



Preliminary Ecological Appraisal

Land at Barlow Moor Road, Manchester

Dalcour Maclaren

CRM.3022.002.EC.R.001

Contents

1.0	INTRODUCTION	5
1.1	Commission	5
1.2	Proposed Development/Identification of Impacts	5
1.3	Aims and Objectives	5
1.4	Background/Acknowledgments	5
1.5	Local Planning Policy	6
1.6	Site Context	6
2.0	METHODOLOGY	8
2.1	Desk Study	8
2.2	Field Survey	8
2.3	Assessment	10
2.4	Limitations	13
3.0	BASELINE ECOLOGICAL CONDITIONS	14
4.0	ASSESSMENT AND MITIGATION	21
5.0	ENHANCEMENT AND MONITORING	25
6.0	CONCLUSION	27
7.0	REFERENCES	28

Tables and Figures

FIGURE 1 – SITE AREA	7
TABLE 1 – SURVEY DATES AND CONDITIONS	8
TABLE 2 – ECOLOGICAL FEATURES	14

TABLE 3 – ASSESSMENT OF EFFECT AND MITIGATION MEASURES.....	21
TABLE 4 – ENHANCEMENT & MONITORING	25

Drawings and Appendices

DRAWING CRM.3022.002.EC.D.001 – UK HABITAT CLASSIFICATION MAP	30
---	----



DRAWING CRM.3022.002.EC.D.003 – BAT TREE PRELIMINARY ROOST ASSESSMENT MAP	32
---	----

APPENDIX A - LEGISLATION AND NATIONAL PLANNING POLICY	33
---	----

Non-Technical Summary

- i. Dalcour Maclaren commissioned Enzygo Ltd to undertake a Preliminary Ecological Appraisal (PEA) of Land at Barlow Moor Road, Chorlton, Manchester M21 7GZ (central grid reference: SJ 82338 92769) in May 2022. The land is located within the Manchester City Council planning authority. This study will inform proposals to install a kiosk to house a new gas governor.
- ii. The following key ecological features and associated recommendations have been identified:
 - **Broadleaf Woodland and Green Infrastructure** – The site supports broadleaf woodland which provides a stepping-stone habitat contributing to a wildlife corridor and green infrastructure function across the developed landscape. This habitat is not assessed as Priority Habitat woodland. It is recommended that the final site layout minimises woodland clearance as far as is feasible to permit development. A sensitive lighting strategy will be required to avoid degradation of the retained woodland and surrounding habitat. Compensation for the woodland loss will likely be required in order to demonstrate an overall biodiversity net gain. This could be achieved through off-site woodland planting or financial contribution;
 - **Bats** – There were no buildings or structures within the site, however two trees have been assessed as potentially providing Low suitability for roosting bats. The woodland provides a limited extent of suitable foraging and commuting habitat. Precautionary measures are recommended during the felling of identified Low suitability trees. No further pre- determination survey necessary in accordance with current guidance;
 - **Nesting Birds** – The woodland provides a limited extent of suitable nesting habitat for a restricted range of nesting birds likely to be present in the local area – It is recommended that site clearance is undertaken outside of the nesting bird season. However, if this is not possible, an Ecological Clerk of Works (ECOW) will be necessary to advise and supervise works to ensure that no active nests will be affected. No further detailed breeding bird surveys deemed necessary in this instance;
 - **Invasive Flora** – A small area of Variegated Yellow Archangel (*Lamiastrum galeobdolon*) is present at the northern boundary of the site. No other invasive species as listed on Schedule 9 of the Wildlife and Countryside Act 1981). It is recommended this species is removed during the construction phase, through grubbing out by the roots and either burying on site or otherwise disposing of responsibly off-site. It is not considered a detailed Invasive Species Eradication Plan is necessary in this instance;
 - **Common Reptiles and other Priority Species** – The woodland provides a limited extent of suitable shelter, refuge and foraging habitat for other wildlife such as Common Toad, Hedgehog and Slow-worm - Precautionary measures are recommended during the construction phase to minimise the risk of killing/injury of other Priority Species. No further detailed Reptile Survey deemed necessary;

- iii. In accordance with The Environment Act 2021, a demonstrable 10% overall net gain in habitat units will likely be required using a DEFRA Metric 3.1 calculation, with irreplaceable habitats retained and habitat trading rules satisfied. In this instance, a compensation strategy for the unavoidable woodland loss will need to be determined and agreed with the LPA, this may include off-site habitat creation or agreement on a financial contribution.
- iv. This report has demonstrated that, if the outlined mitigation measures are implemented in full and a sensitive final site layout is produced, and subject to agreement on compensation for woodland loss, then no significant residual impact could be expected, and the proposed application will result in 'no net loss in biodiversity,' whilst also providing opportunities for 'biodiversity net gain' in accordance with NPPF and Local Planning Policy.

1.0 Introduction

1.1 Commission

- 1.1.1 Dalcour Maclaren commissioned Enzygo Ltd in May 2022 to undertake a Preliminary Ecological Appraisal (PEA) of Land at Barlow Moor Road, Chorlton, Manchester M21 7GZ (central grid reference: SJ 82338 92769). The site is located within the Manchester City Council planning authority. This study will inform proposals to install a kiosk to house a new gas governor.
- 1.1.2 *Note: Enzygo Ltd are not considered to act as a Principal Designer for any mitigation/enhancement strategies identified within this document in accordance with the Construction (Design and Management) Regulations 2015 (CITB, 2016).*

1.2 Proposed Development/Identification of Impacts

- 1.2.1 The study will inform proposals to install a kiosk to house a new gas governor (approximately 8.5m x 6.5m x 2.25m), on land to the rear of existing substations off Barlow Moor Road, Manchester. At the time of writing, no plans for the proposed development were available. However, it is assumed this will require the removal of existing woodland and construction of a new kiosk building with associated access, fencing and other infrastructure. This document can be updated into an Ecological Impact Assessment (EclA) once a final layout and associated confirmation of impacts on ecological features has been identified.
- 1.2.2 This report identifies ecological features, and potential impacts and effects, recommends proportionate avoidance/mitigation/compensation strategies, followed by enhancements. This information will advise the client on the potential constraints to proposals and inform the final site design. A corresponding zone of influence has been considered (this includes any transboundary effects regardless of administrative areas).

