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Our ref: 20019/AA V5.0  
28<sup>th</sup> March 2023

Dear Tom,

## RE: Ecological Technical Note regarding Application no. LCC/2022/0044

1. Ecus Limited (Ltd) was originally commissioned by Brookhouse Group in October 2022 to undertake a peer review of the ecological elements of the planning application LCC/2022/0044 submitted by Lancashire County Council (LCC) for the strategic site at Cuerden, hereafter referred to as 'the Site'. Envirotech have since responded to consultee comments made on the application and this technical note has been updated based on peer review of the Envirotech responses (updates to reports and biodiversity calculations).
2. Within this peer review the following documents were evaluated:
  - Relevant chapters of the Environmental Statement for the current application (Stantec, June 2022), including:
    - Chapter 12 Ecology (Envirotech, July 2022) including Appendix 12.1 Ecological Appraisal
    - Biodiversity Net Gain Report (Envirotech, July 2022)
  - Landscape proposals developed for the Site (Smeeden Foreman, December 2021)
  - The ecology studies that supported a previous planning permission (known as the 'IKEA' proposal), including:
    - Amphibian survey
    - EIA appendix 8.1 Local Nature Reserves
    - EIA appendix 8.2 Phase 1 Ecology Report
    - EIA scoping report
    - EIA scoping opinion
    - EIA Chapter 8 Ecology and Nature Conservation



- Responses to the original application including:
  - Council Response - Reeves, P (2023) Letter to Rob Hope regarding Application Reference LCC/2022/0044 Lancashire Central, A.K.A Cuerden Strategic Site, East Of Stanifield Lane, North Of Clayton Farm, West Of Wigan Road, Lostock Lane, Lostock Hall, Lancashire, 10<sup>th</sup> January 2023.
  - Biodiversity Net Gain Report (Envirotech, October 2022, Version 5) with accompanying Biodiversity Metric 3.1 Lancashire Central Full Site 2017 R6.
  - Ecology Response - Gardner, A (2023) Letter to Rob Hope regarding Re: LCC/2022/0044 Cuerden Strategic Site, East Of Stanifield Lane, North Of Clayton Farm, West Of Wigan Road, Lostock Hall- Ecology, 7<sup>th</sup> November 2023.
  - Biodiversity Net Gain Report (Envirotech, February 2023, Version 6) with accompanying Biodiversity Metric 3.1 Lancashire Central Full Site 2017 R7 and Biodiversity Metric 3.1 Calculations for delays in habitat creation test sheet.
  - Natural England Response – Hastings, C (2023) Letter to Lancashire County Council regarding Planning consultation: App for Outline Planning Permission for a mixed-use development including Employment use; restaurant use; hotel; health, fitness and leisure use; nursery; car showrooms; Residential use; associated infrastructure. Location: Cuerden Strategic Site, East of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall. 8<sup>th</sup> March 2023.

## Summary

3. Ecus Ltd consider the ecology surveys and reports to have been undertaken by suitably qualified ecologists and that some previous comments made in the first and second version of this technical note have been addressed, however there are still some discrepancies between the ecological reports provided to support the application, as well as concerns regarding justifications, which we feel would need to be addressed prior to a planning determination. These concerns generally relate to biodiversity net gain, assessment methodology and protected species justifications and are summarised as follows:
  - Deciduous Woodland presence/absence discrepancy – the Ecological Appraisal stated a Biodiversity Action Plan (BAP) habitat was present on site along the north boundary of the Site. However, this has not been addressed further within the report with regards to compensation.
  - National policy references – there is confusion regarding the National Planning Policy Framework (NPPF) and which version is being referred to within the Biodiversity Net Gain report. It is both mentioned that the NPPF makes provision for net gain but then states there is a provision for no net loss. The current NPPF no longer uses the language no net loss, therefore a net gain should be sort. This has not occurred with respect to hedgerow habitats.
  - The BNG approach to degraded and lost habitats and consequently the unclear presentation of results/potential over complication of compensation (delays) has become a complicated issue. It is understood that LCC wish to compensate for lost habitats in 2018 due to previous planning application and as such Jacobs had commented on the fact that there should be delays in the habitat creation within the Biodiversity Metric 3.1 (BM 3.1). In order to explain why delays were not

required within the BM 3.1 Envirotech discussed how the degraded habitats have a similar value to the habitats that were present within the 2022 surveys. As such confusion has been created as to the approach. Ecus Ltd have suggested a clearer approach which may enable a more robust approach.

