



ENVIRONMENTAL PLANNING CONSULTANTS

Tree Bat Roost Survey Report

Version 3

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**Land to the west of Rodney Street, Manchester, M4
6JJ**

**Project – This City residential development,
Ancoats, Manchester**

Client: Wates Construction Ltd

AMENITY TREE CARE

WILLOW HILL COTTAGE, SCHOOL LANE BURWARDSLEY CHESTER, CH3 9NX

Tel: 01829 770075 www.amenitytree.com

Contents

1.0 Introduction.....	3
1.1 Site Description, Location and Development Proposals.....	3
2.0 Bat Survey Methodology	5
2.5 Pre-existing Data on Local Bat Species	5
2.8 Surveyor Information	5
2.10 Survey Limitations	5
3.0 Assessment of Trees for Potential Roost Features	6
4.0 Conclusion	6
4.2 Further Survey Requirements.....	6
Appendices.....	
Appendix 1 Legislation for Protected Species	7
Site Photographs	9
Potential Roost Feature Schedule	10

1.0 Introduction

1.1 Site Description, Location and Development Proposals

Amenity Tree Care has been commissioned by Wates Construction (the client) to undertake a Preliminary Ground Level Roost Assessment of the trees that are to be removed to facilitate a new development on an area of land situated at the junction of Rodney Street and Jersey Street. The survey area is centred at grid reference SJ853989.

Summary of the project – This City is a new kind of housing company, owned and run by Manchester City Council. They are a new venture that will develop high quality, low carbon housing for all Mancunians. The new homes will be a mix of market housing and homes designated for Manchester Living Rent (to be rented at or below Local Housing Allowance levels). Market housing will subsidise the provision of the Manchester Living Rent properties.

Application Description of Development – Erection of two residential apartment buildings (Use Class C3), one of 8 storeys (68 apartments) and one of 5 storeys (50 apartments), to form a total of 118 residential apartments; and erection of 10, 3 storey townhouses (Use Class C3); together with car and cycle parking provision, hard and soft landscaping including public realm, access, substation and other associated works

- 1.2 The client has commissioned the report because the site is to be developed and the trees will be removed to facilitate the development. Therefore, a Bat Roost Assessment is required as such proposals could have a direct impact on protected bat species.
- 1.3 The site is in the Ancoats area of north Manchester the surrounding area is urban interspersed with areas of public open space which includes mature parkland, woodland, and open water (Rochdale Canal). The surrounding habitat offers good foraging and communing opportunities for bats.
- 1.4 The objectives of the survey are to undertake a detailed inspection of all the trees growing within the boundaries of the site and identify those trees that have potential features that are suitable for roosting bats.
- 1.5 The survey was undertaken from ground level only. Where features were identified that are suitable for roosting bats and could not be fully inspected from ground level they will be subject to dusk emergence surveys and/or pre-dawn entry surveys.
- 1.6 The objectives include the provision of any applicable mitigation measures and / or further survey recommendations in relation to the extent and use of the site by protected species as is required by the current Bat Surveys for Professional Ecologist best practice guidelines (Collins 2016).

2.0 Bat Survey Methodology

2.1 The surveys involve a detailed inspection of the trees from ground level to record Potential Roosting Features (PRF). The following information will be collected where trees have been surveyed and have PRF that may be suitable for roosting bats. Tree name, tree height (m), stem diameter at 1.5m above ground level (mm), average crown spread and number of tree stems.

2.2 PRFs that are often utilised by tree roosting bats are as follows;

- Old pruning wounds that have not occluded
- Woodpecker holes
- Partially detached tree bark
- Hazard beams and open cracks included unions
- Cavities caused by storm damage and decay fungi
- Ivy more than 50mm in diameter

2.3 The location of the tree will be recorded using X(Easting) Y(Northing) coordinates for accuracy.

2.4 The survey was undertaken following the Bat Surveys for Professional Ecologist best practice guidelines (Collins 2016).

2.5 The following equipment was used during the survey a high-powered LED Lenser P17.2 Torch, Explorer Premium Endoscope and Zeiss Binoculars.

2.6 Pre-existing Data on Local Bat Species

2.7 A 2-kilometer desktop search was carried out using the MAGIC website that is managed by Natural England. The results showed that many European Protected Species License (15+) for bats have been recorded within the 2-kilometer search radius of the site.

2.8 Surveyor Information

2.9 The Preliminary Bat Roost Assessment survey was undertaken by licensed bat surveyor Steven Shell (Natural England Licence Ref: 2018-38336-CLS-CLS.) on the 28th of April 2022.

2.10 Survey Limitations

2.11 The surveyor had full access to the site and there were no site constraints that restricted the survey of the trees.

3.0 Assessment of Trees for PRF

- 3.1 The Potential Roost Feature (PRF) schedule for the trees is in Appendix 1 of this document.
- 3.2 In summary one tree was identified as having low potential for roosting bats T14 a sycamore tree growing on the eastern edge of the open space. The tree has a very old bark wound on the north side of the tree stem. The wound has fully occluded in two places but remains open for the remaining part of the wound.
- 3.3 Except for T14 the rest of the trees proposed for removal were assessed as having negligible potential for roosting bats.

4.0 Conclusion

- 4.1 Tree 14 has low potential for roosting bats and the remaining trees to be removed have negligible potential for roosting bats.

4.2 Further Survey Requirements and Mitigation

- 4.3 No further surveys are required.

Appendix One – Legislation for protected species

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017, making it an offence inter alia to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- 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.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017. All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the A

Site Photographs



Figure 3: Tree 24 with bark wound.



Figure 4: Apple tree in G12 with bark wound.



Figure 5: Longitudinal wound on the stem of T14.