

ECOLOGICAL IMPACT ASSESSMENT

SITE 3, IMAGE BUSINESS PARK

ACORNFIELD ROAD, KNOWSLEY

carried out by



commissioned by

HALE ARCHITECTURE

On behalf of

SEYBOURNE ESTATES

SEPTEMBER 2021



ECOLOGICAL IMPACT ASSESSMENT

SITE 3, IMAGE BUSINESS PARK, ACORNFIELD ROAD, KNOWSLEY

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EXECUTIVE SUMMARY

- Clarkson and Woods Ltd. was commissioned by Seybourne Estates to carry out an update ecological survey of Site 3 (formerly Plot C) at Image Business Park, Acornfield Road, Knowsley Industrial Park, Liverpool.
- An update ecological survey of the site was undertaken in May 2021. The buildings on Site had previously been demolished (planning ref: 18/00698/DEM) and the main habitats were hardstanding, recently cleared bare ground, amenity grassland, areas of scattered scrub, young and semi-mature broadleaved trees and some remaining ornamental shrub. Three small buildings remained on Site, which were assessed to be of negligible value to nesting birds or roosting bats.
- The amenity grassland, scrub trees and shrubs offered foraging potential to a range of wildlife including amphibians and birds, albeit limited, particularly in the context of the wider area.
- Great crested newt eDNA surveys of brick-lined pits to the north and south of the Site in 2018 confirmed great crested newt presence within one to the south. The pits were subject to update eDNA surveys in June 2021, which were returned as negative for great crested newts. Sensitive removal of the pits is recommended along with progressive habitat clearance.
- Development proposals for the site include the removal of most remaining amenity grassland, as well as areas of ruderal vegetation and scrub. Construction plans involve the development of a large industrial unit, which will be situated within the centre of the site, associated parking to the north, and docking and turning space on areas of hardstanding to the south. Some areas of soft landscaping are proposed along the Site boundaries, which will comprise wildflower seeded grassland and native hedgerow planting.
- Semi-mature trees adjacent to the western boundary will be retained and protected during works, which is detailed within an Arboricultural Method Statement. A toolbox talk will be delivered to contractors at the outset of works regarding great crested newts and toads. The brick-lined pits will be removed between July to January, avoiding impacts on great crested newts, if present. All buildings, trees and shrubs suitable for use by nesting birds will be removed between September and February or be subject to a pre-works check by an experienced ecologist.
- A soft landscaping plan will be developed and implemented, incorporating areas of native grass and wildflower seeding, as well as a native, species-rich hedgerow. Management of newly created habitats will be detailed within a LEMP.
- Recommended enhancements for the Site include the installation of bird boxes on the new building.



1 INTRODUCTION

- 1.1.1 Clarkson and Woods Ltd. was commissioned by Seybourne Estates to carry out ecological surveys of Site 3 (formerly Plot C) at Image Business Park, Acornfield Road, Knowsley Industrial Estate, Liverpool, L33 7UF.
- 1.1.2 This report discusses the likely effects of the Proposed Development on the ecology of the Site using information collected during an Extended Phase 1 Habitats Survey carried out by Clarkson and Woods Ltd on 6th May 2021. Unless the client indicates to the contrary, information on the presence of species will be passed to the county biological records centre in order to augment their records for the area.
- 1.1.3 An initial ecological survey of the Site was undertaken in 2018 by Clarkson and Woods Ltd. prior to the demolition of industrial buildings on Site in 2020-2021 (18/00698/DEMCON). The survey included an extended Phase 1 habitats survey, along with external and internal inspections of the buildings. The results of these surveys and subsequent Phase 2 surveys, which included dusk emergence surveys of four buildings with Low suitability for roosting bats, and eDNA surveys of pits for great crested newts were included within the subsequent report¹.

1.2 Report Aims

- 1.2.1 The aims of this report are:
- To identify and describe all potentially significant ecological effects associated with demolition of the buildings;
 - To outline mitigation measures that are needed to ensure compliance with nature conservation legislation and to address any potentially significant ecological effects;
 - To identify appropriate enhancement measures

1.3 Site Description Summary

- 1.3.1 The Site is situated within the northeast of Knowsley Industrial Park, an extensive industrial area approximately 2km east of Kirkby, Liverpool. The Site previously contained numerous large warehouses and industrial buildings, all of which have been demolished since the initial ecological survey carried out in 2018. With the exception of the now-demolished buildings, the habitats on Site were found to be largely similar to those identified within the initial ecological survey, primarily comprising hardstanding, pioneer vegetation species and ruderals.
- 1.3.2 The site is approximately 2.25 hectares (ha) in size, and the approximate centre of the site was at OS Grid Ref. SJ 43747 98731, as shown in Figures 1 and 2.

1.4 Development Proposals

- 1.4.1 Planned works on Site comprise the construction of a single large warehouse covering approximately half the plot with associated hardstanding areas for parking, access and turning space to the south. The woodland along the northern boundary of the Site will be retained, and areas of soft landscaping will be incorporated along both the eastern and western boundaries in order to supplement retained areas of grassland. The latest development plans are provided in Figure 4.
- 1.4.2 Any significant changes to the proposed development plans should be issued to Clarkson and Woods Ltd. for review. Ecological impacts and mitigation opportunities may be affected by these changes.

¹ Pre-demolition Ecology Report - Plot C, Acornfield Road, Knowsley – Clarkson & Woods, August 2018

1.5 Quality Assurance

- 1.5.1 All ecologists employed by Clarkson and Woods are members of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow the Institute's Code of Professional Conduct² when undertaking ecological work.
- 1.5.2 The competence of all field surveyors has been assessed by Clarkson and Woods with respect to the CIEEM Competencies for Species Survey (CSS)³.
- 1.5.3 This report has been prepared in accordance with the relevant British Standard: BS42020: 2013 – Biodiversity: Code of Practice for Planning and Development⁴. It has been prepared by an experienced ecologist who is a member of CIEEM. The report has also been subject to a two stage quality assurance review by appropriately experienced ecologists who are full members of CIEEM.

1.6 Assessment Scope

- 1.6.1 The impact assessment will consider impacts arising during the construction and occupation phases of the scheme in order to encompass its entire lifespan, as far as can reasonably be anticipated.
- 1.6.2 Certain species have been scoped out on the basis of a lack of suitable habitat within or adjacent to the red line boundary of the proposed development. These include otter *Lutra lutra*, water vole *Arvicola amphibious*, and dormouse *Muscardinus avellanarius*.

