disused Newell Green High School site (closed during August 2021), including the buildings and playing fields, plus all associated access areas, extending to approximately 7.38 hectares (ha).



Figure 1: Showing the extent of the surveyed area.

2.2.2. The northeast of the surveyed area comprises Piper Hill Post 16 Department, which is an active school site extending to 0.7ha.

2.2.3. The site is located in Wythenshawe, 7km to the south of Manchester city centre. The land to the north, east and south of the site comprises densely urban land with the main playing field area located to the southwest, on the opposite side of Clay Lane. The land to the southwest of the playing fields comprises open grazing pasture.

2.2.4. The wider surrounding area comprises predominantly densely urban land with Manchester to the north, Stockport to the east, Hale to the west and the M56 motorway and Manchester Airport to the south.

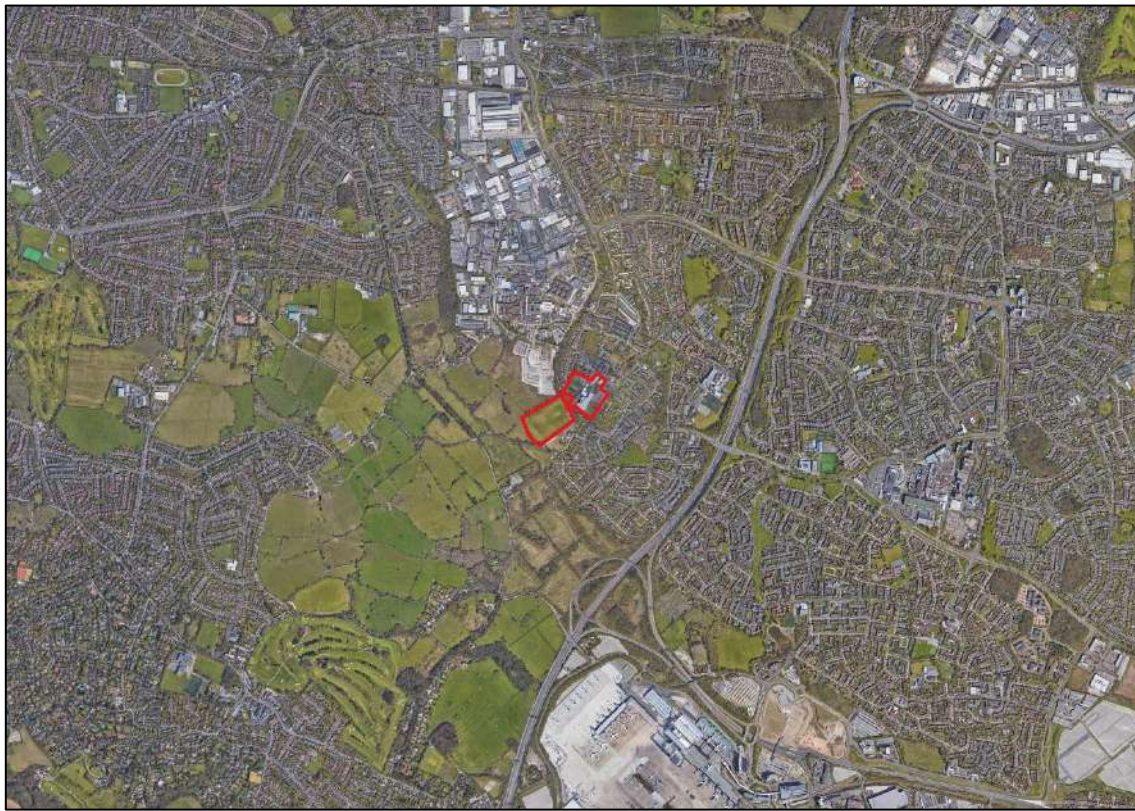


Figure 2: Showing the site in context with the wider surrounding area.

2.3. Proposals

2.3.1. Detailed proposals for the site are unknown although it is known that the plans include the demolition of some of the existing buildings on the site.

3. METHODOLOGY

3.1. Desk Study

3.1.1. A desk study was carried out in order to identify existing records of protected or notable species or habitats within 2km of the survey area.

3.1.2. Records of locally designated sites and existing records of protected species were requested from the Greater Manchester Records Centre (GMRC). A full copy of the records can be provided on request.

3.1.3. Personal databases held by Steven Whitcher were also searched for records of protected species within 1km of the site.

3.1.4. The MAGIC website was searched for records of statutory or non-statutory sites within 2km of the survey area and for records of existing European Protected Species (EPS) licence within the surrounding area.

3.1.5. The area within 500m of the site was searched for waterbodies using publicly accessible mapping including Ordnance Survey, Google Earth and the MAGIC website.

3.2. Field Study

3.2.1. A field survey of the site was undertaken on by Steven Whitcher (MCIEEM) on the 26th May 2022. The Preliminary Ecological Appraisal (PEA) was carried out in accordance with the industry standard and mapped using UKHab Classifications (2018).

3.2.2. The weather at the time of the survey was light rain showers with a breeze (BWS-1) and a temperature of 16°C recorded at the time of the survey.

3.2.3. During the survey all habitats were noted, including dominant species, mapped and notable ecological features were target noted.

3.2.4. The survey also looked for evidence of protected or notable fauna species or invasive non-native plant species and followed specific survey guidelines, where applicable, including:

- Checking all buildings, trees and structures for bat roosting potential in line with the Bat Conservation Trust Good Practice Guidelines, 3rd edition (Collins 2016), BTHK Bat Roosts in Trees (BTHK 2018) and BRHK Bat Roosts in Rock (BRHK 2021).
- Assessing all accessible ponds within 500m of the surveyed area using the Habitat Suitability Index (HSI) assessment criteria (Oldham et al. 2000).
- Assessing the habitats on site for their suitability to support protected or notable species, including but not limited to, badgers (Harris et al 1989), water voles (Strachan

et al 2011), otters (Channin, 2003), crayfish, nesting birds (BBS,BTO), reptiles (Froglife 1999), hedgehogs and hazel dormice.

3.3. Limitations/Constraints

3.3.1. This survey was carried out to CIEEM methodologies and therefore provides an overview of the habitats present on the site with dominant, notable or indicator species within those habitats noted. As such the species lists included are intended to be sufficient to confidently assess habitat condition but are not intended to provide an exhaustive list of all species present.