1.3 Aims and Objectives

- 1.3.1 The purpose of this report is to provide biodiversity information which succinctly identifies ecological features on site and within the corresponding zone of influence, identifies potential impacts resulting from the proposals, associated effects to ecological features, recommends proportionate avoidance, mitigation and compensation strategies, and identifies enhancements that can be implemented in accordance with the British Standard for Biodiversity BS42020:2013 (BSI, 2013) to demonstrate 'no net loss in biodiversity' and a 'biodiversity net gain' in accordance with NPPF and Local Planning Policy.
- 1.3.2 This report has been produced with reference to current *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017a), *Guidelines for Ecological Impact Assessment in the UK and Ireland, Terrestrial, Freshwater, Coastal and Marine* (CIEEM, 2018), *Bat Surveys for Professional Ecologists Good Practice Guidelines (3rd edn)* (Collins, 2016), *Bat Tree Habitat Key* (Andrews, 2013), [REDACTED] *Guidelines for Ecological Report Writing* (CIEEM, 2017b), and British Standard BS42020:2013 (BSI, 2013).

1.4 Background/Acknowledgments

- 1.4.1 A search of Manchester City Council planning website has not identified any previous planning applications associated with the site. Previous applications in the immediate surrounding area, including a 2021 application 20m to the north for a "first floor side and rear extension" (planning

reference 132172/FH/2021), are not supported by any available ecological survey or assessment information.

- 1.4.2 It is our understanding that to date, there have been no correspondence with the County Ecologist or any other statutory consultees regarding this application. Additionally, we have not been informed of any Local Validation requirements i.e. biodiversity checklist for completion or specific standards for surveys.

1.5 Local Planning Policy

- 1.5.1 The following policies of the Manchester City Council Core Strategy 2012-2027 (Manchester City Council, 2012) are applicable to biodiversity and nature conservation (summary of policy provided, refer to Core Strategy document for full details):

- **Policy EN 9: Green Infrastructure** - *New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure*
- **Policy EN 15: Biodiversity and Geological Conservation** – *seek to maintain and enhance sites of biodiversity value. Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate. Any adverse impacts on biodiversity will need to be justified against the wider benefits of the proposal. Where adverse impacts are unavoidable, developers will be required to provide appropriate mitigation and/or compensation.*

- 1.5.2 No saved policies of the Unitary Development Plan are specifically applicable to this assessment or location. There are also no additional supplementary planning guidance documents (SPDs) which are applicable to nature conservation or biodiversity.

- 1.5.3 Refer to Appendix A for relevant details of European and National Legislation, and National Planning Policy.

1.6 Site Context

- 1.6.1 The approximately 0.02ha site comprises an area of unmanaged deciduous woodland habitat to rear of existing substations and between residential properties. The north-eastern, south-eastern and south-western boundaries are demarcated by fencing with residential gardens to the north-east and south-west, and substations and a hardstanding track to the south-east. The north-western boundary is undefined and routes across the woodland habitat, with further woodland and residential properties beyond. The wider landscape is characterised by extensive residential development and with the Manchester Crematorium to the south-east.

- 1.6.2 The site lies within the Manchester Conurbation National Character Area (Natural England, 2013) which “*is characterised by dense urban and industrial development, commercial, financial, retail and administrative centres, commuter suburbs and housing, interspersed with a network of green infrastructure. The conurbation is centred on low hills, crossed by several river valleys that thread through the urban fabric.*”

Figure 1 – Site Area



Image courtesy of Google Image Pro 7.3.2.5491, [Grid Ref: SJ 82338 92769]. Imagery date March 2021. Image accessed 28th July 2022.

2.0 Methodology

2.1 Desk Study

2.1.1 Desk study details were obtained from the following sources on the associated dates to provide background on ecological features in the vicinity of the site. In each case the search included the site and the specified area beyond the site boundary based on the expected zone of influence. Candidate and potential designations are considered too as these are also legally protected. Records search for included:

- Statutory sites designated or classified under international conventions or European legislation within a 5km radius, statutory sites designated under national legislation (including Marine), existing EPS Licence applications and Great Crested Newt Pond Survey records within a 2km radius, and Priority Habitat & Ancient Woodland Inventory within a 0.5km radius [Magic Map, 28th July 2022] (DEFRA, 2022);
- Tree Preservation Orders (TPOs) and Biodiversity Conservation Areas within the immediate zone of influence [Manchester City Council website, 28th July 2022];
- Waterbodies within a 0.5km radius (Online mapping sources including: Google Maps; Magic Map; and Ordnance Survey Street View, 28th July 2022); and
- Locally designated wildlife sites & any notified Local Biodiversity Action Plan (BAP) Habitats, Legally protected species, any Priority species (which includes: National Biodiversity Species, Local BAP Species, Species of conservation concern and Red Data Book (RDB) species, Birds of Conservation Concern (BOCC), nationally rare and nationally scarce species, and OSPAR Commission list of threatened/declining species) and Invasive species (listed under section 14 of Schedule 9 only) within a 2km radius, and any important hedgerows/veteran trees within the immediate zone of influence [Greater Manchester Local Record Centre (GMLRC), 29th June 2022].

2.1.2 The Data has been edited where relevant to prevent sensitive or confidential records being made public in accordance with Guidelines for Accessing and Using Biodiversity Data (CIEEM, 2016).

2.2 Field Survey

2.2.1 Field Surveys were undertaken on the following dates by the identified staff, all of whom satisfy necessary field survey competencies as stipulated by the Chartered Institute for Ecology and Environmental Management (CIEEM). Weather conditions on the day of survey have been included and where relevant survey/class licence numbers referred to.

Table 1 – Survey Dates and Conditions

Survey	Date	Staff/Licence	Environmental Conditions and Times
Preliminary Ecological Appraisal, [REDACTED] and Preliminary Ground-level Bat Tree Assessment	04/07/2022	Chris Schofield ACIEEM MSc. BSc. (Hons) [Senior Ecologist at Enzygo] under the guidance of Derek Allan MCIEEM MSc BSc [Hons] (Director of Ecology at Enzygo and a licensed bat surveyor (Natural England licence Level 2, 2015-14659-CLS-CLS)).	Dry and overcast (80% cloud cover), and 16°C with a light wind.

Preliminary Ecological Appraisal

- 2.2.2 In accordance with Guidelines for Preliminary Ecological Appraisal 2nd Edition (CIEEM, 2017a) the Preliminary Ecological Appraisal (PEA) survey included the following.

UK Habitat Classification

- 2.2.3 This assessment has utilised the UK Habitat Classification (UKHab) methodology (UKHab, 2020), which has been adopted to replace the previously used Phase I Habitat Survey (JNCC, 2010) as the recommended published method of habitat classification. It has been used to categorise and map the primary habitat types present within the survey area using a standard set of habitat categories, with associated secondary codes/features identified where applicable. Details of current management and habitat condition have also been recorded where appropriate.
- 2.2.4 Each of the main habitats has been described; including details of component plant species abundances (recorded using the DAFOR scale: D=Dominant, A=Abundant, F=Frequent, O=Occasional, R=Rare). Additionally, any stands of non-native invasive plant species were recorded. Habitat extents have been visually mapped onto a topographic plan, with approximate location/areas recorded only (a GPS unit has not been utilised to accurately recorded these).

