

30 June 2022

Andrew Edwards
Motor Fuel Group

By email: Andrew.edwards@motorfuelgroup.com

Our Ref:404.000022.00001

Dear Andrew,

RE: SHELL PETROL STATION, LEVENSHULM, 1081 STOCKPORT ROAD, MANCHESTER – NESTING BIRD CHECK

1. INTRODUCTION

SLR Consulting Limited (SLR) was commissioned by Motor Fuel Group in June 2022 to undertake a nesting bird check to support the discharge of Conditions 5 and 8 for planning permission Ref: 131344/FO/2021 to support the installation of EV charging points and jet wash bays at Shell UK Ltd, 1081 Stockport Road, Manchester, M19 2RE. The proposed development includes the vegetation clearance and tree removal of four trees (C9, C13, G14 and U12 on proposed site layout drawing).

Condition 5 states “No removal of or works to any trees or shrubs shall take place during the main bird breeding season of March to August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds’ nests immediately before the vegetation is cleared and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority”.

Condition 8 states “Before the electric charging points and jet washers hereby approved are brought into use, a scheme to encourage bio-diversity within the application site shall be submitted to and approve in writing by the City Council as local planning authority, including the provision measures to encourage habitats for native bird and bat species.....”

A nesting bird check of the three trees and one grouping of silver birch trees, that are to be removed as part of the proposed development was undertaken on Thursday 29th June 2022 by Katherine Jones, Project Ecologist at SLR Consulting. All birds are protected under the wildlife and countryside act while they are undertaking a nesting attempt. The purpose of this nesting bird check survey was to identify the presence or absence of any birds that could currently be using the specified trees as nesting sites.

2. METHODOLOGY

Study Area

The search for evidence of nesting birds was conducted outside of the site boundary due to the lack of a petroleum safety passport to carry out works from within an active fuel station. The survey area within the site boundary encompassed an area of land that lies to the north of the current fuel station within the north-west corner of the site.

Personnel

The nesting bird check was completed on 29th June 2022 by Miss Katherine Jones BSc (Hons) QCIEEM, Project Ecologist at SLR. Katherine is a qualifying member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Nesting Bird Check

The nesting bird check survey was carried out on the 29th June 2022 which included a detailed inspection of three trees and one tree group (C9, U12, C13 and G14) that are located in the proposed development area. The survey checked for the presence of bird nests within the canopies of the trees identified, utilising binoculars to closely check the canopy branches.

The survey commenced at approximately 11am. Each tree or tree group were observed for a minimum of fifteen minutes to observe bird behaviour indicative of a nesting attempt, as well as listening for any bird calls between offspring and adults. Bird activity within the tree would suggest the presence of an active nest, where adult birds will regularly be feeding their offspring.

Limitations

The only limitation was that the survey was undertaken from outside of the site, due to health and safety considerations). Observations of the trees were not compromised by being undertaken off site by using binoculars and that the canopy of the trees was relatively open.

No other limitations were encountered.

3. RESULTS

Nesting Bird Check

Table 3-1
Tree Descriptions and Signs of Nesting Birds

Habitat Descriptions	Photograph
C9 – Goat Willow (<i>Salix caprea</i>) This mature tree, approximately 8m in height, and has been identified to have an overall physical condition of fair. The trees' condition was close to be classed as a poor-quality tree due to the level of decay of the tree. In terms of the quality/health of the tree, the crown of the tree has been identified as fair, with the stem and basal areas of the tree being identified as poor. No signs of nesting birds were identified within this tree.	 (Photo taken from north site Boundary facing south)
U12 – Wild Cherry (<i>Prunus avium</i>) This tree is a mature tree, approximately 6m in height and has been identified to have an overall physical condition of poor. The condition of the tree is classed as poor due to the level of Ganoderma decay that has occurred at the base of the tree. In terms of quality/health of the tree, the crown of the tree has been identified as fair, with the stem and basal areas being identified as poor. No signs of nesting birds were identified within this tree.	 (Photo taken from the northern site Boundary facing south-east)

C13 – Goat Willow (*Salix caprea*)

This tree is a mature tree, approximately 13m in height and has been identified to have an overall physical condition of fair. The condition of the tree is classed as fair due to the tree being a large mature tree, however, is leaning out to the forecourt and is therefore predicted to have a limited life expectancy.

In terms of quality/health of the tree, the crown and stem have been identified as fair, with the basal area being identified as poor.

No signs of nesting birds were identified within this tree.



(Photo taken from the southern site boundary facing north-east)

G14 – Birch (*Betula pendula*)

This is a grouping of semi-mature to mature birch trees, approximately 14m in height and has been identified to have an overall physical health of good. The group of trees has been planted close together which reduces the room for the trees to develop properly and the edge trees are unbalanced due to the group shading.

In terms of quality/health of the trees, the crown, stem and basal area have all been classed as fair.

No signs of nesting birds were identified within this grouping of trees.



(Photo taken from northern site boundary facing south)

4. LEGISLATION

All species of wild bird are afforded protection from killing and injury under the Wildlife and Countryside Act (1981 as amended) and from damage and destruction to their nest while it is in use or being built.

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way (CROW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting.

5. RECOMMENDATIONS

As no signs or evidence of nesting birds was identified within the trees C9, U12, C13 and tree group G14, there are no ecological constraints to them being removed. No ecological support is required during the arboriculturally works.

It is recommended that the removal of the specified trees is to occur within the next 48 hours to reduce the risk of birds commencing a nesting attempt between the time of the survey and felling operations.

6. CLOSURE

This report has been prepared by SLR Consulting Limited with all reasonable skill, care, and diligence, and taking into account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

The information presented in this report provides guidance to reduce the risk of offences under UK law. However, SLR is not a legal practice and disclaims any responsibility to the client and others for actions that lead to offences being caused, whether the guidance contained in this report is followed. Interpretation of UK legislation is presented in good faith; however, for the avoidance of doubt, we recommend that specialist legal advice is sought.

This report is for the exclusive use of Motor Fuel Ltd.; no warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the client and others in respect to matters outside the agreed scope of work.

Yours sincerely
SLR Consulting Limited



Katherine Jones
Project Ecologist

Cc Dale Broadbent, Dr Andrea Wilcockson