3.3.2. The land associated with Piper Hill Post 16 Department could not be accessed at the time of this survey because the site is an active school. Therefore, the 0.7ha associated with the school was not include in the survey.

3.3.3. The survey was carried out during May, when vegetation levels are high. Therefore, some of the habitats within the site, notably the scrub habitats, could not be thoroughly searched for field signs at the time of the survey. The foliage on the trees also limited the suitability of a ground assessment during the survey.

3.3.4. No access could be gained to the loft spaces within Building 1 due to the height and location of the loft access hatches. However, a thorough inspection of the exterior of the building was possible using a pole camera and therefore this is not deemed a significant constraint to the findings of the survey.

3.3.5. Due to a lack of public access a thorough Habitat Suitability Index (HSI) assessment of the ponds within the area surrounding the site could not be carried out. However, due to the abundance of existing records in the area this is not deemed a constraint to the findings of the survey.

4. RESULTS AND INTERPRETATION

4.1. Designated Sites

4.1.1. GMRC did not return any records of statutory or non-statutory designated sites within the surveyed area although they did return records of five non-statutory sites within the 2km search area.

Table 1: Non-statutory sites within 2km

Site Name	Designation	Reason for Designation	Location
Ponds at Davenport Green	Site of Biological Importance (SBI)	Great crested newts	380m southwest
Davenport Green Wood	SBI	Unknown	1.05km south
Painswick Park Meadow	SBI	Unknown	1.35km southeast
Blackcarr Wood & Baguley Bottoms	SBI	Unknown	1.4km northeast
Princes Spinney	SBI	Unknown	1.5km north

4.1.2. The development will not have a direct impact on any of the designated sites, although may impact on the great crested newts (*Triturus cristatus*) within 500m of the site, which are the reason for the designation of the Ponds at Davenport Green.

4.1.3. Due to the distance the surveyed area lies from the site it is assessed that the impact of works carried out within the surveyed area will not be sufficient to have a detrimental impact on the reason for the Ponds at Davenport Green's designation. However, the works may have some impact on great crested newts in the wider surrounding area, if suitable precautionary working methods are not put in place, in line with the recommendations of this report. See sections 4.3.1 and 5 of this report for more details.

4.1.4. It is unlikely that any of the designated sites will be indirectly impacted by the proposed development from an increase in foot traffic because it is assumed that the development will be educational in nature, in line with the previous use of the site.

4.2. Habitats

4.2.1. The habitats present within the surveyed area are outlined below and shown on the plan in Appendix I of this report. Appendix III includes species lists for each habitat.

4.2.2. g3c Other neutral grassland (3.43ha)

4.2.2.1. There are several areas of grassland within the surveyed area. The grassland comprises a mixture of landscaping around the buildings to the northeast of the site and a large area of playing fields to the southwest.

4.2.2.2. The majority of the grassland displays no recent management allowing the sward to grow long. However, it is assumed that the areas of grassland were previously subjected to regular management when the Newell Green school site was active.



Figure 3: Looking north at the school buildings.



Figure 4: Looking west across the playing fields.

4.2.2.3. The areas of landscaped grassland display a range of common grass and forb species, including fescue (*Festuca sp.*), meadow grass (*Poa sp.*), red clover (*Trifolium pratense*) and dandelion (*Taraxacum officinale*).

4.2.2.4. To the southwest of the site the old playing fields are partially mown, to the northeast of the playing fields. The species present in the grassland predominantly comprise common grass and forb species, including Yorkshire fog (*Holcus lanatus*), sweet vernal grass (*Anthoxanthum odoratum*) and cuckoo flower (*Cardamine pratensis*), with a relatively diverse range of species present.



Figure 5: Looking across the uncut areas of the playing fields.



Figure 6: Mown areas of grassland.

4.2.2.5. The grassland displays some ecological value in its currently unmanaged condition, due to the long sward and present of flowers and grasses. However, it is assumed that the grassland was subjected to high levels of management until the school closed in 2021 and therefore the grassland, although diverse in areas, is not assessed as providing a high ecological value or local importance. The ecological value of the grassland will increase with a continued lack of management.

4.2.2.6. 10 Scattered scrub

4.2.2.6.1. An area of the grassland immediately to the northeast of the school buildings displays some scattered scrub species, potentially due to the lack of recent management. The scrub species include bramble (*Rubus fruticosus*), ash (*Fraxinus excelsior*) and great willowherb (*Epilobium hirsutum*), among other common species.



Figure 7: Areas of scrub within the grassland.

4.2.2.6.2. The scrub provides some ecological value due to the cover it provides for mammal species. A fox was identified in the scrub around the pond to the northeast of the buildings at the time of this survey (T3).

4.2.2.7. 11 Scattered trees

4.2.2.7.1. Thirty-one scattered trees were identified within the areas of landscaped grassland. The trees included a mixture of large mature trees, including oak (*Quercus sp.*), lime (*Tilia sp.*) and beech (*Fagus sylvatica*), and smaller decorative trees, including silver birch (*Betula pendula*), alder (*Alnus glutinosa*) and cherry (*Prunus sp.*).



Figure 8: A large mature oak tree.



Figure 9: A line of small silver birch trees.

4.2.2.7.2. The trees displayed some management, due to their location around the landscaped areas of the school site, although the majority are native species that appeared to be in a healthy condition at the time of this survey.

4.2.2.7.3. The trees display a high ecological value due to the structure they create, on the site and into the wider surrounding area, and the species they may support, including invertebrates, bats and birds.

4.2.2.8. 64 mown

4.2.2.8.1. There are areas of the playing fields that display recent signs of management through mowing. The mowing appeared to be very recent at the time of this survey.



Figure 10: Areas of close mown grassland.

4.2.2.8.2. The mown areas of grassland display a significantly reduced ecological value due to lack of cover for mammal species and the close management restricting flowering, which would provide opportunities for invertebrates and birds.

4.2.3. h3h Mixed scrub (0.81ha)

4.2.3.1. To the southwest of the site areas of mixed scrub create a border around the playing fields, separating the site from the adjacent land.