Assessment of possible presence/likely importance for Protected & Priority Species

- 2.2.5 An assessment of the possible presence of protected or priority species, and the likely importance of habitat features present for such species has also been undertaken, particularly where uncommon or specialised habitats are present in accordance with current PEA guidelines (CIEEM, 2017a). However, no specific protected species survey has been undertaken unless listed under additional surveys as below. Any incidental sightings of protected or priority species, or field signs of such species has also been recorded. Species assessed include: Plants & Fungi; Terrestrial/aquatic invertebrates; Fish; Amphibians; Reptiles; Breeding, wintering and migratory birds; Bats (including potential roost sites, foraging and commuting habitats/features), badger, and Other mammal species.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Preliminary Ground Level Bat Tree Assessment

Scoping (non-specialist) survey for roosts: individual trees and groups of trees

2.2.6 With reference to current survey guidelines BS8596:2015 (BSI, 2015), a scoping (non-specialist) survey for roosts of individual trees and groups of trees within and immediately adjacent to the site, was undertaken. Each tree was visually inspected from the ground (with the aid of binoculars and a high-powered torch) to identify Potential Roosting Features (PRFs), including checks for the presence of the following features that bats might use:

- Natural holes (e.g. knot holes) arising from naturally shed branches, or branches previously pruned back to the branch collar;
- Man-made holes (e.g. cavities that have developed from flush cuts) or cavities created by branches tearing out from parent stems;
- Woodpecker holes;
- Cracks/splits in stems or branches (both vertical and horizontal);
- Partially detached or loose, platy bark;
- Cankers (caused by localised bark death) in which cavities have developed;
- Other hollows or cavities, including butt rots;
- Compression forks with included bark, forming potential cavities;
- Crossing stems or branches with suitable space between for roosting;
- Ivy stems with diameters in excess of 50mm with suitable roosting space behind (or where a roosting space can be seen where a mat of thinner stems has left a gap between the mat and the trunk);
- Bird and Bat boxes on trees; or
- Other features that offer a place of shelter.

2.3 Assessment



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Assessment of Suitability of Trees for Roosting Bats

2.3.1 Following the preliminary assessment of trees, based on the signs present, each tree was classified as one of the following categories in accordance with current guidance BS8596:2015 (BSI, 2015):

- **Known or confirmed roost** – Trees with evidence of bat use or bat presence;
- **High/medium risk** – Trees with a suitable PRF, or with several features with some bat roost potential;
- **Low risk** – Trees of sufficient size and age to contain bat roosts but with no obvious PRFs seen during the scoping survey, or features seen with limited roosting potential only, e.g. small amounts of Ivy; or
- **Negligible/no risk** – Trees with apparently no potential to support bats.

Assessment of Potential Development Impacts

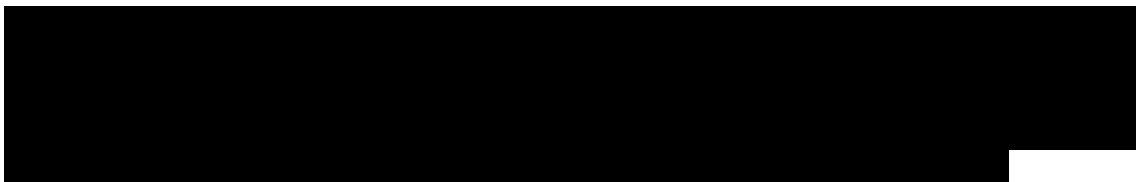
2.3.2 A level of importance has been assigned to each ecological feature, where sufficient baseline data is available to do so, in accordance with current guidance (CIEEM, 2018). This is defined within a geographical context as follows: International and European; National; Regional; Metropolitan, County, vice-county or other local authority-wide area; River Basin District; Estuarine system/Coastal cell; and Local (plus Negligible where no associated value has been identified). For example, importance of designated sites reflects the geographical context of the designation (where designated sites no longer meet designation criteria and those formally 'de-notified' or where an undesignated site meets published selection criteria must also be considered). When considering habitats and species contextual information about distribution

and abundance of that habitat/species in the area must be considered (if the habitat/species status is currently in a degraded or unfavourable condition its potential value should be considered).

- 2.3.3 The assessment then considers potential impacts (both positive and negative) generated during the construction and operational phase of the proposed application. Only impacts that are likely to be significant are considered. Impacts that are either unlikely to occur, or if they did occur are unlikely to be significant, are not considered.
- 2.3.4 Cumulative impacts are then considered where the application meets criteria in accordance with national EIA screening guidance (GOV.UK, 2019), and where agreed with the competent authority during scoping. This takes into consideration existing background levels of threat or pressure, looks at critical thresholds, and assess both additive/incremental and associated/connected impacts and effects.
- 2.3.5 Relevant aspects of ecological structure and function are then considered when determining if identified impacts will have a significant effect upon ecological features. Where necessary, this assessment utilises information from other specialists i.e. air quality, hydrology etc, to determine the level of impact. In accordance with current guidance (CIEEM, 2018) these are described using the following characteristics, where relevant: positive or negative; extent; magnitude; duration; frequency and timing; and reversibility.
- 2.3.6 The mitigation hierarchy is then explored in accordance with BS42020:2013 (BSI, 2013). This seeks as a preference to avoid impacts, then to mitigate unavoidable impacts, and as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures. Justification has been provided by the client/their planner where the mitigation hierarchy cannot be followed, or for example where compensation is a preferred approach where the competent authority has adopted a County wide strategy i.e. District Level Licensing Schemes (GOV.UK, 2019). In this instance current national Biodiversity Offsetting guidance has also been consulted (GOV.UK, 2019). Additional information has also been provided by the client/their planner where the applicant wishes to demonstrate exceptional circumstances or where they wish to pursue alternative strategies. Any residual impacts following mitigation measures etc are then identified.
- 2.3.7 All mitigation measures follow species specific current best practice guidance and the source has been identified accordingly. Deviation from guidance has been explained by the ecologist and is proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed works.
- 2.3.8 It is important that planning decisions are based on up-to-date ecological data, and the specific timeframe over which survey data is considered valid follows general advice (CIEEM, 2019). Additionally, it should be noted that the presence/absence and status of protected species can change seasonally/annually. The age of data should also be assessed separately when considering the submission of an EPS Licence (i.e. Natural England may require data to be from the current season).
- 2.3.9 Local Environmental Records Centres (LERC) issue a licence for use of provided biodiversity data for 1 year only, after which time this should be renewed to validate an application (and reports updated accordingly to incorporate any new records). Following completion of surveys all relevant biodiversity data will be submitted to the relevant LERC and other groups as appropriate.