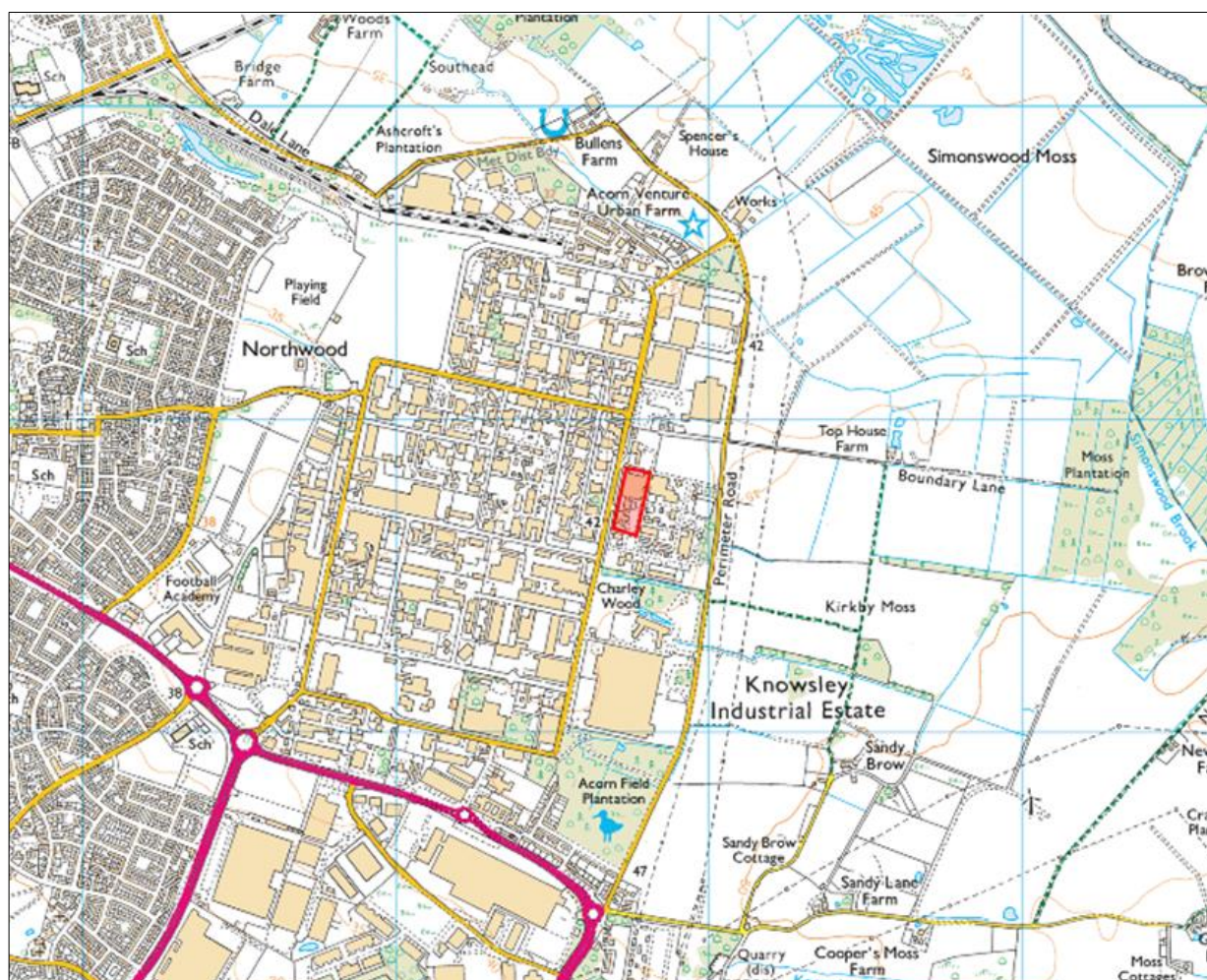


Figure 1: Ordnance Survey Map Showing Location of Site (© 2021 OS Maps)

² CIEEM (2013). Code of Professional Conduct. www.cieem.net/professional-conduct.

³ CIEEM (2013). Competencies for Species Survey (CSS). www.cieem.net/competencies-for-species-survey-css.

⁴ The British Standards Institution (2013). BS42020: 2013 – Biodiversity: Code of Practice for Planning and Development. BSI Standards Ltd.



Figure 2: Aerial photograph of Site boundary following building demolition works (©2021 Google)



2 BASELINE CONDITIONS

2.1 Introduction

- 2.1.1 This section sets out the results of the Desk Study and ecological field surveys along with an evaluation of their relative importance in order to inform the Impact Assessment. The methodologies associated with the baseline assessment are summarised with each ecological feature's subheading below.
- 2.1.2 Details of the legislative protection afforded to those protected species which have been identified as occurring or potentially occurring on the Site are given in Appendix A. Species of Conservation Concern are defined as those appearing in any of the following; Priority Habitats and Species under Section 41 of the Natural Environment and Rural Communities Act (2006); red or amber-listed birds within the British Trust for Ornithology's Birds of Conservation Concern (2015); and any specific local conservation priority species such as those listed in Red Data Books.

2.2 Evaluation Methodology

- 2.2.1 Each recorded ecological feature, whether it is a species, a habitat or a site designated for nature conservation, is described in turn in this section to provide the pre-development baseline conditions on Site. Subsequently, an evaluation of each feature's 'ecological importance' is made. The evaluation of ecological importance is informed by the criteria provided within the CIEEM Guidelines for Ecological Impact Assessment (2018)⁵.
- 2.2.2 With due consideration to the criteria, each feature is classified on a geographical scale of ascending importance as follows; Negligible, Site, Local, District, County, National and International. The chosen geographic level of importance is considered that which best represents the scale at which the loss of the Site's area or population of the feature would have the greatest impact. Where sufficient survey information not available to determine the importance of a species or habitat present on the Site, the importance of the receptor is marked as 'uncertain' and based upon the professional judgement of the author together with available relevant desk study information.
- 2.2.3 Once importance has been determined for each feature, those of Local importance or above will be considered to be Important Ecological Features (IEFs). Non-IEFs will typically not be considered further within the impact assessment. However, where a feature does not qualify as an IEF but is afforded specific legal protection or coverage under a particular legislation or planning policy it will also be assessed in order to ensure the scheme's legal and policy compliance.

2.3 Desk Study

Methodology

- 2.3.1 Statutory designated sites for nature conservation were identified using the Natural England/DEFRA web-based MAGIC map database (www.MAGIC.gov.uk). International-level sites such as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) within 5km from the Site were searched for. National-level sites such as National Nature Reserves (NNRs) and Sites of Special Scientific Interest (SSSIs) within 2km of the Site were searched for.
- 2.3.2 The Merseyside Biobank (MB) and Lancashire Environmental Records Network (LERN) were consulted for records of protected species and species of conservation concern within 2km of the Site in 2018. Given the small size of the Site and the context of the development within the local area, i.e. within an industrial estate subject to recent development, it was not considered necessary to update the desk study at this time and is not considered to be a significant limitation to this assessment.
- 2.3.3 The Natural England / DEFRA web-based MAGIC map database was also consulted for records of European Protected Species (EPS) licences issued for mitigation projects concerning EPS within 2km of the Site.

⁵ CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Chartered Institute of Ecology and Environmental Management. www.cieem.net



- 2.3.4 The Knowsley Local Plan (Core Strategy January 2016) was consulted for details of planning policies relevant to designated sites, protected species and habitats, and general ecological and environmental protection.
- 2.3.5 Ordnance Survey maps (1:25,000) and aerial images of the Site were examined online (bing.com/maps and maps.google.co.uk) to allow a better understanding of the context of the Site and its connections to potentially important habitats, known species records and protected sites.
- 2.3.6 The data presented within this report constitutes a summary of the data obtained from the local records centre. Should additional detail be required on any of the records described within this report Clarkson and Woods Ltd. should be contacted.

Limitations

- 2.3.7 The data searches from MB and LERN were obtained prior to the original ecological survey in 2018 and were not updated for this report, therefore the data within these records may be slightly out of date, although this is not considered to be a significant limitation given the small size of the site and context of the proposed development within the local landscape.
- 2.3.8 It should be noted that the data obtained from within the search area will not constitute a complete record of habitats and species present within the search area. It is therefore possible that protected species may occur within the vicinity of the proposed development site that have not been identified within the desk study.

Desk Study Findings

Designated Sites

2.4 Data Search – Designated Sites

International Designations within 5km of the Site

- 2.4.1 There are no internationally designated sites within 5km.

National Designations within 2km of the Site

- 2.4.2 There are no nationally designated sites within 2km.

Local Designations within 1km of the Site

- 2.4.3 There is one Local Nature Reserve (LNR) within 1km; Acornfield Plantation, the edge of which is approximately 650m south of the Site. This is 11.6ha of mature broadleaf woodland with a unique basin mire, acid and neutral unimproved grassland and ponds, and 46 locally rare species of plants. The nature reserve also supports breeding water voles and great crested newts.
- 2.4.4 There is one Local Wildlife Site (LWS) within 1km; Charley Wood, the edge of which is approximately 150m to the south of the Site. This is 7.7ha of broadleaf woodland on acid peat soil, with large glades and unimproved acid and neutral grassland.

Local BAP

- 2.4.5 Relevant priority species and habitats within North Merseyside Local Biodiversity Plan include:
- Bats
 - Urban birds
 - Urban trees
 - Urban green infrastructure

2.5 Knowsley Local Plan: Core Strategy, January 2016

- 2.5.1 The Knowsley Local Plan sets out details for protection, management and enhancement of Green Infrastructure in Policy CS8, and of particular relevance is (b) - to sustain and promote biodiversity in accordance with importance and contribution to ecological networks.



- 2.5.2 CS11 sets out policy for regeneration of Knowsley Industrial and Business Park. The policy seeks to enhance green infrastructure within the industrial park, by improving accessibility through footpaths and cycle routes, to improve the amenity value of the green spaces and perception of the park, but without compromising the biodiversity value of Charley Wood and Acornfield Plantation which are both situated on Knowsley Industrial Park.

2.6 Habitat Survey

Habitat Survey Methodology

- 2.6.1 A habitat survey was carried out based on standard field methodology set out in the *Handbook for Phase 1 Habitat Survey* (2010 edition)⁶. The ecological survey was undertaken by Rebecca Sandey, StuCIEEM. Rebecca has over 2 years' experience undertaking ecological surveys, holds a BSc in a relevant degree and has been assessed under the Clarkson and Woods QA processes as competent to complete the survey.
- 2.6.2 Botanical names follow Stace (1997)⁷ for higher plants and Edwards (1999)⁸ for bryophytes.
- 2.6.3 The results of the ecological survey are included in map form on Figure 3. Habitats are mapped following the codes and conventions described within the Phase 1 Habitat Survey Handbook and Target Notes (Table 1) are used to describe habitats not readily conforming to recognised types and evidence of or potential for protected species and species of conservation concern. Photographs of the Site are provided in Appendix B.

Habitat Assessment Limitations

- 2.6.4 No specific limitations to the habitat assessment were encountered during the survey.

Hardstanding and Bare Ground

Field Survey Results

- 2.6.5 Large areas of the Site were comprised of concrete and tarmac hardstanding, covering the building footprints from previously existing structures, as well as paths and roads. Much of the hardstanding was unable to support vegetation growth, however some pioneer species, such as willowherbs sp, bramble and buddleia, were noted in areas where the integrity of the concrete surface had broken down. Small areas of bare ground were also present where foundations were missing and / or vegetation removed.