4.2.3.2. The scrub varies in nature with lower lying scrub, including bramble, nettle (*Urtica dioica*) and dog rose (*Rosa canina*), around the parking area and more structured scrub, including oak (*Quercus sp.*), ash and goat willow (*Salix caprea*) along the site boundaries. However, all of the scrub is mixed in nature with no areas dominated by any single species.



Figure 11: Mixed low lying and structural scrub along the site boundary.



Figure 12: Low lying scrub around the parking area.



Figure 13: Structural scrub and trees along the site boundary.

4.2.3.3. The scrub displays a high ecological value due to the opportunities it provides for a range of species, notably mammals and birds.

4.2.3.4. 11 Scattered trees

4.2.3.4.1. Approximately forty-five scattered trees are present within the scrub around the playing fields. The trees vary from semi mature ash, oak and sycamore (*Acer pseudoplatanus*) along the southern boundary of the playing fields to large mature Lombardy poplar (*Populus nigra 'italica'*), oak and black poplar (*Populus x canadensis*) along the northern and western boundaries.

4.2.3.4.2. The trees display a high ecological value due to the structure they create on the site and into the wider surrounding area, particularly where the trees are supported by a

band of structural scrub below. The trees may also provide suitable habitats for a wide range of species, including invertebrates, bats and birds.



Figure 14: Lombardy poplar along the boundary.



Figure 15: A large mature black poplar (T11).

4.2.4. r1 Standing open water and canals (0.02ha)

4.2.4.1. A pond is located immediately adjacent to the northern end of the old school buildings. The pond appears to have previously been a decorative feature within a small garden area, although there are no signs of recent management around the pond.



Figure 16: Looking across the pond.

4.2.4.2. The pond displays relatively dense vegetation, including flag iris (*Iris pseudocorus*), bulrush (*Typha latifolia*), rush (*Juncus sp.*) and willow (*Salix sp.*), although there are significant areas of visible open water.

4.2.4.3. The pond provides a high ecological value due to the potential habitat it provides for invertebrates and amphibians.

4.2.5. u1b Developed land; sealed surface (1.71ha)

4.2.5.1. The site comprises an old school site and therefore there are abundant areas of tarmac providing access and parking throughout the site. To the northwest of the site there is also a large Astro-turf football field.



Figure 17: Areas of tarmac parking and access.



Figure 18: Looking across the Astro-turf football field.

4.2.5.2. The areas of sealed surface provide little or no ecological value due to their open nature and lack of vegetation.

4.2.6. u1b5 Buildings (0.71ha)

4.2.6.1. The old school buildings are still present on the site, comprising two large blocks of buildings located in the centre of the northern section of the site.



Figure 19: Looking at the building from the east.



Figure 20: Looking at the buildings from the west.

4.2.6.2. A large cargo contained is also located within the parking area associated with the playing fields, to the south of the site. The container has been classified as a building for the purpose of this report.

4.2.6.3. The buildings are covered in more detail in section 4.3.3 of this report.



Figure 21: The cargo container located in the parking area.

4.2.7. h2a Hedgerows (Priority Habitat) (280m)

4.2.7.1. Several hedgerows are located within the surveyed area, predominantly located within the landscaped access and parking areas to the northeast of the site.

4.2.7.2. The hedgerows comprise a mixture of boundary features and decorative hedgerows used as ornamental features within the previously landscaped areas of the site.

4.2.7.3. The hedgerows within the landscaped areas comprise short sections of yew (*Taxus baccata*) or hornbeam (*Carpinus betulus*) that were previously highly managed. The hedgerows show no signs of recent management, although they have been managed recent enough to maintain a highly managed form.



Figure 22: Lengths of decorative yew hedgerow.



Figure 23: Lengths of hornbeam hedgerow.

4.2.7.4. A boundary hedgerow extends along the northern boundary of the site. The hedgerow comprises a beech (*Fagus sylvatica*) hedgerow that separates the site from the adjacent property. The hedgerow shows signs of occasional management.

4.2.7.5. To the south of the site a hedgerow separates the playing fields from Clay Lane.



Figure 24: The beech hedgerow along the northern boundary.



Figure 25: The hedgerow along Clay Lane.

4.2.7.6. The hedgerow shows no signs of recent management and is dominated by hawthorn (*Crataegus monogyna*), although other tree species are also present.

4.2.7.74. The hedgerows on the site, particularly the unmanaged hedgerows, display a high ecological value due to the structure they provide and the species they will potentially support. Native hedgerows are also a Habitat of Principal Importance under the NERC Act 2006.

4.2.8. h2b Other hedgerows (62m)

4.2.8.1. A single stretch of 'other hedgerow' extends along the southeast site boundary, separating the site from Greenbrow Road.

4.2.8.2. The hedgerow is dominated by laurel (*Laurus nobilis*) with some native tree species also present, including dogwood (*Comus sanguinea*) and ash.



Figure 26: Looking along the hedgerow.

4.2.8.3. The hedgerow displays a high ecological value due to the structure it provides and the species it will potentially support.

4.2.9. u1e Built linear features (m)

4.2.9.1. Due to the site being an old school there are abundant areas of fencing demarcating the site boundaries and separating areas of the site. The fencing varies from decorative metal fencing to mesh security fencing along the site boundaries.

4.2.9.2. The fencing provides no significant ecological value.



Figure 27: Mesh security fencing.



Figure 28: Decorative metal fencing.

4.2.10. Details of the development are unknown and therefore it is not possible to accurately assess the impact of the proposed development on the habitats present within the surveyed area.

4.3. Fauna

4.3.1. Amphibians

4.3.1.1. GMRC returned abundant records of great crested newts within the 2km search area. The records include reference to ponds within the Ponds at Davenport Green, which

support the largest known population of great crested newts in the Trafford area, in addition to records for several other ponds in the area, including records for six ponds located within 500m of the surveyed area.



Figure 29: Plan showing the ponds within the area and which support known GCN populations.

4.3.1.2. GMRC did not return any records of other amphibian species within the 2km search area.

4.3.1.3. A single pond was present within the surveyed area and a further fourteen ponds were identified within 500m of the site on maps of the area. The location of the ponds is shown in Figure 29. The figure also shows a 500m buffer around the surveyed area (blue shaded area), a 500m buffer around the pond on site (red shaded area) and the ponds identified within the 500m buffers, with the ponds marked in red indicating ponds with existing records of great crested newts.