2.4 Limitations

- 2.4.1 Data held by consultees may not be exhaustive; the absence of evidence does not indicate evidence of absence. Enzygo cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur.
- 2.4.2 Natural England do not hold information of Ancient Woodland less than 2ha in size.
- 2.4.3 Records over 10 years old for transient species (as these are likely to have moved during the interim) and species protected from sale only under the W&C Act 1981 and amendments, are excluded (as these are not relevant to a planning application). Additionally, given the large number of priority species, these have only been included if identified from the desk study and/or habitats recorded on site have been assessed as providing suitable conditions.
- 2.4.4 Geological sites have only been included within this report where they have biodiversity or nature conservation components to their designation.
- 2.4.5 At certain times of year flora species may be in a state of senescence and are not readily identifiable. However, July represents a favourable time to identify the majority of flora species, including woodland ground flora, and it was possible to easily classify the commonly occurring habitat types. The timing of the survey is not perceived as a survey limitation.
- 2.4.6 This document does not contain a comprehensive list of botanical species on site. Only plant species characteristic of each habitat and incidental observations of notable plant species were recorded.
- 2.4.7 GMLRC and Manchester City Council do not supply information on Important Hedgerows or Veteran Trees. Manchester City Council also do not have a publicly accessible map of Tree Preservation Orders (TPOs).



3.0 Baseline Ecological Conditions

3.1.1 Ecological features identified by the desk study/field survey are presented below, along with their details and associated ecological value. Refer to Drawings CRM.3022.002.EC.D.001 to .003 for the location/extent of ecological features where relevant.

Table 2 – Ecological Features

Ecological Feature	Details	Ecological Importance
Statutory sites designated or classified under international conventions or European legislation		
<i>None within a 5km radius</i>	-	N/A
Statutory sites designated under national legislation (& Impact Risk Zones)		
Impact Risk Zone (IRZ)	The site does not lie within any Impact Risk Zone (IRZ) for which the LPA are advised to consult Natural England on the likely impacts on designated sites.	N/A
<i>No SSSIs within a 2km radius</i>		
Local Nature Reserves		
Chorlton Water Park Local Nature Reserve (LNR) 775m South	Former gravel pit managed for people and wildlife and is nationally important for wildfowl. Recently extended wildlife pond with wheelchair accessible dipping platform. Specially planted bullfinch area with fruit trees and gorse for cover. Developing woodland areas and rough grassland. Common spotted and marsh orchids in grassland. Crayfish in the lake.	County
Chorlton Ess and Ivy Green LNR 1.2km West	On the site of a former sewage works there are now meadows, wildflowers and woodland walks.	County
Other locally designated wildlife sites		
Chorlton Water Park Site of Biological Importance (SBI) 850m South	Site is noted for its open water habitat and notable assemblage of birds.	County
Hardy Farm SBI 1km West	Site is noted for its semi-natural grassland habitat.	County
Field by Electricity Sub-station SBI 1.1km South	Site is noted for its calcareous grassland habitat.	County
Chorlton Ees SBI 1.3km West	Site is noted for its habitat mosaic and notable assemblage of birds.	County

Ecological Feature	Details	Ecological Importance
Meadows at Sale Water Park SBI 1.4km West	Site is noted for its old grasslands and running water habitat.	County
England HPI, Local BAP Habitats, Ancient Woodland, Important Hedgerows, Veteran Trees, TPOs and Conservation Areas		
Lowland Mixed Deciduous Woodland HPI 230m South-east	Magic Map (DEFRA, 2022) indicates a total of 2.7ha of Deciduous Woodland Priority Habitat within a 500m radius of the site, with the closest a 0.33ha area 230m to the south-east associated with Manchester Crematorium. <i>Note: the woodland within and adjacent to the site is not identified as this Deciduous Woodland Priority Habitat on Magic Map.</i> No woodland identified as Ancient Woodland within a 500m radius.	Local
Green/Blue & Aquatic Infrastructure, Dark Zones, and Local Policy		
Green Infrastructure	The small area of woodland in which the site lies is assessed to represent a minor stepping-stone of habitat across the developed landscape, providing a limited contribution to connectivity between more substantial areas of habitat such as Manchester Crematorium to the south-east and Chorlton Park to the north-west.	Local
Blue Infrastructure	No watercourses or waterbodies within or immediately adjacent to the site and no known hydrological to any watercourses in the wider area.	N/A
Dark Zones	There are no known dark zones across the site. In accordance with the standard guidance specified in the <i>Guidance Notes for Reduction of Obtrusive Lighting</i> (Institution of Lighting Professionals, 2020), the application site likely falls under Environmental Zone E3 (Suburban – Medium district brightness).	N/A

Habitat Types		
Other Broadleaf Woodland (w1g)	The entire site supports young to semi-mature unmanaged broadleaf woodland, with some individual more mature trees. The site boundary covers approximately half of the area of a small plot of woodland which lies to rear of existing substations and between residential properties. The woodland canopy is characterised by abundant Sycamore (<i>Acer pseudoplatanus</i>), Ash (<i>Fraxinus excelsior</i>), and occasional Pedunculate Oak (<i>Quercus robur</i>) and Cherry (<i>Prunus sp.</i>), with occasional Norway Maple (<i>Acer platanoides</i>). The shrub layer supports abundance Garden Privet (<i>Ligustrum ovalifolium</i>) and Holly (<i>Ilex aquifolium</i>), with frequent Snowberry (<i>Symphoricarpos albus</i>), and occasional Hawthorn (<i>Crataegus monogyna</i>), Hazel (<i>Corylus avellana</i>) and Wilson's Honeysuckle (<i>Lonicera nitida</i>). The ground layer is characterised by abundant Bramble (<i>Rubus fruticosus</i> agg.) and Ivy (<i>Hedera helix</i>), and occasional Wood Aven (<i>Geum urbanum</i>), Garlic Mustard (<i>Alliaria petiolata</i>), and Herb-robert (<i>Geranium robertianum</i>). Due to the significantly limited size of this plot of woodland is it not considered this represents Deciduous Woodland Priority Habitat (Maddock, 2008), and is not recognised as such on Magic Map (DEFRA, 2022). It is however the green infrastructure value and stepping-stone function is recognised in the ecological importance assessment.	Local