Evaluation

- 2.6.6 This habitat is considered to be of **Negligible** value for wildlife.

Buildings

Field Survey Results

- 2.6.7 The buildings on Site had been demolished through 2020 – 2021, although three remaining buildings were noted to be present on Site. These comprised a single skin, corrugated metal structure (B1), disused security office (B2) and a flat-roofed brick building (B1) (Fig. 3 refers). Photographs are provided within Appendix B.

Evaluation

- 2.6.8 The buildings on Site were considered to be of **Negligible** intrinsic value to wildlife.

Amenity Grassland

Field Survey Results

- 2.6.9 There were few small areas of short amenity grassland within the southern section of the Site. Grasses were dominated by perennial ryegrass *Lolium perenne*, with patches of Yorkshire fog *Holcus lanatus*. Herbs were

⁶ Nature Conservancy Council. (1990 - 2010 edition). *Handbook for Phase 1 Habitat Survey – A Technique for Environmental Audit*, Joint Nature Conservation Committee

⁷ Stace, C. (1997). *New Flora of the British Isles Second Edition*. Cambridge University Press

⁸ Edwards, S.R. (1999). *English Names for British Bryophytes*. BBS, Cardiff



sparse and included bugle *Ajuga reptans*, common groundsel *Senecio vulgaris*, common mouse-ear *Cerastium fontanum*, daisy *Bellis perennis*, dandelion *Taraxacum officinale*, herb Robert *Geranium robertianum*, ribwort plantain *Plantago lanceolata* and yarrow *Achillea millefolium*.

Evaluation

- 2.6.10 This habitat was assessed as likely to provide **Site** importance to wildlife due to the potential for foraging by a range of widespread species.

Standing Water

Desk Study

- 2.6.11 A series of four brick-lined pits (#1 on Fig. 4) and a further smaller pit (#2) were previously identified within the south of the proposed development area. All pits contained water and measured approx. 2m x 2m. The series of four pits were over 2m deep, were netted and no vegetation was present; it is understood that they were previously used as part of the Kodak chemical factory for water run-off / washing-off chemicals. The smaller pit, approx. 0.3m deep had a small amount of bulrush *Typha* sp. emerging from the shallow water (~10cm).

Field Survey Results

- 2.6.12 The above mentioned pits were still present and assessed to be in the same condition as previously recorded.

Evaluation

- 2.6.13 The four pits were considered to be of **Negligible** value to wildlife due to their sheer sides and lack of vegetation, while the smaller pit was considered to be of **Site** importance.

Ruderals, Scrub and Pioneer Species

Field Survey Results

- 2.6.14 Within the southern section of the Site, discrete areas of scattered ruderals and scrub with establishing pioneer species were noted. These included bramble *Rubus fruticosus*, common nettles *Urtica dioica*, cleavers *Galium aparine*, ragwort *Jacobaea vulgaris*, willowherb *Epilobium* sp., thistle *Cirsium* sp., bugle *Ajuga reptans*, sorrel *Rumex acetosa*, coltsfoot *Tussilago farfara* and buddleia *Buddleja* sp..
- 2.6.15 Small areas of young, self-seeded broadleaved trees were recorded adjacent to the eastern boundary within the southern section of the Site, which included silver birch *Betula pendula* and goat willow *Salix caprea*.

Evaluation

- 2.6.16 These habitats were considered to be of **Site** importance due to the potential for providing foraging habitat for a range of widespread species.

Introduced Shrub

Field Survey Results

- 2.6.17 Short sections of planted introduced shrub associated with the previous development were noted adjacent to the east and west boundaries in the south of the Site, which included buddleia and ornamental vegetation.

Evaluation

- 2.6.18 This habitat was assessed to be of **Site** importance due to the potential for foraging by a range of widespread species and nesting by birds.

Broadleaved Trees

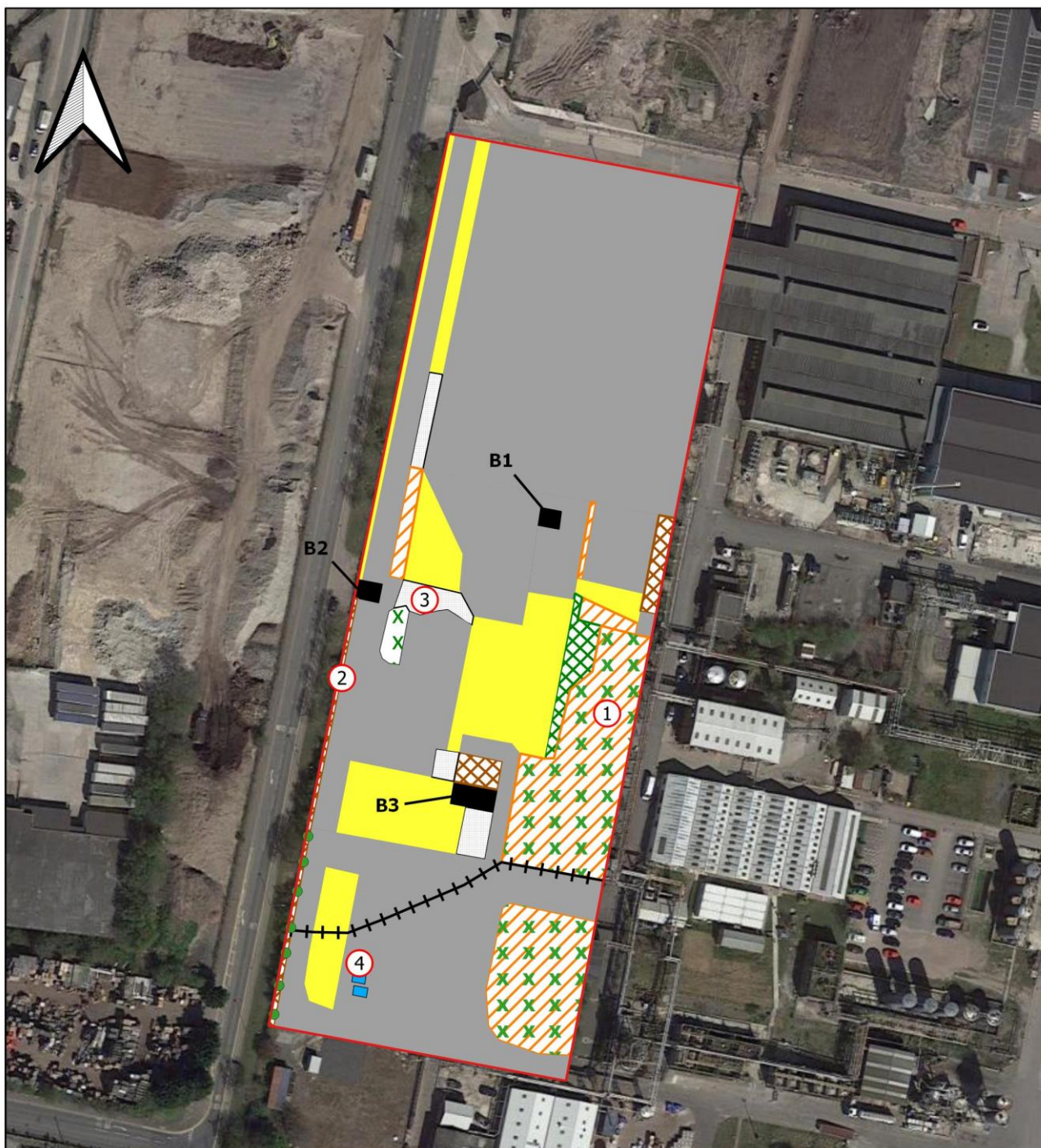
Field Survey Results

- 2.6.19 A line of semi-mature broadleaved trees were recorded along the western Site boundary, also within the southern section. These included lime *Tilia* sp., willow, dogwood *Cornus sanguinea* and ash *Fraxinus excelsior*, along with ornamental shrubs.



Evaluation

- 2.6.20 This habitat was assessed to be of **Site** importance due to the potential for foraging by a range of widespread species.



Key:

- Red line boundary
- Target note
- Broadleaved tree
- Heras fencing
- Amenity grassland
- Scattered scrub
- Dense scrub

- Tall ruderal vegetation
- Tall ruderal vegetation with scattered scrub
- Introduced shrub
- Bare ground
- Standing water
- Building
- Hardstanding

CLARKSON & WOODS
ECOLOGICAL CONSULTANTS

Project
Site 3 Image Business Park

Title
Extended Phase 1 Habitats Map

Project Number
7436

Date
August 2021

Scale 0 25 50 m

Figure 3: Extended Phase 1 Habitat Plan



Table 1: Target Notes

No.	Description
1	Semi-mature trees, primarily willow sp., & scattered ruderal vegetation with scrub
2	Section of introduced shrub with line of semi-mature trees
3	Rubble piles on bare ground, which offer limited potential for sheltering wildlife, such as common toad
4	Brick-lined pits survey for great crested newt eDNA

2.7 Protected Species Survey and Species of Conservation Concern

Badgers

Methodology

- 2.7.1 A search was made for badger *Meles meles* setts, and any sett entrances found were checked for signs of use by badgers or other mammals. Setts were classified into the following categories; Main, Subsidiary, Annexe or Outlying⁹. Sett entrances found were counted and mapped to record tunnel direction and their relative level of usage.
- 2.7.2 Field signs such as 'snuffle holes' (holes dug by badgers when searching for invertebrates), pathways through vegetation, 'latrines' (small pits in which badgers deposit their faeces) and 'day nests' (nests of bedding material made by badgers for sleeping above ground) were also mapped, if found.

