

Preliminary Ecological Appraisals

Strategic Sites being considered for allocation for future development within Tameside

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For

Tameside Council

By

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1 Introduction

- 1.1 GMEU was first commissioned in 2019 on behalf of Tameside Borough Council to undertake preliminary ecological assessments (appraisals) of strategic sites being considered for potential allocation for future development in the Borough.

Site Appraisals have been undertaken in accordance with the CIEEM 'Guidelines for Preliminary Ecological Appraisal 2013¹'.

The Guidelines State -

'Preliminary ecological surveys have a range of purposes; one key use is in the site development process to gather data on existing conditions, often with the intention of conducting a preliminary assessment of likely impacts of development schemes or establishing the baseline for future monitoring. As a precursor to a proposed project, some evaluation is usually made within these appraisals of the ecological features present, as well as scoping for notable species or habitats, identification of potential constraints to proposed development schemes and recommendations for mitigation'.

'Preliminary Ecological Appraisals are also an important preliminary step, whether taken by the developer or by the planning authority, to inform decisions as to whether a particular site should be included as an allocation in a development plan. The information obtained from such an appraisal is appropriate for use in the process of selecting preferred options and in the strategic environmental assessment of the Plan'.

Or in the case of the preparation of a Local Plan, the Sustainability Appraisal.

Although there are numerous terms used to describe the preliminary survey and reporting, '*Ecological Appraisal*' is considered to be the term most suited to describing a preliminary or baseline level of survey or assessment.

- 1.2 The aim of preliminary surveys is not to provide a fully comprehensive suite of ecology surveys for sites, but rather to identify sites where ecological

constraints to future development are likely to prove significant. Decisions can then be made as to further surveys that may be required to inform development proposals, to provide guidance as to the extent and type of ecological mitigation or compensation that may be required to accommodate development or to recommend that sites are removed from consideration for allocation because the ecological constraints identified are very significant and mitigation or compensation may not be possible or desirable.

1.3 Preliminary Appraisals aim to identify '**notable**' habitats and species. Material considerations in planning and similar types of decisions can be influenced by factors such as statutory protection given to habitats and species, local designations, UK or County BAP Priority habitats or species, Local Plan policies and species listed in the UK Red Data Book or RSPB Birds of Conservation Concern. Collectively these constitute '**notable**' habitats and species. In Greater Manchester they are sometimes known as 'GM Priority Species' or simply '**Priority Species**'. Notable habitats and species are given greater weight in planning decisions than other species.

1.4 The Guidelines for Preliminary Ecological Appraisal provide examples of situations where Ecological Appraisals should be undertaken in relation to proposed development. These include –

- *To establish baseline conditions and determine the importance of ecological features present (or those that could be present) within the specified areas, as far as possible;*
- *To establish any requirements for detailed/further surveys;*
- *To identify key constraints to a particular project and make recommendations for design options to avoid significant effects on important ecological features/resources at an early stage;*
- *To identify the mitigation measures, as far as possible including those that will be required (based on the results of further surveys or final scheme design); and*
- *To identify enhancement opportunities.*

- 1.5 The results of baseline appraisals are potentially of importance as they often form the basis for further ecological surveys and EclA's/Environmental Impact Assessments (EIA) and for setting of site management objectives. Consequently, without a consistent approach, important ecological features may be 'scoped out' or inadequately surveyed at this stage and are then overlooked in subsequent ecological assessments¹.

2 Legislation and Planning Policy Context

2.1 The Legislative Framework for identifying 'notable' habitats and species.

The most important habitats and species in land-use planning context are those which are protected by statute. The most relevant statutes include -

- The Convention on Biological Diversity ('CBD') 1992 - a multilateral treaty with the objective of developing national strategies for the conservation and sustainable use of biological diversity. It has three main goals: the conservation of biological diversity (or biodiversity); the sustainable use of its components; and the fair and equitable sharing of benefits arising from genetic resources.
- Nagoya Protocol, COP Decision X/2 Strategic Plan for Biodiversity 2011-2020 – a global agreement on biodiversity which established a global vision for biodiversity, including a set of strategic goals and targets to drive action;
- Conservation of Habitats and Species Regulations 2010 (as amended) – transposes the European Habitats and Birds Directives (Council Directive 92/43/EEC and 79/409/EEC respectively) into UK law. This conveys protection to certain listed species and to the habitats on which they rely to complete their lifecycle.
- The Convention on the Conservation of European Wildlife and Natural Habitats 1979 (Bern Convention) – an international legal instrument in the field of Nature Conservation, covering the natural heritage in Europe and in

some African countries. It is particularly concerned about protecting natural habitats and endangered species, including migratory species;