Legally Protected & Priority Species (& Consultation Zones where applicable)		
Bats  <i>Tree 1 (Mature Sycamore)</i>  <i>Tree 2 (Semi-mature Sycamore with split in the main stem)</i>	No buildings or structures within the site boundary provide any opportunities for roosting bats. Two trees (Trees 1 and 2) were assessed as potentially providing Low suitability for roosting bats in accordance with current guidance (Collins, 2016). - Tree 1 – A mature Sycamore which does not support any notable potential roosting features however is of a size and age where low quality features high up in the tree may be obscured and not visible from ground-level. - Tree 2 – A semi-mature Sycamore which has split in the north face of the main stem from 1-2m high and exposing deadwood. At the top of this split is a hole approximately 8cm by 4cm leading up into a small cavity. This cavity was fully inspected and extends only approximately 5-10cm into the tree. There were no signs of roosting bats. All other trees are assessed as of Negligible value in accordance with current guidance (Collins, 2016), with no potential roosting features noted and trees typically too young to have developed features commonly found on more mature trees (such as hollows, cavities, woodpecker holes etc.). The trees within the site also provide a significantly limited extent of suitable foraging habitat, however, given the considerably small size at the landscape scale, it is not considered to likely represent any significant foraging resource for local bat populations. The local records data search has identified 15 records of bat roosts within a 2km radius recorded in the last 10 years, including roost records of common pipistrelle (<i>Pipistrellus pipistrellus</i>), soprano pipistrelle (<i>Pipistrellus pygmaeus</i>), brown long-eared bat (<i>Plecotus auritus</i>) and daubenton's bat (<i>Myotis daubentonii</i>). The closest is a 2015 record of a brown long-eared bat roost located 1.1km to the north-west. There are records of other signs of bats (i.e. non roost records) within a 2km radius in the last 10 years of common pipistrelle, soprano pipistrelle, <i>Pipistrelle</i> species, brown long-eared bat, noctule (<i>Nyctalus noctula</i>), daubenton's bat, natterer's bat (<i>Myotis nattereri</i>), <i>Myotis</i> species, and unidentified bat species. The closest is a 2014 record of a commuting common pipistrelle from 260m to the north There are also five records of previous Natural England licence applications within a 2km radius, with the closest record from 2015 and associated with a brown Long-eared Bat roost form 1.1km north-west of the site (licence reference 2015-15443-EPS-MIT-1). This is likely associated with the same roost record as detailed above from the local records data search. The remaining four licence records are all beyond 1.5km to the south-east and are associated with common pipistrelle and soprano pipistrelle.	Local

August 2022

Specially Protected Birds	No evidence of, or significant specific opportunities for, any specially protected bird species within the site. No opportunities for nesting or roosting barn owl (<i>Tyto alba</i>) noted at the existing trees, and the small young woodland plot within the developed landscape does not provide any notable foraging conditions for this species. The local data search has identified records of Schedule 1 birds within a 2km radius in the last 10 years comprising barn owl, hobby (<i>Falco subbuteo</i>), kingfisher (<i>Alcedo atthis</i>), peregrine (<i>Falco peregrinus</i>) and scaup (<i>Aythya marila</i>). The closest are 2014 and 2015 records of kingfisher recorded 500m to the north at Chorlton Brook adjacent to Chorlton Park.	Negligible
Breeding, Wintering and Migratory Birds	The woodland habitat provides a limited extent of suitable nesting conditions for a variety of species which are likely to be present in the suburban area. There are no habitats suitable for ground-nesting species such as skylark (<i>Alauda arvensis</i>) or lapwing (<i>Vanellus vanellus</i>), and no conditions likely to attract or provide opportunities for migratory or wintering bird species. The local records data search has identified records of 18 Priority Species of bird within a 2km radius including bullfinch (<i>Pyrrhula pyrrhula</i>), cuckoo (<i>Cuculus canorus</i>), dunnoek (<i>Prunella modularis</i>), grey partridge (<i>Perdix perdix</i>), herring gull (<i>Larus argentatus</i>), house sparrow (<i>Passer domesticus</i>), reed bunting (<i>Emberiza schoeniclus</i>), skylark, song thrush (<i>Turdus philomelos</i>) and starling (<i>Sturnus vulgaris</i>). The closest is a 2019 record of dunnoek from 200m to the north.	Local importance to a restricted range of common bird species.
Common Reptiles	The woodland habitat provides a significantly limited extent of suitable foraging, shelter and refuge habitat for common reptile species such as slow-worm (<i>Anguis fragilis</i>) and grass snake (<i>Natrix helvetica</i>), with the suitability somewhat reduced by the developed nature of the surrounding landscape. No records of reptiles within a 2km radius in the last 10 years, although three historic records of Grass Snake, with the closest a 2004 record from 975m to the south-west.	Local
Great Crested Newt	No waterbodies providing any potential for breeding great crested newt (GCN) within the site or within an unobstructed 500m radius. OS maps and aerial imagery do not indicate any ponds within a 500m radius. The woodland habitat provides a limited extent of suitable foraging, refuge and shelter suitable for GCN, however, there are no ponds in the surrounding area to support this species. No records of GCN within a 2km radius, and no records of previous Natural England EPS licence applications. The site does not lie within any specific GCN risk zone identified by NatureSpace or Natural England.	Negligible
Other Protected Herpetofauna	No suitable habitats within or immediately adjacent to the site specifically suitable for other species of protected herpetofauna. No records of other protected amphibian or reptile species within a 2km radius.	Negligible
Protected Fish/Marine	No watercourses or waterbodies within or immediately adjacent to the site. No records of any protected fish within a 2km radius.	Negligible

White-clawed Crayfish	No streams, ditches or other watercourses within or adjacent to the site. No records within a 2km radius in the last 10 years, although a single 2009 record from Chorlton Water Park 925m to the south.	Negligible
Protected Invertebrates	Only widespread and common habitats typical of the landscape are present. No habitats present which are likely to support a range or diversity of invertebrates or likely to support any protected invertebrate species. The data record search has not revealed any protected invertebrate species within the search area.	Negligible
Protected Flora	No protected flora species detected during the field survey. Only common and widespread habitats present, and unlikely to support any protected flora species. No records of protected flora within a 2km radius.	Negligible
Invasive Flora 	A stand of Variegated Yellow-archangel (<i>Lamium galeobdolon</i> subsp. <i>argentatum</i>) is present at the north of the site and extending beyond the northern boundary. No other invasive flora species, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) have been detected. Records of invasive flora not provided by GMLRC.	Sch 9 species.
Invasive Fauna	No invasive species detected during the survey and no specific opportunities for any invasive species identified. Records of invasive fauna not provided by GMLRC.	Negligible
Priority Species	The woodland habitat provides a significantly limited extent of suitable foraging and refuge habitat for other Priority Species which may be present in the suburban area such as common toad (<i>Bufo bufo</i>) and Hedgehog (<i>Erinaceus europaeus</i>). There are records within a 2km radius in the last 10 years of hedgehog, common toad and white-letter hairstreak (<i>Satyrus w-album</i>), and Priority Species of moth, in addition to the Priority Species of bird described above.	Local

4.0 Assessment and Mitigation

- 4.1.1 Assessment of impacts and the associated ecological effect to identified ecological features are presented below. Ecological features have been screened out where no likely significant impacts have been identified or where impact is unlikely to occur. Cumulative effects are also considered where applicable.
- 4.1.2 To clarify, other than the ecological features listed below, there are no perceived potential impacts on any other sites, habitats or species in the wider area. The proposals are of a type, scale and distance that any direct or indirect construction or operational impacts on the other identified ecological features are reasonably discounted. For instance, no impacts of the proposals are anticipated on Chorlton Water Park Local Nature Reserve 775m to the south or any other designated site in the wider area, with no hydrological connectivity, no anticipated increases in operational recreational pressures, and no construction impacts such as dust, noise etc.