Limitations

- 2.7.3 Badgers may dig new holes and create new setts in a very short space of time.

Desk Study Information

- 2.7.4 There were no records of badger within 2 km of the site.
- 2.7.5 One partially-used and one disused single-entrance outlier sett was temporarily excluded under licence from Natural England (Tom Clarkson Class Licence ref: CL35/0015) prior the development of Site 1 adjacent to the northeast of the Site. Subsequent to the completion of the development of Site 1, the entrances were re-opened in May 2021. The nearest of these entrances lies approximately 150m northeast of the Site boundary.

Field Survey Results

- 2.7.6 No signs of badgers were identified within the Site and minimal habitat suitable for the species was present.

Evaluation

- 2.7.7 Badgers are considered to be of **Site** importance due to their historical presence within the adjacent plot, however it is unlikely that the species is currently present within the Site due to lack of suitable habitat.

Bats

- 2.7.8 The assessment of the suitability of the site for foraging and roosting bats was based on current guidance set out by the Bat Conservation Trust¹⁰.
- 2.7.9 *Trees*: an inspection of trees on site was carried out from the ground, using binoculars, to record any signs of use of the tree by bat species. Features such as frost cracks, rot cavities, flush cuts, split or decaying limbs (including hazard beams), loose bark and dense plates of ivy were inspected and recorded. Any signs of

⁹ Lewns, P., Clarkson, T. & Lewns, D. (2019). *Badger Survey and Mitigation Guidelines (The Mammal Society Mitigation Guidance Series)*. Eds. Fiona Mathews and Paul Chanin. The Mammal Society, London. (as yet unpublished)

¹⁰ Collins, J. (ed) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn)*. The Bat Conservation Trust, London. ISBN-13 978-1-872745-96-1.



staining (from urine or fur rubbing) and scratch marks below potential access points were noted, and a search was made for droppings underneath these features.

- 2.7.10 *Buildings*: the exteriors of the buildings were examined through the use torches and binoculars for potential roosting features (PRFs). Extra factors taken into consideration included the potential for noise disturbance to the potential roost feature, exposure to the elements, lighting levels, proximity / connectivity of vegetation and water and whether these PRFs led on to cavities further into the structure.
- 2.7.11 *Habitat*: the habitats within the site were appraised for their suitability for use by foraging and commuting bats. In particular, the connectivity of the habitats on site to those lying beyond was taken into account. Vegetated linear features are typically important for many species to navigate around the landscape, while the presence of woodland, scrub, gardens, grassland and wetland features increases a site's foraging resource value to bats. The potential for noise or lighting disturbance which may affect commuting links was also recorded.

Limitations

- 2.7.12 An internal inspection of the buildings remaining on Site was not undertaken as they were found to be in much the same condition as previously recorded and no PRFs were recorded externally.
- 2.7.13 Bats are very small creatures, capable of secreting themselves away into extremely small spaces and it is possible that these animals, or their signs, might have been missed during the survey if they are normally present opportunistically or in small numbers for a short period of time each year.
- 2.7.14 Not all features in trees suitable for use by bats are visible from the ground and there can be no external evidence of use of features by bats; consequently it is only possible to make a best effort when carrying out such a survey.

Desk Study Information

- 2.7.15 BM returned multiple records of common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, brown long-eared *Plecotus auritus*, *Myotis* sp. and Daubenton's bat *Myotis daubentonii*. LERN returned several records of common pipistrelle, Daubenton's and noctule. Many of these records were from recent detector surveys, with several older roost records although none related to the Site or immediate surrounds. The nearest records were from 2009, approximately 500m to the south of the Site.
- 2.7.16 Prior to demolition, the previous buildings on Site were assessed as offering negligible to low potential for roosting bats. Further survey of the four buildings assessed as offering low potential was undertaken in July 2018, which recorded no bats roosting within them. The buildings remaining on Site were previously assessed as offering negligible potential for roosting bats following the 2018 internal inspections.
- 2.7.17 Transect surveys of Site 1 (Plot B) undertaken in 2018 recorded common pipistrelle, pipistrelle sp. and noctule. Static detector surveys further identified a *Myotis* species. Activity was predominately in proximity to the woodland edges and the eastern woodland boundary was found to be an important commuting corridor.

Field Survey Results

- 2.7.18 None of the trees within the Site had any features suitable for roosting bats; the trees were relatively young and considered unlikely to develop potential roosting features in the near future. Most buildings that had previously existed on Site had been removed as part of demolition works. The three buildings which remained on Site were previously assessed as being of negligible potential for roosting bats and remained as such. Therefore, no built structures with potential to support roosting bats were present within the Site. Table 2 summarises each of the remaining buildings on Site, along with their potential to support roosting bats.
- 2.7.19 The amenity grassland and scattered scrub provide potential foraging habitat for local populations of bats, although parts of the Site may be illuminated to some extent at night (Image Business Park is in use throughout the day and night), which may deter some species of bat, although some species are known to forage around streetlights. The Site is not considered to offer valuable commuting corridors for bats owing to the lack of mature boundary vegetation.

**Table 2: Buildings Description Summary**

Building Number	Description	Potential to Support Roosting Bats	Potential to Support Nesting Birds
1 (previously 23)	Pre-fabricated single storey building made of corrugated plastic / metal, formerly used as a gym.	Negligible	Low
2 (not previously numbered)	Single storey prefabricated GRP (fibreglass) security cabin with a very shallow pitched roof.	Negligible	Negligible
3 (previously 24)	Single storey brick building with a flat corrugated roof. Two rooms inside used as a telephone exchange, with suspended ceilings.	Negligible	Low

Evaluation

- 2.7.20 The Site is considered to offer **Negligible** potential for roosting bats and **Site** importance for foraging bats.

Great Crested Newts and ToadsMethods

- 2.7.21 All waterbodies within 250m of the Site were identified using Ordnance Survey maps and aerial imagery. Waterbodies within the site ownership boundary and on publically accessible land were assessed during the field survey for their suitability to support amphibian species where access was possible.
- 2.7.22 Great crested newt eDNA surveys of waterbodies within 250m of the Site were undertaken within the optimal survey window to determine presence / likely absence of great crested newts. Surveys were carried out following best practice as outlined in the Defra Project WC1067 and samples were submitted for analysis to ADAS. Survey details are summarised in Table 3. Both surveyors have been assessed under the Clarkson and Woods QA processes as competent to complete the survey.

Table 3: eDNA Survey Details

Pit # (Fig. 4 refers)	Date	Surveyor	GCN Licence?
3	14 th June 2021	Charlie Durigan	2017-28064-CLS-CLS
1 + 2	19 th June 2021	Adèle Remazeilles GradCIEEM	N/A

- 2.7.23 Terrestrial habitats were also assessed for their suitability for foraging and sheltering amphibians. These species requires habitats such as grassland, scrub, woodland and hedgerows for dispersal and hibernation. Further hibernation features include buried rubble and logs, or mammal burrows.

Desk Study Information

- 2.7.24 Four records of common toad and five of great crested newt were returned from MB since 2000, of which the majority were associated with Acornfield Plantation LNR, 650m to the south of the Site.
- 2.7.25 Brick-lined pits within the south of the Site were sampled and tested for great crested newt eDNA in 2018, which returned a positive result for the small pit only (#2 on Figure 4). Two further brick-lined pits within Site 2, immediately north of the Site, were also subject to eDNA survey in 2018 and were returned as negative for great crested newts.
- 2.7.26 No further ponds were identified within 250m of the Site from aerial / OS mapping.

Limitations

- 2.7.27 Of the four brick-lined pits within the south of the Site (#1 on Figure 4), only one had a sufficient water level that could be safely reached by the surveyor due to the depth of the pits (>2m). As the pits were in very close proximity to one-another, and considered to be unsuitable for use by amphibian species (likely to act as pit-fall traps due to their sheer sides and were un-vegetated), this is not considered to be a significant limitation given that presence was not previously recorded in any of these pits.



- 2.7.28 The two pits north of the Site (#3 on Figure 4) were found to be connected by brick-sized channel and were therefore assessed as a single waterbody and one eDNA kit was used to sample both pits.