4.3.1.4. The pond located within the surveyed area (T3) comprises a decorative pond that has remained unmanaged for some time. The pond displays dense vegetation, including bulrush and flag iris, although significant areas of open water were also present.

Table 2: HSI Results for Pond 1.

Location	1
Pond area	0.4
Pond drying	0.9
Water quality	0.67
Shade	1
Fowl	1
Fish	0.67
Ponds	1
Terrestrial habitat	0.33
Macrophytes	1
HSI	0.75
Suitability	Good



Figure 30: The pond on site.

4.3.1.5. The site provides some potential terrestrial habitat for great crested newts and other amphibians, particularly within the areas of grassland, scrub and hedgerows. No terrestrial amphibians were identified during this survey.

4.3.1.6. The existing records within the area show that there are significant populations of great crested newts in the area surrounding the site, with the Ponds at Davenport Green supporting the largest known population in the Trafford area. There are also existing records of great crested newts in ponds that lie within 60m of the playing fields and within 315m of the areas of the site that lie on the northeast of Clay Lane.

4.3.1.7. Therefore, there is potential for the pond on site to support a population of great crested newts and any development on the site is likely to have an impact on the great crested newts present in the area around the site.

4.3.1.8. The ponds on and around the site may also support populations of common amphibians and therefore the proposed development may also impact on common amphibian species.

4.3.2. Badgers

4.3.2.1. GMRC returned a single record of a badger (*Meles meles*) sett within the 2km search area. The record is located in excess of 1km from the surveyed area.

4.3.2.2. No badger setts or other badger field signs were identified within the surveyed area. Occasional paths were identified throughout the areas of grassland and scrub, although these were assessed to be due to the presence of the public in some areas of the site and also due to domestic pets and other mammals, such as foxes, being present within the area. A fox was identified within the surveyed area during the survey.

4.3.2.3. Therefore, it is unlikely that the proposed development of the site will have a direct impact on badgers with precautionary working methods implemented during the development reducing the overall impact on mammals within the area.

4.3.3. Bats

4.3.3.1. GMRC returned several records of bats and bat roosts within the 2km search area. The records included field records of bats within the surveyed area, although no known roosts on the site. The field records within the surveyed area refer to pipistrelle bats identified foraging over or commuting over the site.

4.3.3.2. The closest roost records refer small transient common pipistrelle (*Pipistrellus pipistrellus*) roosts in buildings approximately 35m to the south of the site boundary.

4.3.3.3. The buildings on the site were split into three separate groups for the purpose of this survey. The location and references of the buildings are shown in Figure 31.



Figure 31: The buildings located within the surveyed area.

4.3.3.4. Building 1

4.3.3.4.1. Building 1 comprises a group of buildings containing classrooms, dance studios and gymnasiums. The buildings are all currently disused.

4.3.3.4.2. The walls of the building comprise a mixture of brick, render and areas of prefabricated construction with the windows and doors around the building being metal units that are intact and sealed. The building displays boxed metal or uPVC soffits, where present.



Figure 32: Building 1 viewed from an internal courtyard between Buildings 1 and 2.



Figure 33: The varied construction of the building.



Figure 34: The western elevation of the building.

4.3.3.4.3. The roof of the building comprises two hipped cement tiled roofs that are connected by a series of metal and felt covered pitched and sloping roofs.



Figure 35: One of the hipped cement tiled roofs.



Figure 36: The varied designs of the buildings roof.

4.3.3.4.4. Internally the building displays two loft spaces, present within the hipped roofs, with the remaining areas of the building primarily extending into the roof void. The loft spaces could not be accessed during this survey due to the height of the loft access hatches.



Figure 37: The dance studio that extends into the roof void.

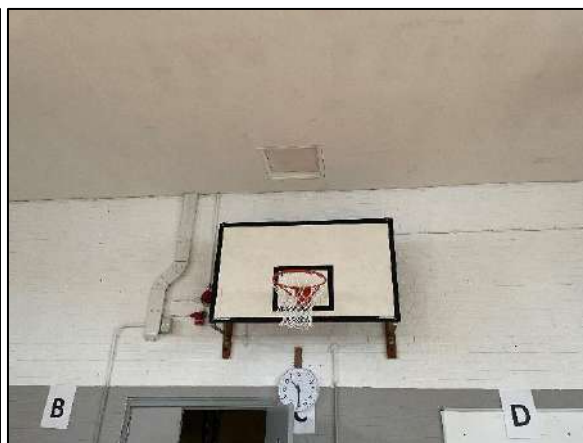


Figure 38: The loft access hatch location within the gym.

4.3.3.4.5. The walls of the building were inspected and found to be in a very good condition with no gaps, cracks or voids that would provide suitable access for bats. The soffits around the building were also found to be tightly sealed providing no suitable access points for bats.

4.3.3.4.6. A large area of louvred wall was identified on the southeast elevation of the building although a thorough inspection of the louvre identified a mesh on the interior, preventing bats from accessing the building.

4.3.3.4.7. The cement tiled roofs of the building were found to be in a very good condition with tight fitting tiles and all of the ridge and hip tiles in place and sealed. The remaining roofs were inspected and found to provide no suitable bat access points, where the roofs comprise metal or felt.

4.3.3.4.8. Overall, the building was assessed to provide negligible potential to support roosting bats due to the lack of suitable access points or roosting locations. Therefore, the

proposed works, which include the demolition of the building, are unlikely to have an impact on roosting bats.



Figure 39: The tight fitting cement tiles and sealed ridge and hip tiles.



Figure 40: The large area of louvred wall.



Figure 41: Areas of felt covered roof providing no suitability.

4.3.3.5. Building 2

4.3.3.5.1. Building 2 comprises the frontage to the school, comprising a large two storey rendered building with a decorative elevated pod to the rear. The building is current disused.

4.3.3.5.2. The walls of the building comprise rendered walls with metal windows and doors, that are intact and sealed, and no soffits or fascia boards present. The roof of the building comprises a flat roof.

4.3.3.5.3. The walls of the building were found to be in a good condition with no visible cracks, voids or other features that would provide suitable opportunities for bats. The roof of the building was also assessed to provide no suitable opportunities for roosting bats. Therefore, the building was assessed to provide negligible potential to support roosting bats and works that will impact on the building are unlikely to impact on roosting bats.