- The Convention on the Conservation of Migratory Species of Wild Animals 1979 (Bonn Convention) - aims to conserve terrestrial, marine and avian migratory species throughout their range. It is an intergovernmental treaty, concerned with the conservation of wildlife and habitats on a global scale.
- Wildlife & Countryside Act (W&CA) 1981 (as amended) – provides a national level of protection to specific animals and plants native and controls the release of non-native species;
- Countryside & Rights of Way (CROW) Act 2000 – extends the protection of certain species from reckless as well as intentional acts. Part III requires that government departments have ‘regard for the conservation of biodiversity’, something that is extended by the NERC Act 2000;
- Natural Environment and Rural Communities (NERC) Act 2006 – requires planning authorities to consider impacts on “habitats and species of principal importance for the conservation of biodiversity” when determining planning applications. Section 41 (S41) lists habitats and species of principal importance (for biodiversity conservation), which are to be considered, irrespective of whether they are covered by other legislation. The S41 list was originally taken forward under the UK Biodiversity Action Plan (first published in 1994) but is now prioritised under the Biodiversity 2020 Strategy
- Hedgerows Regulations 1997 – protects ‘important’ hedgerows from being uprooted or destroyed. Importance is determined based on adjacent land use, age, historic value and ecological value (specific criteria are set out in the Regulations); and
- Protection of Badgers Act (PBA) 1992 – protection of badgers and their setts from killing, injury and certain acts of cruelty. Protection of setts from damage, obstruction or destruction.

2.2 The Policy Framework for identifying ‘notable’ habitats and species.

2.2.1 National Policy

The National Planning Policy Framework (2019) (NPPF) Chapter 11: Conserving and Enhancing the Natural Environment requires that development delivers **net gains** in biodiversity in addition to minimising the impacts on biodiversity. It highlights the need to protect and enhance valued landscapes, geological conservation interests and soils, as well as recognising the wider benefits of ecosystems.

- National Planning Policy Guidance deals with “The Natural Environment” and paragraphs 8 to 23 deal with matters of biodiversity. The guidance details how the mitigation hierarchy (avoid-mitigate-compensate) should be applied and advises on how protected species and habitats of principal importance for the conservation of biodiversity (S41 features) should be considered in determining planning applications
- The NPPF assumes protection of all ancient woodland and veteran trees unless it can be clearly demonstrated that the need of, or benefits of, development outweigh the loss. In this respect ancient woodland is defined as an area which has been wooded continuously since at least 1600 AD and a veteran as a tree of exceptional value for wildlife, in the landscape, or culturally because of its great age, size or condition.
- The application of national planning policy, with regard to the assessment of net impacts on tree cover and quality, is reinforced by published guidance in the form of BS5837:2012. It should be assumed that any necessary tree removal should be mitigated or offset and that any application should be supported by an assessment of residual impact by a qualified arboriculturist. It should also be assumed that all ancient woodland and veteran trees are sacrosanct and must be incorporated appropriately within any development.
- Making Space for Nature (Lawton, 2010), an independent published review of England’s wildlife sites and the connections between them, is widely recognised to have informed the subsequent White Paper (see below). This identified a number of recommendations to create a

sustainable, resilient and more effective ecological network. This report led to an Ecological Framework for certain habitats in Greater Manchester to be developed. The preliminary appraisals reported on here have taken account of this Network.

- Natural Environment White Paper (The Stationery Office, 2011) set out the vision of repairing 'inherited' damage in the natural environment, leaving the natural environment in fitter condition for future generations. Key aims of the White Paper can be summarised as a commitment to protect and improve the natural environment, to grow a green economy, to reconnect people and nature, and to international monitoring and reporting.
- Biodiversity 2020: A strategy for England's wildlife and ecosystem services (DEFRA, 2011) [Ref 10.18] provided a comprehensive picture of how international commitments are implemented. Four priority areas for action were identified including a more integrated large-scale approach to conservation on land and sea and reducing environmental pressures.
- The UK Government 25-year Environment Plan 'A Green Future: Our 25 Year Plan to Improve the Environment' published in 2018 includes provision for 'biodiversity net gain' to be achieved from all developments.