Field Survey Results

- 2.7.29 All safe and accessible waterbodies were re-sampled in 2021, which were subsequently returned as negative for great crested newts. A further update great crested newt eDNA survey was undertaken in June 2021 of two connected brick-lined pits within Site 2 15m north of the Site (#3 on Figure 4), which were also returned as negative for the species.
- 2.7.30 The Site provided limited sub-optimal terrestrial habitat for great crested newts and toads due to high levels of disturbance and large areas of bare ground and hardstanding acting as a barrier between the aquatic and terrestrial habitat available. Rubble piles may provide suitable shelter for amphibians, although these are likely to be very recent given the recent date of demolition works. High levels of disturbance within the site are likely to have deterred amphibian species.
- 2.7.31 Toadpoles were noted within the brick pits (#3) to the north of the Site within Site 2 during the eDNA survey, which is bounded by habitat of greater ecological value than Site 3, inclusive of significant areas of tussocky grassland and broadleaved woodland, connecting the Site to wider suitable habitat.

Evaluation

- 2.7.32 Although their presence is considered unlikely due to the predominant unsuitability of the aquatic and terrestrial habitats, as well as recent negative eDNA result from waterbodies on and offsite (within 250m), great crested newts and toads were assessed to be of **Site** importance due to their known presence in the wider area.

Reptiles

Methods

- 2.7.33 Features on site were assessed for their potential to provide suitable habitats for use by reptile species. These include rough, tussocky grassland, scrub, disturbed land or refugia such as wood piles, rubble or compost heaps. Where present, suitable existing refugia were inspected for sheltering reptiles, and the ground was scanned whilst walking to look for basking species.

Limitations

- 2.7.34 The wet conditions experienced during the site visit are likely to have limited the activity of any reptiles present on Site, if any.

Desk Study Information

- 2.7.35 No reptile records were returned within the desk study.
- 2.7.36 No reptiles were encountered during the site clearance of Site 1 to the northeast, which was progressed under ECoW at the outset.

Field Survey Results

- 2.7.37 Few rubble piles, along with areas of scattered scrub and ruderal vegetation in the south of the Site provided habitat of suitability for reptiles albeit limited. However, the potential for these habitats to support reptiles was constrained by the lack of connectivity to other areas of more suitable habitat.

Evaluation

- 2.7.38 Reptiles were considered to be of **Negligible** importance given the small extent of suitable habitat present and lack of connectivity to suitable areas in proximity to the Site.

Birds

Methodology

- 2.7.39 Any buildings and vegetation were surveyed for signs of use by nesting birds and any birds seen or heard during the survey were noted. The site's potential to support bird species of particular conservation concern (i.e. Schedule 1, NERC S41 and Red List species) was assessed, taking into consideration the bird species assemblage observed during the survey, the habitats present on and around the site, the context of the site in the wider landscape and the results of the desk study.



Limitations

- 2.7.40 There was rain during the survey, which likely meant that fewer birds were able to be identified during the survey as they were less likely to be out in the open. This is not considered to be a significant limitation given the limited opportunities available for sheltering birds provided by the habitats on site.

Desk Study Information

- 2.7.41 No bird records returned within the data search since 2006. Many species included within the data search results were associated with arable and agricultural habitats, which are not present within the Site.

Field Survey Results

- 2.7.42 Few widespread birds were recorded during the survey, including lesser black-backed gull *Larus fuscus*, blue tit *Cyanistes caeruleus* and goldfinch *Carduelis carduelis*.
- 2.7.43 Habitats on Site were assessed to offer limited potential for nesting and foraging by widespread bird species, limited only to semi-mature broadleaved trees, and areas of amenity grassland and scattered scrub.
- 2.7.44 Of the remaining three buildings on Site, two were considered to offer limited potential to nesting urban bird species such as pigeons, while the third was not considered to offer any potential to nesting birds (Table 2 refers).

Evaluation

- 2.7.45 Birds on Site were considered to be of **Site** importance.

Other Protected Species and Species of Conservation Concern (SoCC)

Methods

- 2.7.46 Habitats were assessed for their suitability to support other protected species and any SoCC, including non-native species, were recorded during the survey.

Limitations

- 2.7.47 Completion of the survey outside of the optimal botanical survey period may have resulted in non-native plant species to have been missed.

Desk Study Information

- 2.7.48 Records of Indian balsam and Japanese knotweed were returned within the data search since 2000, the nearest of which originated from Charley Wood, ~150m south of the Site.

Field Survey Results

- 2.7.49 No other protected species or SoCC were recorded during the survey and the habitats on Site were not considered likely to support further protected species.

Evaluation

- 2.7.50 Other protected species and SoCC were considered to be **Negligible** in the context of the Site.

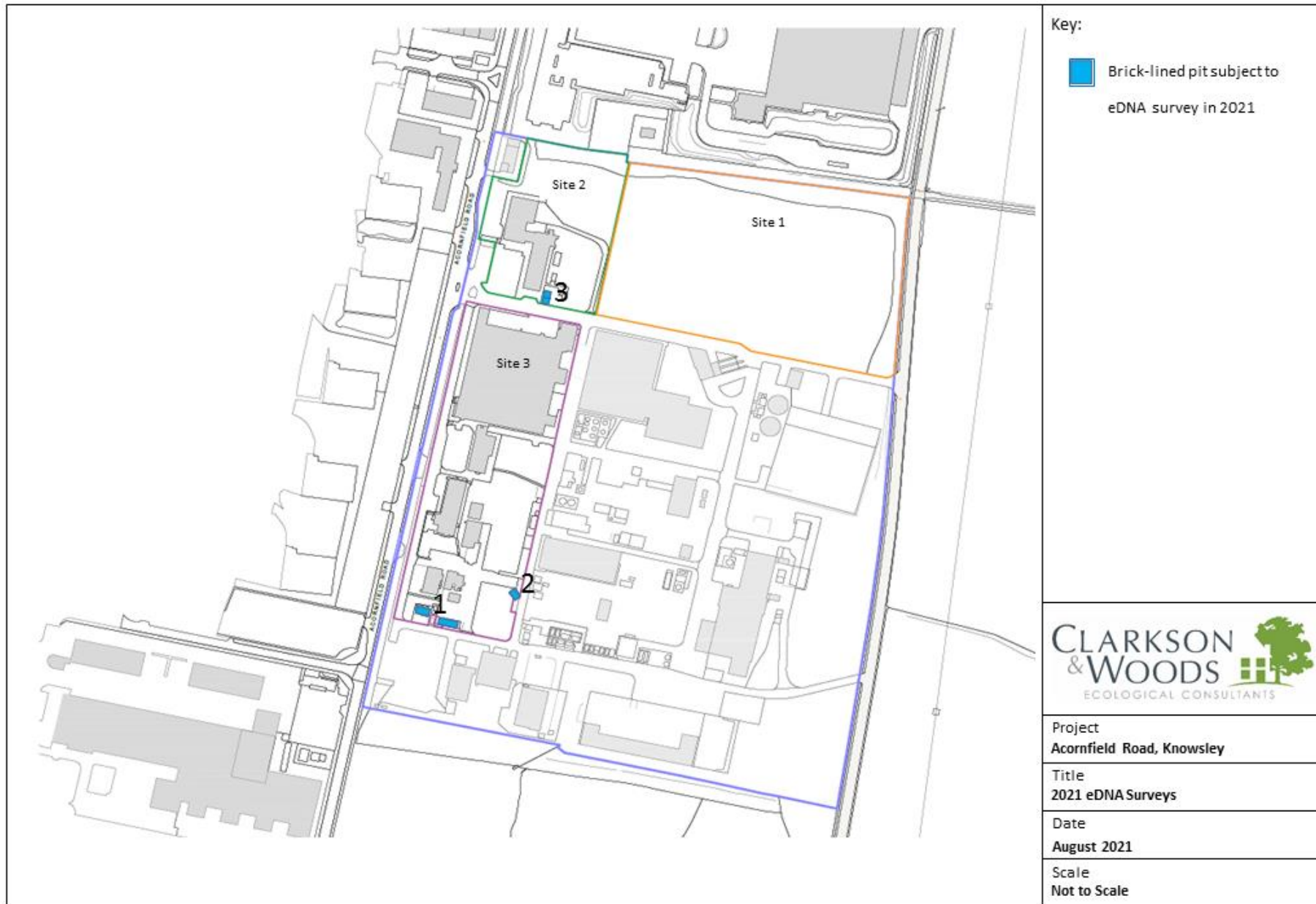
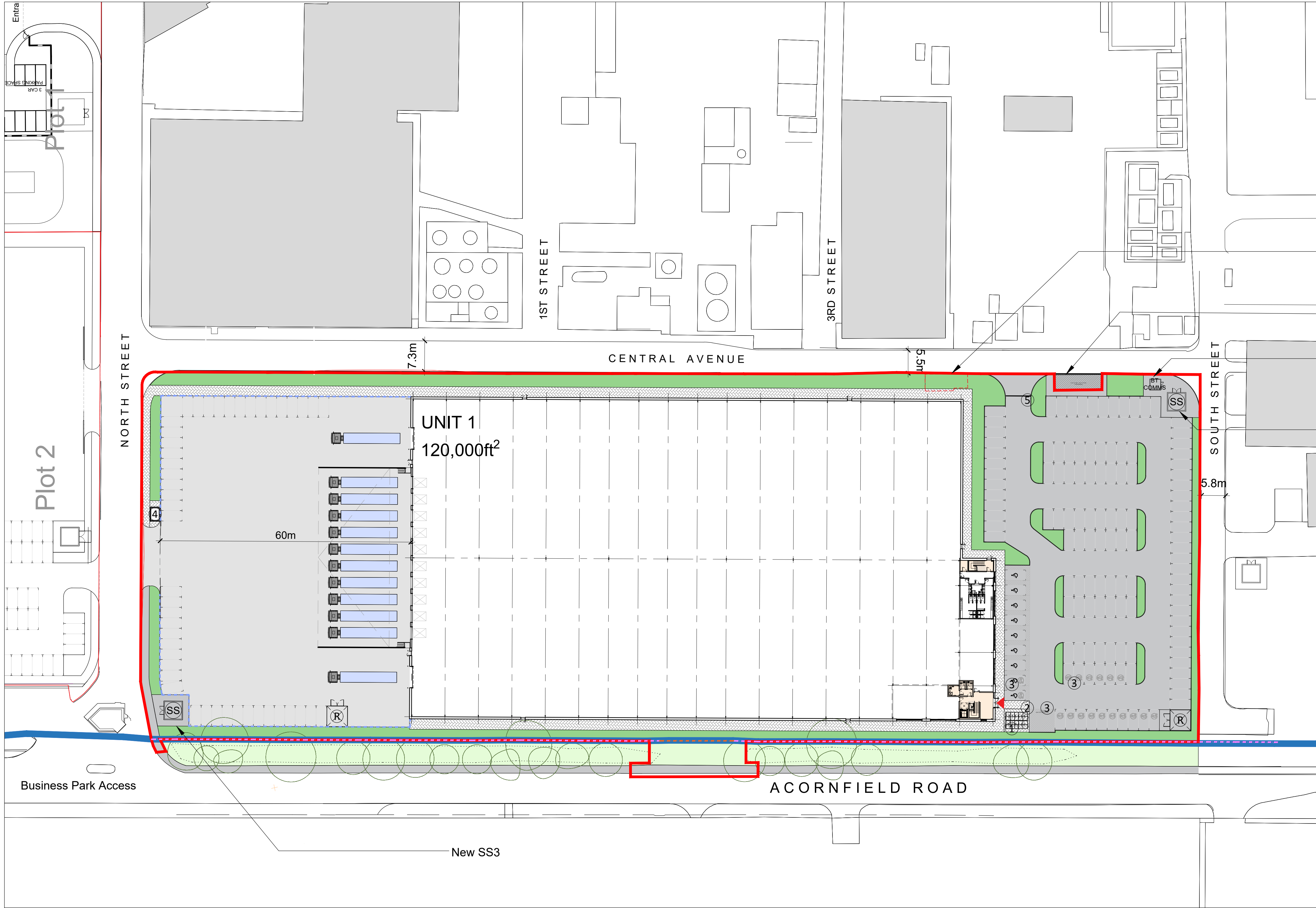