Figure 42: The southeast elevation of the building.



Figure 43: The decorative pod.

4.3.3.6. Building 3

4.3.3.6.1. Building 3 comprises a large shipping container located within the parking area associated with the playing fields. The building was assessed as providing negligible potential to support roosting bats. Therefore, the removal of this building is unlikely to impact on roosting bats.



Figure 44: The shipping container.

4.3.3.7. Several large mature or semi mature trees that were assessed as providing suitable roosting opportunities for bats were identified throughout the site (T2, T5, T6, T7, T8, T9, T10 and T11).

4.3.3.8. The vegetation within the surveyed area provides structure and connectivity into the wider surrounding area, particularly to the south around the playing fields where there are also existing records of bat roosts in the surrounding area. Therefore, the site was assessed as providing a moderate value foraging and commuting habitat for bats.

4.3.3.9. A thorough assessment of the foraging and commuting activity within and around the site was not carried out as part of this survey.

4.3.4. Birds

4.3.4.1. GMRC returned several records of birds within the 2km search area, although no records within the surveyed area.

4.3.4.2. The records include records of several bird species that are listed as Species of Principal Importance under the NERC Act 2006. The closest records refer to starlings (*Sturnus vulgaris*), song thrush (*Turdus philomelos*) and spotted flycatchers (*Muscicapa striata*), with records located within approximately 200m of the site.

4.3.4.3. The bird activity identified during this survey was generally low, although a detailed bird survey was not carried out. The activity included blackbirds (*Turdus merula*), house sparrows (*Passer domesticus*), a red list bird species, and chaffinch (*Fringilla coelebs*) identified flitting around within the vegetation on site. Pigeons were also identified around Building 1 during the survey (T1).

4.3.4.4. The site provides opportunities for a wide range of bird species due to the habitats present. Therefore, the proposed works will potentially cause the loss of habitat suitable for a range of bird species and may impact on nesting birds, if works are carried out during the nesting season.

4.3.5. Crayfish

4.3.5.1. GMRC did not return any records of crayfish within the 2km search area.

4.3.5.2. No watercourses or other waterbodies that would provide a suitable habitat for crayfish were identified within the surveyed area, or the immediate surrounding area. Therefore, there will be no impact on crayfish during any works on the site.

4.3.6. Hedgehogs

4.3.6.1. GMRC returned occasional records of hedgehogs (*Erinaceus europaeus*) within the 2km search area. The closest records refer to animals identified within residential areas approximately 800m to the north of the site.

4.3.6.2. No hedgehogs or hedgehog field signs were identified within the surveyed area during this survey, although the site provides suitable opportunities for the species within the hedgerows, scrub and grassland.

4.3.6.3. The proposed development of the site may impact on hedgehogs, through direct impacts on animals and loss of habitat, if suitable precautionary working methods are not implemented during the development.

4.3.7. Invertebrates

4.3.7.1. GMRC returned occasional records of priority invertebrate species within the 2km search area. The closest records refer to cinnabar moths (*Tyria jacobaeae*) located immediately to the south of the surveyed area.

4.3.7.2. The habitats on site include common ragwort, a known food source for cinnabar moths, although no cinnabar moths were noted during this survey.

4.3.7.4. The site provides habitats suitable to support invertebrate species, notably the areas of grassland and the pond, although a thorough invertebrate survey was not carried out as part of this survey.

4.3.7.5. The proposed development of the site will potentially have an impact on invertebrate communities in the surrounding area. However, due to the previous use of the site and the abundance of similar habitats within the surrounding area it is assessed that the impact on invertebrate communities is likely to be low.

4.3.8. Otters

4.3.8.1. GMRC did not return any records of otter (*Lutra lutra*) within the 2km search area.

4.3.5.2. No watercourses or other waterbodies that would provide a suitable habitat for otters were identified within the surveyed area, or the immediate surrounding area. Therefore, there will be no impact on otters during any works on the site.

4.3.9. Reptiles

4.3.9.1. GMRC did not return any records of reptiles within the 2km search area.

4.3.9.2. The site provides a generally low potential for reptiles due to the previously managed nature of the habitats, the high levels of disturbance and the lack of suitable refugia. The site, although connected to habitats to the southwest, is also relatively well isolated from other reptile habitats within the area.

4.3.9.3. Therefore, it is assessed as unlikely that the proposed development will have a significant impact on reptiles with precautionary working methods implemented during the site clearance further reducing the potential.

4.3.10. Water Voles

4.3.10.1. GMRC did not return any records of water voles (*Arvicola amphibius*) within the 2km search area.

4.3.10.2. No watercourses or other waterbodies that would provide a suitable habitat for water voles were identified within the surveyed area, or the immediate surrounding area. Therefore, there will be no impact on water voles during any works on the site.

4.4. Invasive Non-Native Plant Species

4.4.1. One invasive non-native plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 was identified within the surveyed area, that species was cotoneaster (*Cotoneaster sp.*).

4.4.2. Cotoneaster was identified growing in several areas around the site (T4), including some areas that appear to be part of previous decorative planting on the site.

4.4.3. Cotoneaster spreads by seed with the seeds present on the plant during the late summer and autumn and viable in the soil for up to two years. Therefore, any works that directly impact on the cotoneaster plants, or disturb the soil around the plants, may cause the spread of the plants to elsewhere on the site, or off site, if strict control measures are not put in place during the works.



Figure 45: Cotoneaster present in the scrub on site.



Figure 46: Cotoneaster plants in decorative planting.

5. RECOMMENDATIONS

5.1. Designated Sites

5.1.1. It is recommended that the recommendations in section 5.3.1 of this report, relating to great crested newts, are implemented to prevent the proposed works impacting on the Ponds at Davenport Green SBI.

5.2. Habitats

5.2.1. It is recommended that impact on the priority hedgerows (h2a) are minimised during the proposed works and that specific permission is sought from the local authority for any hedgerow removal that is required.

5.2.2. It is recommended that the higher value habitats within the surveyed area, the trees, scrub and standing water, are retained where possible during the proposed works to retain the ecological value of the site.