Table 3 – Assessment of effect and mitigation measures

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
Broadleaf Woodland and notable Green Infrastructure	Loss, damage and/or degradation of woodland habitat which provides notable Green Infrastructure Minor adverse, permanent, reversible impact.	It is recommended the final site layout is designed to minimise the required loss of trees and woodland habitat as much as possible to permit the proposals. All retained trees and woodland shall be protected in accordance with BS5837:2012 <i>Trees in relation to design, demolition and construction. Recommendations</i> , including installing and maintaining appropriate protection fencing (to be informed by an Arboricultural Impact Assessment). All contractors must be made aware of the purpose of the fencing, with signage used where necessary, and no works must occur beyond this established boundary, including storage of materials or machinery. In addition, to avoid potential degradation of these habitats and any nocturnal species within them, through excessive artificial lighting overspill, a sensitive lighting scheme shall be implemented making use of suitable products such as directional, low-level, capped, screened and/or low- lux lighting.	Compensation may be required for necessary woodland loss on at least a 1:1 ratio, or otherwise a financial contribution agreed with the LPA.	No significant effect anticipated.

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
Bats	Risk of loss and/or degradation of suitable bat foraging and commuting habitat. Minor adverse, permanent, reversible impact. Risk of killing/injury of roosting bats and loss of roosts if trees with potential roosting features to be removed. Significant adverse, permanent, irreversible impact	The protection measures highlighted above in relation to physical protection and lighting will minimise the risk of degradation of the suitable bat foraging and commuting habitats. The lighting scheme should be designed in accordance with the recent guidance <i>Bats and artificial lighting in the UK</i> (Institute of Lighting Professionals, 2018). Where surveys have assessed trees as of 'Negligible/no risk' or of 'Low risk' of supporting roosting bats it should be noted that due to the transient nature of bat roosts it is possible that crevice-dwelling bats (e.g. Pipistrelle), could utilise unidentified roosts beyond the date of the surveys. The contractor(s) should therefore be advised to carry out all work with care and vigilance for bats. When removing trees or undertaking tree surgery works at trees where a likely absence of roosting bat has been established the following procedures should be employed in the unlikely event any bats are discovered or suspected: - If the roost is still on/in the tree and bats are not injured, seek advice from Natural England or a suitably experienced ecologist. If help is not available, allow bats to fly out of harm's way; - If the timber is felled, the roost is not exposed, and the bats are not injured, seek advice from Natural England or a suitably experienced ecologist. If advice is not readily available, position the roost off the ground, and allow bats to relocate of their own accord; - If the roost has been exposed, contact Natural England or a suitably experienced ecologist; and - Note the date, locality, type of tree, situation in tree and bat species if known.	None required.	No significant effect anticipated

[illegible]

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
Nesting Birds	Risk of disturbance of nesting birds during construction phase. Minor adverse, temporary, irreversible impact. (no significant loss of habitat)	To avoid an offence being committed in respect of nesting birds, site clearance will be planned to be conducted outside of the bird nesting season (March to August inclusive), where possible. If it is necessary to undertake these works during the bird nesting season, a suitably trained Ecological Clerk of Works (ECoW) would supervise the clearance to ensure no active nests are affected. If any active nests are detected, an appropriate protection area around the nest(s) will be established until it can be determined that the nest is longer active. Considering the site location and condition, no further pre-determination survey is necessary to inform this assessment. Can be subject of a planning condition.	None required.	No significant effect anticipated
Invasive Flora	Risk of causing the spread of Schedule 9 species in the wild. Minor adverse, temporary, reversible impact.	It is recommended that the stand of Variegated Yellow-archangel is removed during the construction phase through grubbing out by the roots and either burying on site or otherwise disposing of responsibly off-site. It is not considered a detailed Invasive Species Eradication Plan is necessary in this instance.	None required.	No significant effect anticipated
Common Reptiles and Priority Species	Low risk of killing/injury of common reptiles and other during the construction phase. Minor adverse, temporary, irreversible impact.	To minimise the low risk of killing/injury of common reptiles and other Priority Species even further, clearance of woodland habitats should be undertaken in an ecologically sensitive manner under the supervision of an ECoW. In each instance, an ecologist will check any potential habitats/refugia immediately prior to clearance. Vegetation will then be cut/felled to a height of 0.15m to encourage any wildlife present to move outside of the working area. Any remaining wildlife shall be carefully moved to the safety of suitable off-site refugia by the ECoW, using gloves and a clean bucket as necessary. The cut habitats and any remaining refuge habitats will again be checked by the ECoW prior to the stripping of the top-soil. It is also recommended that during the construction phase a series of best practice precautionary measures are implemented to minimise the risk of killing/injury of wildlife such as Slow-worm and Hedgehog, including avoiding leaving open any pits or trenches in which wildlife may become trapped. Any trenches or pits should either be covered, infilled, or a suitable means of escape provided (e.g. plank of wood) overnight. Considering the assessed potential for a maximum of individual numbers of common reptiles it is not considered any detailed further reptile surveys are required in this instance to inform the assessment of potential impacts or design of appropriate mitigation.	None required.	No significant effect anticipated

5.0 Enhancement and Monitoring

- 5.1.1 Opportunities for biodiversity enhancement (above and beyond those required to mitigate for any identified impacts) have been determined through consideration of: Ecological Features identified on site and within the zone of influence; Historical records of protected species/habitats present within the locality; National and Local planning policy including National and Local Biodiversity habitats/species; Local Development Plans including consideration of Green/Blue Infrastructure Resource; Consultation with third parties/stakeholders where applicable; and Other influencing factors such as underlying Geology/Hydrology, intended operational activities, and existing disturbance activities within the locality. This makes specific reference to Biodiversity Net Gain, Good practice principles for development (CIEEM, IEMA, CIRA, 2019).
- 5.1.2 In accordance with The Environment Act 2021, a demonstrable 10% overall net gain in habitat units may be required using a DEFRA Metric 3.1 calculation, with irreplaceable habitats retained and habitat trading rules satisfied. In this instance, a compensation strategy for the unavoidable woodland loss will need to be determined and agreed with the LPA, this may include off-site habitat creation or agreement on a financial contribution.
- 5.1.3 If necessary, once the proposals have been confirmed and this PEA has been updated into an Ecological Impact Assessment (EclA), a separate Biodiversity Net Gain calculation (i.e. Defra Metric 3.1) can be provided to confirm the proposed approach to demonstrating a biodiversity net gain.