Figure 4: Brick-lined Pits Subject to Great Crested Newt eDNA Surveys



01 Proposed Site Plan
1:500@A1 / 1:1000 @ A3

Disclaimer:
Subject to survey.

Notes:

- KEY**
- Image Business Park
 - Site Boundary Line
(22,457m²/ 5.55acres/ 2.25ha)
- AREA SCHEDULE(GIA)**
- | | |
|-------------------------------------|------------------------------|
| UNIT 1 (GIA) | 120,000ft² |
| Warehouse (Incl. office Undercroft) | 110,700ft ² |
| Office (FF Only) | 4,650ft ² |
| Office (SF Only) | 4,650ft ² |
- Car parking spaces 180
Level Loading Doors 2
Dock Level Doors 10
Cycle Spaces 28
- EXTERNAL MATERIALS:**
- In-situ concrete
 - Concrete block paving
 - Permeable paving
 - Soft Landscaping - Low maintenance grass
 - Existing black chain link fence
 - Proposed black chain link fence to tie into existing
 - 2.6m Proposed Black paladin fence
- ① Bicycle Stands
② Motorcycle Parking
③ EV Charging
④ Security Hut
⑤ Parking Barrier
R Refuse Area
SS Substations

Outline of existing
SS2 - to be removed

Bld 18. Plant room
for FIS site

New BT Comms
Room

New SS2

DRAFT

F	Update site plan	31.08.21	HT	HA
E	Landscaping North & Car Parking	20.08.21	HT	HA
D	SS Moved/ Car P arrangement	09.08.21	HT	HA
C	Increased Yard Size	26.07.21	HT	HA
B	Unit flipped	22.07.21	HT	HA
A	SS/BT comms relocation	19.07.21	HT	HA
-	Draft Issue	08.07.21	HT	HA
Rev:	Notes:	Date:	Dwn:	Iss:

Client:

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hale
ARCHITECTURE | DESIGN MANAGEMENT
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Project:
Imagination 03
Image Business Park, Knowsley

Drawing Title:
Site 3
Proposed Site Plan

Project No: 21066	Scale @ A1/A3: 1:500 / 1:1000	Revision: F
Drawing No: 21066 - PL1102		



Figure 5: Proposed Site Plan (Hale Architecture, Ref: 21066 - PL1102)



2.8 Summary of Ecological Importance

2.8.1 Table 4 gives all the identified ecological features on Site and their individual assessment of importance. Those coloured green are considered to be Important Ecological Features and will form the basis of the Assessment of Effects in Section 3. Those coloured yellow will be included on the basis of their specific legal protection or applicable planning policies.

Table 4: Summary of Ecological Importance

Feature	Importance
Designated Sites	
Acornfield Plantation LNR	Local
Charley Wood LWS	Local
Habitats	
Hardstanding / Bare Ground	Negligible
Amenity Grassland	Site
Standing Water	Site
Ruderals, Scrub & Pioneer Species	Site
Introduced Shrub	Site
Broadleaved Trees	Site
Species	
Badgers	Site
Bats (roosting)	Negligible
Bats (commuting / foraging)	Site
Great Crested Newt & Common Toad	Site
Reptiles	Negligible
Birds	Site
Other Protected Species	Negligible



3 ASSESSMENT OF EFFECTS

3.1 Methodology

- 3.1.1 Continuing from the valuation of Important Ecological Features (IEFs), this section lists each IEF in turn together with a characterisation of any potential impacts upon them likely to arise from the proposals. This takes into consideration any measures inherent to the designed scheme which seek to avoid such impacts altogether. Next, any agreed mitigation measures chosen to reduce likely impacts are then set out, along with the mechanism(s) through which these would be secured.
- 3.1.2 Residual effects, being those effects which would likely still arise despite any avoidance measures or agreed mitigation efforts, are subsequently discussed. Residual effects are determined to be either significant or not significant and any significant residual effects are given a geographical scale at which they might be felt. This assessment methodology is in accordance with that set out in the CIEEM Guidelines for Ecological Impact Assessment, 2018.
- 3.1.3 Where residual effects are identified compensatory measures may be proposed to make up for the loss or permanent damage to an IEF, as far as possible. Monitoring or management schemes which may be necessary to ensure the long-term achievement of all intended mitigation and compensation are discussed.
- 3.1.4 Where potential for cumulative impacts upon IEFs in association with other proposed or ongoing local development are identified these are described as appropriate for the affected IEF. The Zone of Influence for each IEF, together with their level of ecological importance will be of relevance when considering the scope of a cumulative impact assessment.
- 3.1.5 Ecological enhancement measures that will be incorporated into the development are given in line with the National Planning Policy Framework.

3.2 Summary of Development Proposals

- 3.2.1 The development proposals comprise the construction of a single industrial unit within the centre of the Site, with car parking provisions to the north and lorry docking / loading to the south.
- 3.2.2 Soft landscaping will comprise the inclusion of seeded wildflower grassland, managed with a longer sward, and native hedgerow planting of local provenance around the periphery of the Site.

3.3 Designated Sites

- 3.3.1 The proposed development is sited within an industrial estate, on land previously occupied by buildings and associated infrastructure, and is considered to be small-scale in the context of the local landscape.
- 3.3.2 No impacts on designated sites identified within the desk study are anticipated as a result of the development.

3.4 Habitats

- 3.4.1 The Site was dominated by hardstanding with habitats that were present on Site generally of limited value to wildlife, being isolated and small in their extent.

Potential Impacts

- 3.4.2 The proposed development will result in the loss of discrete areas of scattered scrub and pioneer species, including self-seeded trees, amenity grassland and introduced shrub. The combined area of this habitat to be lost covers approx. 0.5ha. It is anticipated that the semi-mature trees adjacent to the western Site boundary will be retained and protected throughout works.