5.2.3. It is also recommended that consideration is given to including a sensitive landscaping scheme on the site post development, including areas of grassland that are subjected to less management, to maintain connectivity for species across the site, notably great crested newts.

5.3. Fauna

5.3.1. Amphibians

5.3.1.1. It is recommended that a great crested newt presence/absence survey of the pond within the surveyed area is carried out to establish whether the pond supports a population of great crested newts. The survey should initially comprise an eDNA survey of the pond carried out between mid-April and the end of June.

5.3.1.2. It is recommended that detailed plans for the works are put together and that a further assessment of the potential impact on great crested newts is carried out by a suitably licenced ecologist and on completion of the presence/absence survey of the pond on site. The assessment should aim to identify areas of the proposed works that are likely to impact on great crested newts or other amphibians.

5.3.1.3. Where it is deemed likely that the proposed works will impact on great crested newts it is recommended that the works are carried out under licence from Natural England. The licence application process may require additional surveys to be carried out of any ponds within 500m of the proposed works.

5.3.2. Badgers/Mammals

5.3.2.1. It is recommended that precautionary working methods are implemented to prevent badgers or other animals becoming trapped during the development. The measures should include all excavations having at least one sloping side, to allow animals to escape, and all pipe ends being blocked between shifts.

5.3.3. Bats

5.3.3.1. The buildings on the site were assessed as providing a negligible potential to support roosting bats. Therefore, there is no requirement for further bat surveys of the buildings or for a Natural England licence to cover works that will affect the buildings. It is however recommended that works affecting the buildings are carried out with care due to the known presence of bats in the surrounding area.

5.3.3.2. In the unlikely event that bats are encountered during the works it is recommended that the bats remain in a sheltered location, all works on the buildings cease and further advice is sought immediately.

5.3.3.3. Ideally it is recommended that the trees on the site are retained and that light levels around the trees remain consistent with the previous use of the site.

5.3.3.5. Following the ground assessment additional aerial inspections or bat activity surveys of the trees should be carried out, in line with the Bat Conservation Trust (BCT) Good Practice Guidelines (2016).

5.3.3.6. It is recommended that the design of the development aims to retain the linear vegetation, notably the hedgerows throughout the site and the scrub and trees around the playing fields and that light levels around the features remain consistent with the previous use of the site.

5.3.3.7. If there is a requirement to remove linear features from the site or to change light levels around the features, it is recommended that the works are preceded by a further assessment of the bat foraging and commuting activity on and around the site. In line with the BCT Good Practice Guidelines (2016) the surveys should comprise a single walked transect survey each month from April to October with static monitoring for a period of at least five consecutive days at two locations per transect.

5.3.3.8. During the development it is recommended that the site is enhanced for bats through the inclusion of suitable bat roosting features, in the form of bat bricks or bat boxes located in suitable locations on the trees and buildings around the site, and through the implementation of a sensitive lighting scheme, in line with BCT and Institute of Lighting Professionals (ILP) guidance (2018).

5.3.4. Birds

5.3.4.1. It is recommended that initial site clearance works avoid the nesting season, which extends from March to September each year, depending on the weather. Any site clearance works, including building demolition, carried out during the nesting season should be immediately preceded by a thorough nesting bird survey carried out by a suitably experienced surveyor. Any nests identified must remain undisturbed, along with a suitable buffer around the nest, until the young have fledged.

5.3.4.2. It is recommended that the site is enhanced for birds through the planting of suitable native vegetation and through the erection of bird boxes, of varying designs including boxes specific to threatened bird species, on the buildings and trees around the site.

5.3.5. Hedgehogs

5.3.5.1. It is recommended that any initial site clearance avoids the peak hibernation season for hedgehogs.

5.3.5.2. Initial site clearance should be carried out with care and the areas underneath the vegetation inspected for animals. In the event that any hedgehogs are encountered they should be allowed to move away of their own accord or carefully moved to areas of suitable refugia outside the development footprint.

5.3.5.3. It is recommended that the site is enhanced for hedgehogs through the inclusion of areas of dense vegetation and hedgehog houses for shelter and through the hedgehog highways, holes a minimum of 130mm in diameter, in any fence lines within the site.

5.4. Invasive Non-Native Plant Species

5.4.1. It is recommended that any work carried out in close proximity to the cotoneaster plants identified on the site is carried out under strict control conditions to prevent the spread of the plant to elsewhere on site, or off site.

6. CONCLUSIONS

6.1. If the proposed works are preceded by additional surveys, where required, are carried out with care and under strict control measures, where required, and include the retention of the high value habitats and additional enhancements for protected species, the impact of the proposed works on the ecological value of the site and the surrounding area will be negligible.

7. REFERENCES

Bright, P., Morris, P. & Mitchell-Jones, T. (2006). The Dormouse Conservation Handbook. 2nd edition. English Nature, Peterborough.

BTHK (2018). Bat Roosts in Trees – A Guide to Identification and Assessment for Tree-Care and Ecology Professionals. Exeter: Pelagic Publishing.

BRHK (2021). Bat Roosts in Rock – A Guide to Identification and Assessment for Climbers, Cavers & Ecology Professionals. Pelagic Publishing, Exeter.

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2017) Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J. (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines. 3rd edition. Bat Conservation Trust, London.

English Nature (2001). Great Crested Newt Mitigation Guidelines. English Nature, Peterborough.

Froglife (1999). Froglife Advice Sheet 10: reptile survey. Froglife, London.

JNCC (2010) Handbook for Phase 1 Habitat Survey – A Technique for Environmental Audit, JNCC, Peterborough.

Strachan, R., Moorhouse, T. and Gelling, M. (2011) Water Vole Conservation Handbook. Third Edition. Wildlife Conservation Research Unit, Oxford.

UK Habitat Classification Working Group (2018). UK Habitat Classification User Manual at <http://ecountability.co.uk/ukhabworkinggroup-ukhab>

Legislation and Policy.

Conservation of Habitats and Species Regulations 2017. Available at <http://www.legislation.gov.uk/ukxi/2017/1012/contents/made> (Accessed 5th April 2022).

Countryside Rights of Way Act 2000. Available at <http://www.legislation.gov.uk/ukpga/2000/37/contents> (Accessed 5th April 2022).

The Habitats Directive. Available at http://www.ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm (Accessed 5th April 2022).