Table 4 – Enhancement & Monitoring

Ecological Feature	Enhancement & Monitoring	Significance of Residual Effect
Landscape Planting	The final landscape planting scheme shall incorporate a range of native species which are known to be of value to wildlife and which are suitable to the site location and conditions. Planting should be focused on complementing and contributing to the existing value of surrounding woodland, providing enhanced habitat connectivity and a wildlife corridor function across and around the site.	Minor positive effect
Nesting Birds	To provide enhancement opportunities for nesting birds the development could incorporate bird nest boxes suitable for a range of species likely to present at the developed site (e.g. house sparrow, starling etc.). Boxes should be positioned 2.5 to 5 metres above ground level, away from major sources of human disturbance and where positioned on buildings or structures should also face between north to east to avoid excessive sunlight.	Minor positive effect
Roosting Bats	To provide enhancement opportunities for roosting bats the development could incorporate provision of bat roost boxes. The boxes should be positioned 2.5 to 5 metres above ground level, away from major sources of human disturbance and artificial lighting and should face onto suitable foraging and commuting habitats (e.g. new landscape planting).	Minor positive effect

Ecological Feature	Enhancement & Monitoring	Significance of Residual Effect
Deadwood Hibernacula	It is recommended that informal deadwood hibernacula are created at the site boundaries to provide enhanced refuge, shelter and hibernation opportunities for a range of wildlife including small mammals, common amphibians and invertebrates. The woody arisings from required tree clearance would provide suitable materials for the creation of these piles rather than any requirement to import materials from off-site.	Minor positive effect

5.1.4 No post-determination monitoring is perceived necessary. To comply with guidance set out in BS42020:2013, a Construction Environment Management Plan (CEMP) which includes consideration of biodiversity will be produced prior to the commencement of construction activities, including site clearance works. A Landscape and Ecological Management Plan (LEMP) would also normally be produced prior to operation of the site.

6.0 Conclusion

- 6.1.1 This report has demonstrated that, if the outlined mitigation measures are implemented in full and a sensitive final site layout is produced, and subject to agreement on compensation for woodland loss, then no significant residual impact could be expected, and the proposed application will result in 'no net loss in biodiversity,' whilst also providing opportunities for 'biodiversity net gain' in accordance with NPPF and Local Planning Policy.

7.0 References

- BSI. (2013). *Biodiversity - Code of practice for planning and development BS 42020:2013*. London: BSI Standards Limited.
- BSI. (2015). *BS 8596:2015 - Surveying for bats in trees and woodland - Guide*. London: BSI Standards Limited .
- CIEEM. (2016). *Guidelines for Assessing and Using Biodiversity Data* . Winchester: Chartered Institute of Ecology and Environmental Management .
- CIEEM. (2017a). *Guidelines for Preliminary Ecological Appraisal*. Winchester: Chartered Institute of Ecology and Environmental Management.
- CIEEM. (2017b). *Guidelines on Ecological Report Writing*. Winchester: Chartered Institute of Ecology and Environmental Management.
- CIEEM. (2018). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, coastal and Marine*. Winchester: Chartered Institute of Ecology and Environmental Management .
- CIEEM. (2019). *Advice Note on the lifespan of ecological reports & surveys*. Winchester: Chartered Institute of Ecology and Environmental Management.
- CIEEM, IEMA, CIRA. (2019). *Biodiversity Net Gain: Good practice principles for development*. CIEEM, CIRA & IEMA.
- CITB. (2016). *Construction (Design and Management) Regulations 2015*. Norfolk: Construction Industry Training Board . Retrieved from <https://www.citb.co.uk/Documents/CDM%20Regs/2015/cdm-2015-designers-printer-friendly.pdf>
- Collins, J. (2016). *Bat surveys for Professional Ecologists: Good Practice Guidelines (3rd edn)*. London: The Bat Conservation Trust.
- DEFRA. (2022). *MAGIC*. Retrieved from <https://magic.defra.gov.uk/MagicMap.aspx>
- GOV.UK. (2019). *Collection on Biodiversity Offsetting*. Retrieved from <https://www.gov.uk/government/collections/biodiversity-offsetting>
- GOV.UK. (2019). *Guidance on Environmental Impact Assessment*. Retrieved from <https://www.gov.uk/guidance/environmental-impact-assessment#Screening-Schedule-2-projects>
- GOV.UK. (2019). *Guidance on GCN District Level Licensing Schemes*. Retrieved from https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes?utm_source=987533b2-4ba3-44e7-9707-93f5189921d8&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

Institution of Lighting Professionals. (2020). *Guidance Notes for Reduction of Obtrusive Lighting*. Rugby: Institution of Lighting Professionals.

JNCC. (2010). *Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit*. Peterborough: Joint Nature Conservation Committee.

Maddock, A. (2008). *UK Biodiversity Action Plan Priority Habitat Descriptions*. Retrieved from http://jncc.defra.gov.uk/PDF/UKBAP_PriorityHabitatDesc-Rev2011.pdf

Manchester City Council. (2012). *Core Strategy Development Plan Document*. Manchester: Manchester City Council.

Natural England. (2013). *NCA Profile: 55 Manchester Conurbation (NE463)*. Retrieved from <http://publications.naturalengland.org.uk/publication/5989113924681728>

UKHab. (2020). *The UK Habitat Classification User Manual*. Stockport: UKHab Ltd.