Mitigation, Compensation, Enhancement and Monitoring

- 3.4.3 A soft landscaping scheme has been prepared for the Site (Fig. 6 refers), which will include the provision of 440m² species-rich grassland and 400m of native hedgerow planting of local provenance around the periphery of the Site. In addition approx. 595m² of amenity grass, 75m of evergreen hedgerow and 250m² ornamental shrub will be seeded / planted.



- 3.4.4 A tree protection plan¹¹ and arboricultural method statement¹² detailing protocols and good practice guidelines to ensure protection of retained trees, including protection of tree root protection zones, are set out to ensure the feature is adequately protected during works.
- 3.4.5 A Landscape and Ecological Management Plan (LEMP) for the plot will be prepared for the operational site, which will cover how retained habitats and newly planted areas should be managed so as to maximise their biodiversity value and achieve the objectives of ecological mitigation and compensation. The LEMP should also set out any measures necessary to ensure protected species are appropriately accommodated within the operational site.

Residual Effects

- 3.4.6 Given the industrial nature of the Site, existing habitats and above measures, a neutral impact on habitats is anticipated as a result of the works.

3.5 Protected Species and Species of Conservation Concern

Great Crested Newt and Toad

- 3.5.1 The habitats on Site were generally sub-optimal for amphibian species, including great crested newt and toad.

Potential Impacts

- 3.5.2 The development will result in the loss of a small extent of potential terrestrial habitat for amphibians. Update GCN eDNA surveys have confirmed absence of this species within any waterbodies both on and off-site within 250m. Historic surveys of pit 2 in 2018 previously identified the presence of GCN within the Site. However, update surveys in 2021 confirmed absence. Due to unsuitability of the pits for breeding, it is considered that the previous positive result was likely attributable to the migratory movements of an individual only, with other ponds known 650m south. As such, it is considered highly unlikely that clearance of the Site would result in killing / injury or removal of terrestrial habitat.

Mitigation, Compensation, Enhancement and Monitoring

- 3.5.3 Given that both great crested newts and toads are known within the wider area, a toolbox talk is recommended at the outset of works to ensure that contractors are aware of the legal protection afforded to the species. The toolbox talk will also discuss the precautionary approach to the removal of the brick-lined pits, which will be detailed within a Risk Avoidance Method Statement (RAMS). The RAMS would also include detail of a precautionary approach to the clearance of vegetation onsite that may offer suitability for sheltering amphibians via a phased approach using hand tools, with any arisings immediately removed from the Site. The talk would also detail the appropriate course of action to take in the highly unlikely event that a great crested newt is discovered during works, i.e. halting works and potentially obtaining a mitigation licence.
- 3.5.4 The inclusion of wildflower grassland and hedgerows around the periphery of the Site will likely maintain a future potential corridor for amphibians should they move around the periphery of the Site.

Residual Effects

- 3.5.5 Negligible residual impacts are anticipated as a result of the development proposals.

Birds

- 3.5.6 The Site offers suitable habitat for nesting and foraging widespread birds, albeit limited in its extent.

Potential Impacts

- 3.5.7 The development will result in the loss of vegetation that may be used by birds, including introduced shrub and amenity grassland.

¹¹ BEA (2021) Tree Protection Plan, doc. ref: 21-80-04.

¹² BEA (2021) Site 3, Image Business Park, Knowsley Arboricultural Method Statement to BS 5837:2012, doc. ref: 2180/EH/AMS001

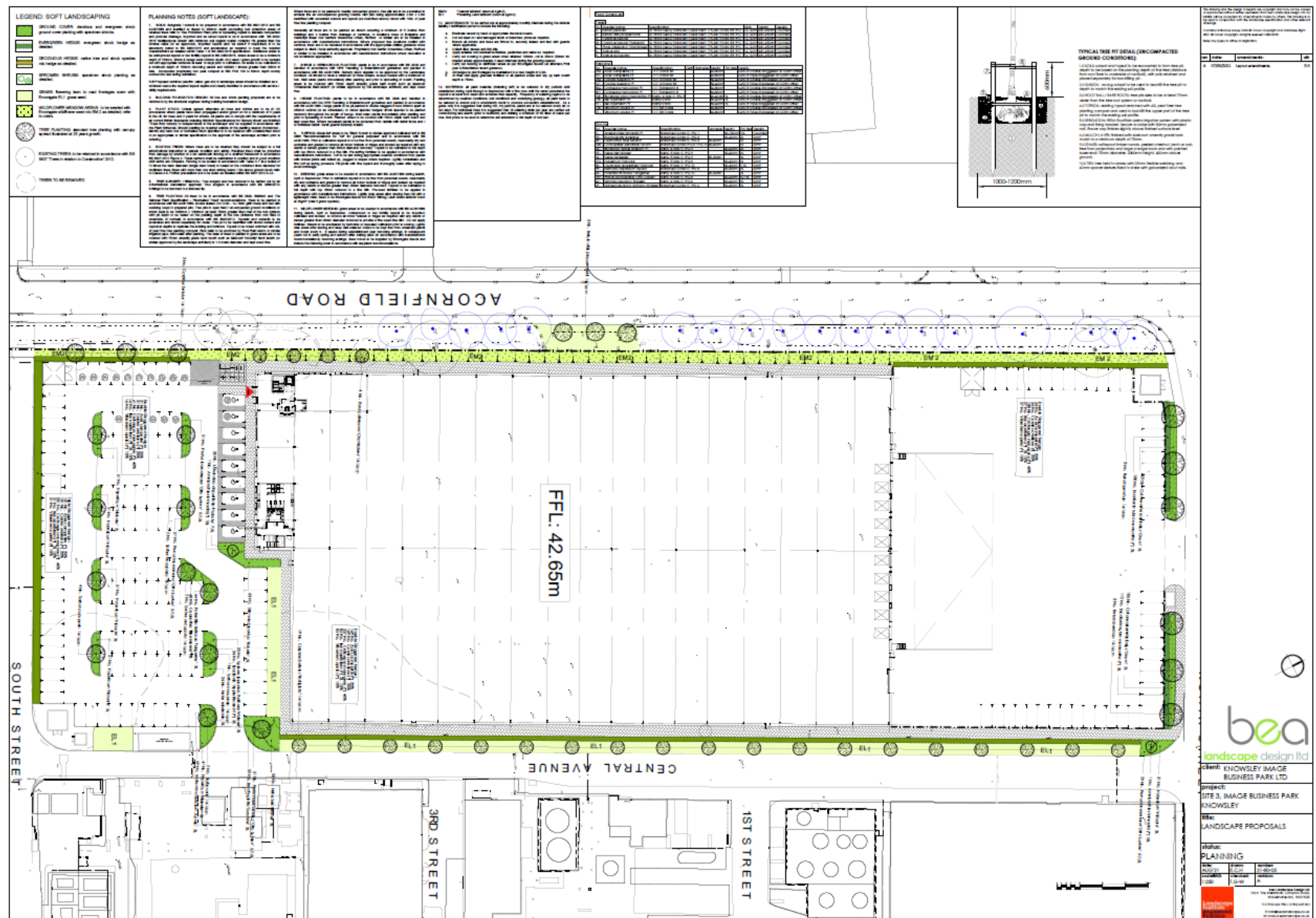


Mitigation, Compensation, Enhancement and Monitoring

- 3.5.8 Demolition of Buildings 1 and 3, and removal of trees and shrubs is recommended to occur outside of nesting bird season, which runs from March – August, inclusive. Where this is not possible demolition and felling will be preceded by a nesting bird check by a qualified and experienced ECoW. Where active nests are found they will need to be protected by a suitable buffer, as advised by the ECoW, during construction works until all chicks have fledged, as confirmed by an ecologist.
- 3.5.9 New hedgerow planting and wildflower grassland will partly compensate for the loss of sub-optimal foraging and nesting habitat.
- 3.5.10 As an enhancement, it is recommended that six nest boxes for birds be affixed to the newly constructed building, targeting species such as starlings (Vivara Pro woodstone Starling Nest Box or similar) and urban birds (Vivara Pro Barcelona Woodstone Open Nest Box or similar). These must be installed high up (at least 4m) and avoiding the southern elevation.

Residual Effects

- 3.5.11 Negligible residual impacts are anticipated as a result of the development proposals.



Site 3, Image Business Park, Acornfield Road, Knowsley



4 CONCLUSIONS

- 4.1.1 The proposed development will result in minor adverse impacts upon few ecological features of **Site** importance. Avoidance and mitigation measures have been proposed to ensure that these adverse impacts are reduced as far as possible, which include a RAMS and LEMP. Landscaping will include native and species-rich planting, including grassland margins and hedgerow.
- 4.1.2 A toolbox talk is recommended to be provided at the outset of works with regard to great crested newts and toads, while the removal of the brick-lined pits is recommended between July to January, inclusive, to avoid impacts on the species. The removal of suitable nesting bird habitat will avoid the nesting season and the provision of bird boxes is recommended as an enhancement for the Site, which is in line with the NPPF.
- 4.1.3 Assuming the successful implementation of the measures described above the proposed development can be considered in line with planning policies CS8 and CS11 due to the provision of green infrastructure.