2.3 Biodiversity Action Plans

There is a statutory requirement under the terms of the NERC Act 2006 for the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. This List, known as the Section 41 (S41) list, is expected to be used to guide decision-makers such as public bodies, including local authorities, in implementing their duty under section 40 of the NERC Act "to have regard" to the conservation of biodiversity in England when carrying out their normal functions. In particular, Local Planning Authorities are expected to use the list to identify the species and habitats that should be afforded priority when applying the requirements of para. 109 of the NPPF to conserve and enhance

the natural environment. Although it is recognised that there is no direct link between the List and the Duty S41 species and habitats are given greater weight in the planning system than species which are not on the list.

The government has withdrawn support for the preparation and implementation of Biodiversity Action Plans for the species and habitats on the List, and Action Plans are not referred to in the England Biodiversity 2020 Strategy. But Natural England's view is that Local Nature Partnerships can voluntarily choose to implement local Biodiversity Action Plans if they wish to, and they are still being implemented in many areas.

2.3.1 'BAP' habitats of relevance in Tameside include –

- Arable farmland
- Broadleaved and Mixed woodland
- Moorland and Fell
- Mossland (Blanket Bog)
- Marshy Grassland
- Reedbed
- Rivers and Streams
- Species-rich Neutral Grassland

'BAP' species of relevance in Tameside include –

- Brown hare
- Farmland birds
- White-clawed crayfish
- Lapwing
- Reed Bunting
- Skylark
- Song Thrush
- Twite

3 Methodology

The Preliminary Ecological Appraisals have involved:

3.1 Desk-top surveys

3.1.1 Initial desk-based studies were conducted to identify notable (*as defined above*) or protected sites, habitats or species potentially affected by future development proposals. As part of which the following questions were addressed

- Are there any existing ecology assessments?
- Will development of the site affect any statutory nature conservation sites?
- Would a development proposal be likely to require a Habitats Regulations Assessment?
- Will the development of the site affect any Local Wildlife Sites?
- Does the site have any potential to support specially protected species?
- Does the site support, or have the potential to support, priority habitat types?
- Are there any identified ecological considerations that would impose a significant constraint to future developments?

Desk-top information was appraised by Derek Richardson, Principal Ecologist and Suzanne Waymont, Senior Ecologist, experienced ecologists with more than 35 years of experience as 'land-use planning' ecologists and first-hand knowledge of many of the sites appraised. Many of the sites are known to ecologists within GMEU because GMEU has been providing ecological advice on planning applications in Tameside for more than twenty years. Following the desk-top surveys recommendations have been made about which sites will require further survey work.

Desktop Information included information obtained from –

- Multi-Agency Geographic Information for the Countryside (MAGIC) Map
- Statutory protected sites and priority habitat inventory

- Where's the Path 3 Satellite & OS imagery
- Google Maps Satellite imagery
- Greater Manchester Bird Atlas 2007-2011 - Bird records, abundance and distribution data for Greater Manchester
- Greater Manchester Local Record Centre (GMLRC)
- Information from surveys of sites undertaken to inform planning applications

Desk-based studies were based on different buffer zones around GIS site boundaries supplied by Tameside Council.

Original site boundaries were supplied by Tameside Council.

For international and nationally designated sites a buffer around sites was set at 5km; for local wildlife sites the buffer was set at 1km.

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APPENDIX 1: Assessment of Identified Ecological Constraints

Table 1: Ashton Moss West

Site Name	Ashton Moss West
NGR (centre of Site)	391900 398900
Area (Ha)	Approx 58 ha
Does the site already have permission?	No
Are there existing ecology assessments?	No
Will development of the site affect any statutory nature conservation sites?	<p>No –</p> <ul style="list-style-type: none"> while the site is within 10km of the South Pennine Moors Special Area of Conservation and Special Protection Area (European protected sites) the proposed end-use of this site is for business use. Increases in recreational pressures on the SAC/SPA are therefore considered unlikely to arise. while the site is within the impact risk zones for the SSSIs at the Huddersfield Narrow Canal and the Hollinwood Branch Canal there is no direct connectivity with these SSSIs such that any impacts are considered likely to arise
Would a development proposal be likely to require a Habitats Regulations Assessment?	No
Will the development of the site affect any Local Wildlife Sites?	No, the site is too distant from any Local Wildlife Sites such that ecological impacts would be likely to arise.