National Planning Policy Framework (2019). Available at <http://www.gov.uk/government/publications/national-planning-policy-framework--2> (Accessed 5th April 2022).

Natural Environment and Rural Communities (NERC) Act 2006. Available at <http://www.legislation.gov.uk/ukpga/2006/16/contents> (Accessed 5th April 2022).

The Wildlife and Countryside Act 1981. Available at <http://www.legislation.gov.uk/ukpga/1981/69> (Accessed 5th April 2022).

APPENDIX I - HABITAT MAP



Appendix I: Habitat Map

Dixon's Academy, Manchester
20220021-PEA

 Restricted Access

Habitats

 g3c Other neutral grassland

 g3c-10,11 Other neutral grassland - scattered scrub, scattered trees

 g3c-11 Other neutral grassland - scattered trees

 g3c-64 Other neutral grassland - mown

 h3h Mixed scrub

 h3h-11 Mixed scrub - scattered trees

 r1 Standing open water and canals

 u1b Developed land; sealed surface

 u1b5 Buildings

Linear Habitats

 h2a Hedgerows (Priority Habitat)

 h2b Other hedgerows

 u1e Built linear features

0 30 60 m





Appendix I: Habitat Map

Dixon's Academy, Manchester
20220021-PEA

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Habitats

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 u1b Developed land; sealed surface

 u1b5 Buildings

Linear Habitats

 h2a Hedgerows (Priority Habitat)

 h2b Other hedgerows

 u1e Built linear features

0 30 60 m



APPENDIX II - TARGET NOTES



Appendix II: Target Notes

Dixon's Academy, Manchester
20220021-PEA

 Red Line

 Restricted Access

Target Notes

-  T1 Pigeon activity
-  T2 Tree with bat potential
-  T3 Pond
-  T4 Cotoneaster
-  T5 Tree with bat potential
-  T6 Trees with bat potential
-  T7 Trees with bat potential
-  T8 Trees with bat potential
-  T9 Tree with bat potential
-  T10 Trees with bat potential
-  T11 Tree with bat potential
-  T12 Areas of restricted access

0 50 100 m



Target Notes

T1	Pigeon droppings and other activity around Building 1, indicating potential nesting.	
T2	A large mature oak tree that displays PRF suitable to support roosting bats.	
T3	A pond located within the surveyed area. A fox was identified in the vegetation around the pond during the survey.	
T4	Cotoneaster plants identified in areas of scrub and old decoratively planted locations.	
T5	A horse chestnut tree on the boundary of the site that may provide suitable roosting opportunities for bats.	

T6	Large lime and ash trees along the site boundary that may provide suitable opportunities for roosting bats.	
T7	A line of large oak and beech trees that may provide suitable roosting opportunities for bats.	
T8	Semi mature and mature trees along the site boundary with some ivy cover. The trees may provide suitable opportunities for roosting bats.	
T9	A large ivy covered mature oak tree that displays visible PRF suitable to support roosting bats.	
T10	A line of trees on the site boundary that provide potential to support roosting bats.	

T11	A large poplar tree with visible PRF that may support roosting bats.	
T12	Areas of the site that are currently used as an active school site and therefore could not be accessed during the survey.	

APPENDIX III - SPECIES LISTS

g3c Other neutral grassland – 10 scattered scrub & 11 scattered trees	
Species Present	DAFOR Assessment
Fescue (<i>Festuca sp.</i>)	A
Meadow grass (<i>Poa sp.</i>)	A
Yorkshire fog (<i>Holcus lanatus</i>)	O
Meadow buttercup (<i>Ranunculus acris</i>)	O
Lesser trefoil (<i>Trifolium dubium</i>)	O
Dock (<i>Rumex sp.</i>)	O
Ribwort plantain (<i>Plantago lanceolata</i>)	F
Red clover (<i>Trifolium pratense</i>)	O
Dandelion (<i>Taraxacum officinale</i>)	F
Tormentil (<i>Potentilla erecta</i>)	O
Common ragwort (<i>Senecio jacobaea</i>)	O
Vetch (<i>Vicia sp.</i>)	F
Horsetail (<i>Equisetum sp.</i>)	O
Moss	F
<i>Scattered scrub</i>	
Bramble (<i>Rubus fruticosus</i>)	F
Oak (<i>Quercus sp.</i>)	O
Silver birch (<i>Betula pendula</i>)	O
Herb Robert (<i>Geranium robertianum</i>)	O
Cotoneaster (<i>Cotoneaster sp.</i>)	O
Sycamore (<i>Acer pseudoplatanus</i>)	O
Alder (<i>Alnus glutinosa</i>)	R
Buddleia (<i>Buddleia davidii</i>)	R
Great willowherb (<i>Epilobium hirsutum</i>)	O
Ash (<i>Fraxinus excelsior</i>)	O
Wood avens (<i>Geum urbanum</i>)	O
Broad leaved willowherb (<i>Epilobium montanum</i>)	O
Thistle (<i>Cirsium sp.</i>)	O
<i>Scattered trees</i>	
Oak (<i>Quercus sp.</i>)	O
Willow (<i>Salix sp.</i>)	O
Beech (<i>Fagus sylvatica</i>)	O

Silver birch (<i>Betula pendula</i>)	O
Lime (<i>Tilia sp.</i>)	O
Horse chestnut (<i>Aesculus hippocastanum</i>)	R
Cherry (<i>Prunus sp.</i>)	O
Alder (<i>Alnus glutinosa</i>)	R
Field maple (<i>Acer campestre</i>)	R
Hawthorn (<i>Crataegus monogyna</i>)	R