APPENDIX A: WILDLIFE LEGISLATION & SPECIES INFORMATION

BADGERS

Badgers and their setts are protected under the Protection of Badgers Act 1992 (as amended) against damage or destruction of a sett, or disturbance, death or injury to the badgers. The Act defines a sett as "any structure or place which displays signs indicating current use by a badger". The definition of current use is subject to considerable debate. Natural England have produced guidance on the definition of current use. (*Badgers and Development – A guide to best practice and development*, Natural England 2011). Given the ambiguity surrounding the definition in all circumstances we would recommend an assessment of current use is always undertaken by a qualified ecologist. Natural Resources Wales (NRW) have a slightly different definition of current use. Please see the NRW website for further information. Penalties for offences against badgers or their setts include fines of up to £5,000 and/or up to six months in prison.

Disturbance of badgers could be caused by any digging activity or scrub clearance within 30 metres of an occupied sett and therefore every case needs to be assessed individually. Felling of trees close to a badger sett may also cause disturbance in some situations. Some activities such as pile driving may cause disturbance at even greater distances, and should be discussed with Natural England or NRW.

Licences are issued by Natural England (or NRW in Wales) to allow the disturbance of badgers, and the destruction of their setts in certain circumstances, in relation to development. Full planning permission must be obtained before a licence application will be considered. Although licences can be applied for at any time of year, disturbance of badgers or exclusion of badgers from a sett can only take place between 1 July and 30 November, to avoid the breeding season when dependant young may be underground. This restriction may be relaxed in some cases where a sett is seasonal and badgers can be shown to be absent from a sett at that time of year.

This report contains information of a confidential nature relating to the location of badger setts. Public access to this data should be restricted to those who have a legitimate need to assess the information and to know the exact situation of the setts rather than simply that badgers are present.

AMPHIBIANS

Great Britain supports seven native amphibian species. The four most widespread species; smooth and palmate newts, common frog, and common toad, receive partial protection under the Wildlife and Countryside Act 1981 (as amended) which prohibits sale, barter, exchange, transporting for sale and advertising to sell or to buy. The great crested newt, pool frog and natterjack toad are also fully protected in England and Wales under the Conservation of Habitats and Species Regulations 2017. Penalties for offences against amphibian species include fines of up to £5,000 and/or up to six months in prison.

Four amphibian species (great crested newt, pool frog, common toad, natterjack toad) are listed as priority species under the UK Biodiversity Action Plan, and are therefore considered to be Species of Principal Importance in England and Wales (excluding the pool frog, which does not occur in Wales) under the Natural Environment and Rural Communities (NERC) Act 2006. All public bodies including local and regional authorities have a duty under this legislation to have regard for the conservation of biodiversity.

GREAT CRESTED NEWTS

Great crested newts are protected in England and Wales under the Conservation of Habitats and Species Regulations 2017, known as the 'Habitats Regulations'. This makes it an offence to deliberately kill or injure a great crested newt, or to deliberately disturb a great crested newt such that its ability to hibernate, breed or rear young, or such that the species' distribution, were significantly affected. It is also an offence to damage or destroy any breeding site or resting place for great crested newts. Intentional or reckless disturbance of great crested newts in places of shelter (ponds or terrestrial refuges), and damage to or obstruction of places of shelter are also offences under the Wildlife and Countryside Act 1981 (as amended). Penalties for offences against great crested newts include fines of up to £5,000 and/or up to six months in prison.

As a result, development works which are likely to involve the loss of ponds or terrestrial habitat, or which could result in killing of or injury to great crested newts, need to take place under licence. Works which could disturb great crested newts may also be licensable, though this is rarely the case unless loss of great crested newt habitat is also proposed, and should be assessed on a case by case basis. In practice this means that works involving any removal of or significant modification to ponds or terrestrial habitats (typically rough grassland, scrub, hedgerow bases and woodland) supporting great crested newts are likely to be licensable.

Licences can be obtained from Natural England or the Welsh Government to permit works that would otherwise be illegal, provided it can be demonstrated that the proposed works are needed to protect public health or safety, or for other reasons of overriding public interest including social and economic reasons. It is also necessary to demonstrate that there is no satisfactory alternative to the proposed works, and that the conservation status of great crested newts in the area will be maintained. Appropriate mitigation and post-construction monitoring are therefore a requirement of all licences.



BIRDS

All British birds, their nests and eggs (with certain exceptions) are protected under the Wildlife & Countryside Act 1981 (as amended) which makes it an offence to: intentionally kill, injure or take a wild bird; intentionally take, damage or destroy nests which are in use or being built; intentionally take or destroy birds' eggs; or possess live or dead wild birds or eggs. A number of species receive additional protection through inclusion on Schedule 1 of the Wildlife and Countryside Act; for these it is also an offence to intentionally or recklessly disturb birds while nest building, or at a nest containing eggs or young, or to disturb the dependant young of such a bird. Penalties for offences against bird species include fines of up to £5,000 and/or up to six months in prison.

General licences for control of some bird species are issued by Natural England and Natural Resources Wales in order to prevent damage or disease, or to preserve public health or public safety, but it is not possible to obtain a licence for control of birds or removal of eggs/nests for development purposes. Consequently if nesting birds are present on a development site when works are programmed to start it is usually necessary to delay works, at least in the areas supporting nests, until any chicks have fledged and left the nest. It is usually possible, once chicks have hatched, for an experienced ecologist to predict approximately when they are likely to fledge, in order to inform programming of works on site.

PLANNING POLICY IN RELATION TO BIODIVERSITY - ENGLAND

The National Planning Policy Framework (NPPF), was published in March 2012 and revised in July 2021. Additional guidance can be found online at <http://planningguidance.planningportal.gov.uk/blog/guidance/>. The NPPF simplifies and collates a number of previous planning documents and outlines the government's objective towards biodiversity.

The NPPF identifies ways in which the planning system should contribute to and enhance the natural and local environment (Paragraph 170), including:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- (f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. protecting and enhancing valued landscapes, geological conservation interests and soils;

It also emphasises the importance of conserving biodiversity and areas covered by landscape designations (Paragraph 172):

Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

When determining planning applications, the NPPF states that local planning authorities should aim to conserve and enhance biodiversity (Paragraph 175) by applying principles including:

- (a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶ and a suitable compensation strategy exists; and
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The following should be given the same protection as habitats sites:

- (a) potential Special Protection Areas and possible Special Areas of Conservation;
- (b) listed or proposed Ramsar sites; and
- (c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.



There is a general presumption in favour of sustainable development within the NPPF. It is noted in Paragraph 177 that this presumption does not apply where the plan or project is likely to have a significant effect on a habitat site (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.

The Natural Environment and Rural Communities Act (2006) states that a public authority must, "in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity; Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat". DEFRA issued further guidance on implementation of this act in the document; Guidance for Local Authorities on Implementing the Biodiversity Duty (May 2007), which notes that "Conserving biodiversity includes restoring and enhancing species populations and habitats, as well as protecting them".

ECOLOGICAL ENHANCEMENTS

The Natural Environment and Rural Communities Act (2006) states that a public authority must, "in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity; Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat". DEFRA issued further guidance on implementation of this act in the document; Guidance for Local Authorities on Implementing the Biodiversity Duty (May 2007), which notes that "Conserving biodiversity can include restoring or enhancing a population or habitat".

In England, the National Planning Policy Framework (NPPF), issued in July 2021, states that the planning system should contribute to "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*". It also states that "*opportunities to incorporate biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity*".

UK BIODIVERSITY ACTION PLANS

The UK Biodiversity Action Plan (UK BAP) 2011 is a policy first published in 1994 to protect biodiversity and stems from the 1992 Rio Biodiversity Earth Summit. The policy is continuously revised to combine new and existing conservation initiatives to conserve and enhance species and habitats, promote public awareness and contribute to international conservation efforts. Each plan details the status, threats and unique conservation strategies for the species or habitat concerned, to encourage spread and promote population numbers.

Species or habitats identified as priorities under the UK Biodiversity Action Plan receive some status in the planning process through their identification as Species/Habitats of Principal Importance in England and Wales, under the Natural Environment and Rural Communities (NERC) Act 2006 (as amended).

Current planning guidance in England, the National Planning Policy Framework, does not specifically refer to Species or Habitats of Principal Importance, though it includes guidance for conservation of biodiversity in general. Supplementary guidance is available online at <http://planningguidance.planningportal.gov.uk/blog/guidance/> and this guidance indicates that it is 'useful to consider' the potential effects of a development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list.

APPENDIX B: PHOTOGRAPHS OF SITE FEATURES

Photo 1: Large area of hardstanding and footprint of demolished buildings. Building 1 to left of image.



Photo 2: Building 2



Photo 3: Area of self-seeded trees / willow scrub



Photo 4: Building 3



Photo 5: Area of amenity grassland



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