Site Name	Ashton Moss West
Does the Site have any potential to support specially protected species?	Yes, ponds on site could support great crested newts and kingfishers. The site also supports reasonable badger habitat and habitat suitable for use by little ringed plover
Does the Site support, or have the potential to support priority habitat types and/or priority species?	Yes, <ul style="list-style-type: none"> • Habitats - hedgerows and ponds • Species – birds including reed bunting, skylark, lapwing, bullfinch, dunnock and linnet, mammals including hedgehog and foraging bats
Overall evaluation of potential ecological constraints	The site itself is not designated at any level for its nature conservation value but it does support priority habitats and species. Currently there are no known ecological constraints which are so important as to preclude the allocation of the site, but ecological mitigation and compensation will likely be needed to avoid harm to important habitats and species which are known to be present.
Recommendations for further surveys that would be necessary to inform planning applications	At planning application stage surveys will be needed for – <ul style="list-style-type: none"> • Bats • Amphibians • Birds • Badgers • Extended Phase 1 habitat surveys <p>Compensation would be sought from the loss of any ponds on the site.</p>

Table 2: Godley Green Garden Village

Site Name:	Godley Green Garden Village
NGR (centre of Site)	396800 394000
Area (Ha)	Approx 123.6 ha
Does the site already have permission?	No
Are there existing ecology assessments?	Yes, recently undertaken for Tameside by TEP (Phase 1 habitat map in Appendix 2)
Will development of the site affect any statutory nature conservation sites?	<p>Potentially the development of the site for residential use could indirectly affect European protected sites -</p> <ul style="list-style-type: none"> the site is within 10km of the South Pennine Moors Special Area of Conservation and Special Protection Area (European protected sites); the proposed end-use of this site is for large-scale residential use. Increases in recreational pressures on the SAC/SPA may therefore arise.
Would a development proposal be likely to require a Habitats Regulations Assessment?	Yes, because of the reason outlined above – increased recreational pressures
Will the development of the site affect any Local Wildlife Sites?	Yes, the site boundary includes the Local wildlife Sites at Brookfold Wood and Werneth Brook. Increased recreational pressures may also be caused to Werneth low Country Park, within 1km of the site to the south.
Does the Site have any potential to support specially protected species?	Yes, the site is known to support great crested newts and badgers

Site Name:	Godley Green Garden Village
Overall evaluation of potential ecological constraints	<p>There are substantive ecological constraints associated with this site. There would be a presumption against losses to the Local Wildlife Sites and mitigation and compensation would be sought for any impacts caused to great crested newts and badgers.</p> <p>Other habitat losses (e.g. hedgerows, species-rich grassland) would also need to be compensated.</p>
Recommendations for further surveys that would be necessary to inform planning applications	<ul style="list-style-type: none"> • Extended Phase 1 habitat survey • Amphibian survey incl. great crested newts • Badger survey
Overall recommendations – are there any identified ecological constraints that would impose a significant constraints to future developments?	Yes, as described above