Drawing CRM.3022.002.EC.D.001 – UK Habitat Classification Map



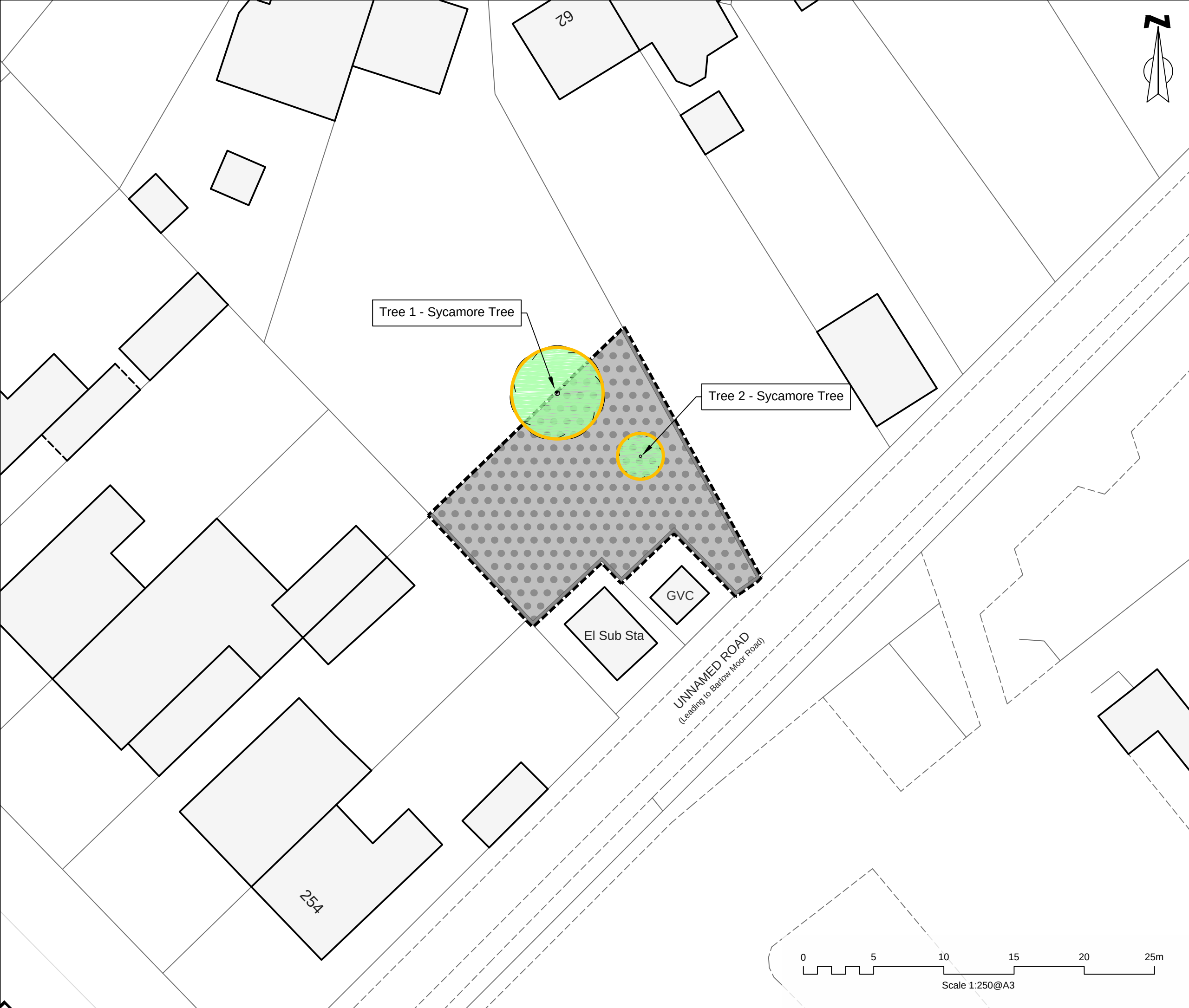
Key

- Site Boundary
- Other Broadleaf Woodland (w1g)
- Fence (u1e 69)
- Variegated Yellow Archangel

Samuel House, 5 Fox Valley Way, Stocksbridge, Sheffield, S36 2AA

CLIENT: Dalcour MacLaren		
SCALE: 1:250@A3	PROJECT REF: CRM.3022.002	
DRAWN: MG	CHECKED: CS	DATE: July 2022
PROJECT: Land at Barlow Moor Road, Manchester		
TITLE: UK Habitat Classification Map		
DRAWING NO: CRM.3022.002.EC.D.001		

**Drawing CRM.3022.002.EC.D.003 – Bat Tree Preliminary Roost
Assessment Map**



Key

- Site Boundary
- High Suitability Trees
- Medium Suitability Trees
- Low Suitability Trees
- Negligible Suitability Trees

- Notes:**
- Do not scale from this drawing.
 - All dimensions are in meters unless stated otherwise.
 - This drawing is to be read in conjunction with all relevant drawings and documents associated with this project.
 - All existing and proposed dimensions, levels and locations to be checked and verified by the main contractor on site prior to the commencement of the works and any anomalies reported to the engineer.

enzygo
environmental consultants

Samuel House, 5 Fox Valley Way, Stocksbridge, Sheffield, S36 2AA

CLIENT:		
Dalcour MacLaren		
SCALE:	PROJECT REF:	
1:250@A3	CRM.3022.002	
DRAWN:	CHECKED:	DATE:
MG	CS	July 2022
PROJECT:		
Land at Barlow Moor Road, Manchester		
TITLE:		
Bat Tree Preliminary Roost Assessment		
DRAWING NO:		
CRM.3022.002.EC.D.002		

Appendix A - Legislation and National Planning Policy

Wildlife legislation and policy relevant (or potentially relevant pending further survey) to the proposed works, based on the findings of the desk study and field survey are set out below. This legal information is a summary only, and the original legal documents should be consulted for definitive information.

Legislation Protection Afforded to Sites/Habitats that could Potentially be Affected by the Proposed Works

Designated Site/Habitat	Legal Status
-	-

Legislation Protection Afforded to Species that could Potentially be Affected by the Proposed Works

Species	Legal Status
European Protected	
Bats	These animal species and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species (Amendment) Regulations 2012, which makes it illegal to: • Deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs; • Deliberately disturb such an animal; • Damage or destroy a breeding site or resting place of such an animal. European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed: • The development is for reasons of overriding public interest; • There is no satisfactory alternative; and • The favourable conservation status of the species concerned will be maintained and/or enhanced. Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed.
Nationally Protected	
Bats	These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any such animal; • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and • Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.

Species	Legal Status
Nesting Birds (general)	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any wild bird; • Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Common Reptiles (e.g. Viviparous Lizard, Grass Snake and Slow-worm)	These animals receive limited protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal to intentionally kill or injure any such animal.
Wild Mammals	The Wild Mammals (Protection) Act 1996 makes it illegal to mutilate, kick, beat, nail, or otherwise impale, stab, burn, stone, drown, crush, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.
<i>Invasive Species</i>	
Invasive Flora (e.g. Variegated Yellow Archangel)	The Wildlife and Countryside Act 1981 (as amended) contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 of the Act.

Section 40 of the Natural Environment and Rural Communities Act 2006 (the NERC Act) places a legal duty on public bodies, including planning authorities, to 'have regard' to the conservation of biodiversity when carrying out their normal functions, which includes consideration of planning applications.

In compliance with Section 41 of the NERC Act, the Secretary of State has published a list of species and habitats considered to be of principal importance for conserving biodiversity in England under the UK Post-2010 Biodiversity Framework. This is known as the list of Habitats and Species of Principal Importance (HPI/SPI), of which there are 56 habitats and 943 species. The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

National Planning Policy

The NPPF (2021) set out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development.

The NPPF states that:

'To protect and enhance biodiversity and geodiversity, plans should:

- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping-stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'

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

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

‘The following should be given the same protection as European sites:

- potential Special Protection Areas (SPA) and possible Special Areas of Conservation (SAC);
- listed of proposed Ramsar Sites; and,
- site identified, or required, as compensatory measures for adverse effects on European sites, potential SPAs, possible SACs, and listed or proposed Ramsar sites.’

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