h3h Mixed scrub – 11 scattered trees	
Species Present	DAFOR Assessment
Hawthorn (<i>Crataegus monogyna</i>)	O
Ash (<i>Fraxinus excelsior</i>)	O
Cotoneaster (<i>Cotoneaster sp.</i>)	O
Ribwort plantain (<i>Plantago lanceolata</i>)	O
Meadow grass (<i>Poa sp.</i>)	O
Yorkshire fog (<i>Holcus lanatus</i>)	O
Herb Robert (<i>Geranium robertianum</i>)	O
Cleavers (<i>Galium aparine</i>)	F
Sycamore (<i>Acer pseudoplatanus</i>)	O
Elder (<i>Sambucus nigra</i>)	R
Thistle (<i>Cirsium sp.</i>)	O
Vetch (<i>Vicia sp.</i>)	F
Great willowherb (<i>Epilobium hirsutum</i>)	O
Cherry (<i>Prunus sp.</i>)	O
Bramble (<i>Rubus fruticosus</i>)	F
Nettle (<i>Urtica dioica</i>)	F
Oak (<i>Quercus sp.</i>)	O
Goat willow (<i>Salix caprea</i>)	O
Prickly sow thistle (<i>Sonchus asper</i>)	O
Dogwood (<i>Comus sanguinea</i>)	R
Dog rose (<i>Rosa canina</i>)	O
Cow parsley (<i>Anthriscus sylvestris</i>)	O
<i>Scattered trees</i>	
Sycamore (<i>Acer pseudoplatanus</i>)	O
Ash (<i>Fraxinus excelsior</i>)	F
Oak (<i>Quercus sp.</i>)	O
Goat willow (<i>Salix caprea</i>)	R

Lombardy poplar (<i>Populus nigra 'italica'</i>)	F
Black poplar (<i>Populus x canadensis</i>)	R

r1 Standing open water and canals	
Species Present	DAFOR Assessment
Bulrush (<i>Typha latifolia</i>)	A
Flag iris (<i>Iris pseudocorus</i>)	O
Rush (<i>Juncus sp.</i>)	O
Willow (<i>Salix sp.</i>)	O

h2a Hedgerows (Priority Habitat)	
Species Present	DAFOR Assessment
Yew (<i>Taxus baccata</i>)	F (locally D)
Horse chestnut (<i>Aesculus hippocastanum</i>)	R
Ash (<i>Fraxinus excelsior</i>)	O
Sycamore (<i>Acer pseudoplatanus</i>)	O
Dogwood (<i>Comus sanguinea</i>)	O
Hornbeam (<i>Carpinus betulus</i>)	O (locally D)
Beech (<i>Fagus sylvatica</i>)	O
Hawthorn (<i>Crataegus monogyna</i>)	F
Ivy (<i>Hedera helix</i>)	O

h2b Other hedgerows	
Species Present	DAFOR Assessment
Laurel (<i>Laurus nobilis</i>)	A
Ash (<i>Fraxinus excelsior</i>)	O
Dogwood (<i>Comus sanguinea</i>)	O

APPENDIX IV - DEVELOPMENT PLANS

There are currently no detailed development plans for the site.

APPENDIX V - PLANNING POLICY AND SPECIES LEGISLATION SUMMARY

1. Planning Policy

1.1. The National Planning Policy Framework (NPPF, 2019) sets out the governments planning policies and how they should be applied. Section 15 of the policies refers to 'Conserving and enhancement the natural environment'. This outlines how local authorities should deal with biodiversity when considering planning applications.

1.2. NPPF paragraph 175 States:

When determining planning applications, local planning authorities should apply the following principles;

- a) *If significant harm to biodiversity 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;*
- b) *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 interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) *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*
- d) *Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvement in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

2. Legislation Summary

Site	Legislation	
Locally Designated Sites	Locally designated sites are not covered by any statutory legislation but are protected by local development plans.	
Statutory Sites	Statutory sites are protected in different ways depending on the reason for the sites designated with sites being covered by legislation including the Wildlife and Countryside Act 1981 and the Habitats Directive.	
Species and Habitats of Principal Importance	Species and habitats of principal importance are covered by the Natural Environment & Rural Communities Act 2006.	
Species	Legislation	Offences include
Badgers	Protection of Badgers Act 1992	○ Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so; ○ To intentionally or recklessly interfere with a sett (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).
Bats	Conservation of Habitats and Species Regulations 2017 (as amended)	○ Deliberately kill, injure or capture a bat; ○ Deliberately disturb bats; ○ Damage or destroy a breeding site or resting place of a bat.

	Wildlife and Countryside Act 1981	○ Obstruct access to any structure or place which any bat uses for shelter or protection; or ○ Disturb any bat while occupying a structure or place which it uses for that purpose.
Birds	Wildlife and Countryside Act 1981	○ Intentionally kill, injure, or take any wild bird; ○ Intentionally take, damage or destroy a nest of any such bird whilst it is in use or being built; or ○ Intentionally take or destroy an egg of any such bird.
Crayfish	Wildlife and Countryside Act 1981	○ Obstruct access to any structure or place which a crayfish uses for shelter or protection; or ○ Disturb a crayfish while occupying a place which it uses for that purpose.
Great Crested Newts	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Intentionally or deliberately capture, injure, kill, or disturb the species; ○ Intentionally or recklessly damage, destroy or disturb a GCN in a place of shelter or protection, or obstruct access to such a place; or ○ Damage or destroy a breeding site or resting place.
Hazel Dormice	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Deliberately capture, injure or kill a dormouse; ○ Deliberately disturb dormice; ○ Damage or destroy a breeding site or resting place of a dormouse ○ Obstruct access to any structure or place which a dormouse uses for shelter or protection; or ○ Disturb a dormouse while occupying a structure or place which it uses for shelter or protection
Otters	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Deliberately capture, injure or kill any wild otter; ○ Deliberately disturb wild otters; ○ Damage or destroy a breeding site or resting place of an otters. ○ Disturb an otters while it is occupying a structure or place which it uses for shelter or protection; or ○ Obstruct access to such a place.
Red Squirrels	Wildlife and Countryside Act 1981	○ Kill, injure or take a red squirrel; ○ Damage, destroy or obstruct access to any structure or place which a red squirrel uses for shelter or protection; or ○ Disturb a red squirrel while it is occupying a structure or place which is used for that purpose.
Reptiles (non EPS)	Wildlife and Countryside Act 1981	○ Intentionally kill or injure a reptile.
Water Voles	Wildlife and Countryside Act 1981 Natural Environment & Rural Communities (NERC) Act 2006	○ Intentionally capture, kill or injure water voles; ○ Intentionally or recklessly damage, destroy or block access to their places of shelter or protection; or ○ Disturb water voles while occupying a place of shelter used for that purpose.

Local authorities therefore have a duty to consider protected species as a material consideration when assessing planning applications. The ODPM Government Circular 06/2005 states: *'It is essential that*

the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'