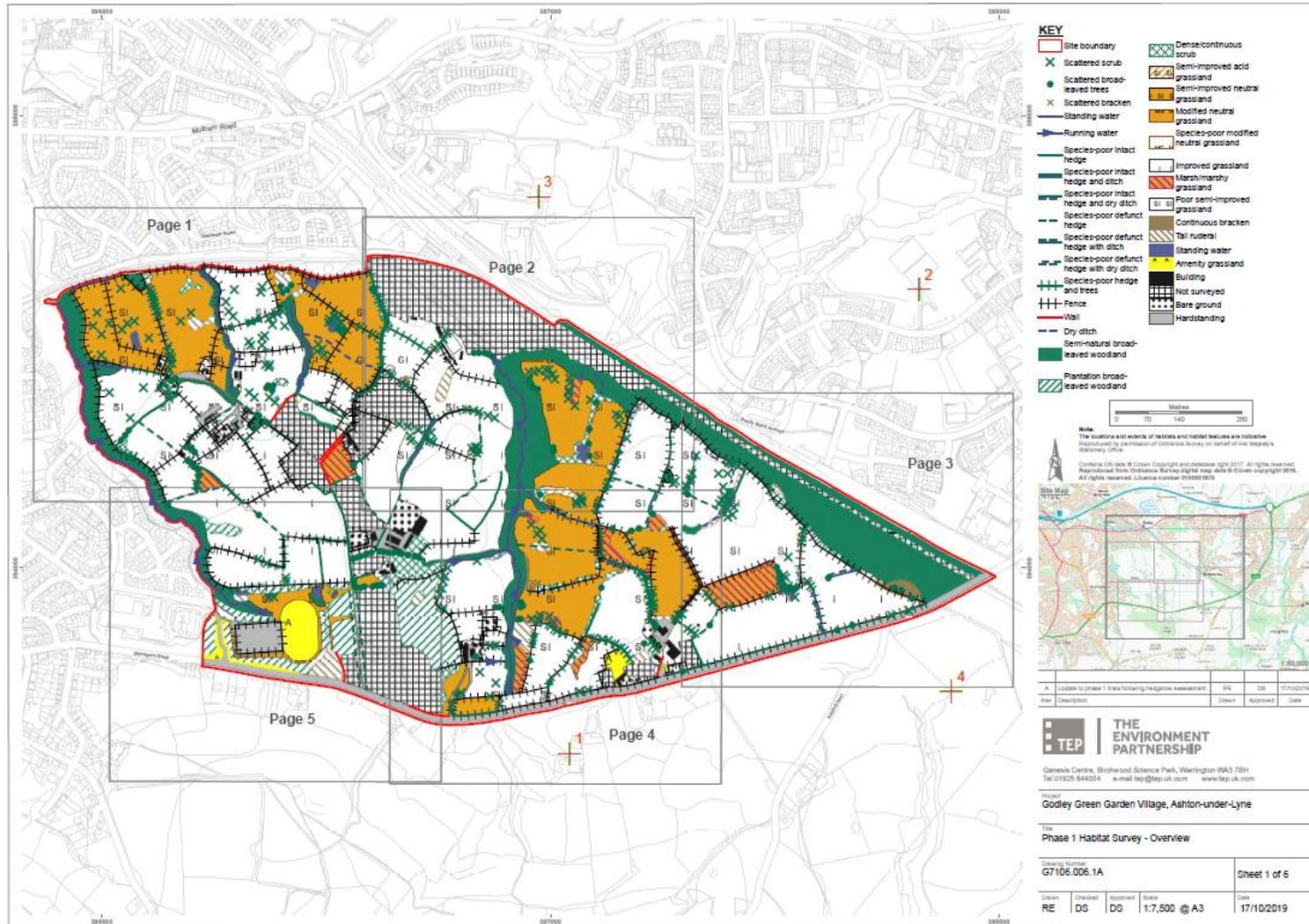
Table 3: Land South of Hyde

Site Name:	Land South of Hyde
NGR (centre of Site)	394600 393060
Area (Ha)	Approx 32.2 ha
Does the site already have permission?	A small part of the site was the subject of planning application ref. 14/01048/OUT
Are there existing ecology assessments?	Unknown
Will development of the site affect any statutory nature conservation sites?	No, the site is too distant from any statutory sites for any impacts to arise.
Would a development proposal be likely to require a Habitats Regulations Assessment?	No
Will the development of the site affect any Local Wildlife Sites?	Yes, the site includes part of the Local Wildlife Site at Pole Bank
Does the Site have any potential to support specially protected or priority species?	Yes, the site supports suitable habitats for badgers and water voles
Does the Site support, or have the potential to support, priority habitat types?	Broadleaved woodland, hedges, species-rich grassland
Overall evaluation of potential ecological constraints	<p>The presence of the Local Wildlife Site and the potential presence of protected and priority habitats and species would be potential constraints to development; there would be a presumption against the loss of part of the Local Wildlife Site or of any woodland and compensation/mitigation would be sought for any impacts on protected species.</p> <p>However, currently there are no known ecological constraints which are so</p>

Site Name:	Land South of Hyde
	important as to preclude the allocation of the site, but ecological mitigation and compensation will likely be needed to avoid harm to important habitats and species which are known to be present.
Recommendations for further surveys that would be necessary to inform planning applications	<ul style="list-style-type: none"> • Extended Phase 1 habitat survey • Bat surveys • Badger surveys • Water vole surveys
Overall recommendations – are there any identified ecological constraints that would impose a significant constraints to future developments?	The presence of the Local Wildlife Site and the woodland would pose substantive constraints on the development of parts of the site.

APPENDIX 2: Phase 1 Habitat Assessment; Godley Green Garden Village

Plan taken from Phase 1 Habitat Assessment for Godley Green Garden Village undertaken by The Environment Partnership (TEP).



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