- River habitat report and mapping discrepancies – the Ecological Appraisal stated that streams were present on the Site, however within the BNG report, streams are not mentioned and not included, only ditch habitats. If streams are present on the Site, these would need to be condition assessed based on the River Condition Assessment (RCA) methodology within the BM 3.1 Technical Supplement (Panks et al. 2022b). There needs to be clarification as to whether streams are present or not and that the correct methodology has been undertaken.
- Offsite compensation approach – the BNG report has identified off-site compensation is required and the BNG report has not identified an off-site compensation site. Off-site compensation has been assumed within the BM 3.1, however, a baseline cannot be assumed as the baseline will affect the net change and therefore percentage net change. Therefore, the off-site compensation detailed in the report may not be accurate. A specific off-site receptor site should be identified and guaranteed, not assumed.
- The overarching BNG approach has some complications regarding the combination of the full planning and outline planning phases of the project. There is a concern that if phase 1 of the project moves forward with full planning application there is no separation of the metric results to show how those results relate to the following phases and therefore what responsibility is given to those further phases to meeting the net gain suggested by the report when they are only at an outline application stage.
- Discrepancy in BM3.1 tool figures and reporting – the report states that the baseline habitats are worth 128.99 HU, however the BM 3.1 tool states that the baseline habitats are worth 129.52 HU.
- Bat survey methodology – the bat surveys were not carried out following the current guidelines. For example, the May transect surveys were only conducted up to 1 hour after sunset rather than the stated 2-3 hours after sunset. Also, only four transect surveys were carried out, which underrepresents how many surveys should be undertaken for a moderate-high suitability site for foraging and commuting bats.
- Wintering bird survey omission justification – a reference to not undertaking wintering bird surveys based on the previous application not needing the assessments and not supporting suitable habitat for overwintering birds was written within the Ecology Response. However, the breeding bird surveys identified oystercatcher as well as lapwing and several gull species which can often be part of over-wintering bird populations, therefore it would be expected this would trigger further surveys in the form of over-wintering birds.
- Construction Environment Management Plan – this has been justified as only being required as a planning condition, however it would be important to make sure that the Himalayan balsam *Impatiens glandulifera* on the Site is appropriately dealt with and to make sure that the landscaping of Phase 1 of the Site at least will meet the BNG requirements attributed to it.

- Missing bat and bird reports – there have been no specific bat or bird survey reports detailing methodology, results or recommendations. There are only short responses.
4. The below sections outline the specific details regarding the above-mentioned discrepancies and further requirements that Ecus Ltd consider to be appropriate going forward ahead of planning determination.

## Habitats

### ***Biodiversity Action Plan habitats***

5. Within Appendix 12.1 Ecological Appraisal, it is stated that BAP “*Deciduous woodland*” was present along the north boundary of the Site along the M65 embankment.’ However, this is not addressed further within the report. It appears from the report figures that this woodland has been mapped as dense and continuous scrub, but there is no acknowledgement as to whether the BAP habitat is still present. If the BAP “Deciduous woodland” is still present then this should be compensated for, however if this habitat is no longer present it should be acknowledged and justified. This has not been addressed by the responses to the original application.

### ***Biodiversity Net Gain (BNG) Report***

6. The BNG assessment methodology and approach within the BNG report is at times unclear. It is not considered robust enough to allow for planning determination to be granted at this Site without complications in the future resulting from unclear presentation of the results of the BNG report for the Site. The methodology within the BNG report has highlighted some concerns with regards to the overarching approach of BNG in relation to this Site and planning application. Whilst two BNG reports have been included as part of this application, this section will specifically refer to the BNG report written in February 2023, unless specified. It should be noted that this is an update of the previous technical notes Ecus Ltd has provided and where points from the previous technical notes have not been included, they should be accepted as being resolved.
7. After review of the BNG report there are several issues identified. The first issue refers to the choice of wording and policy use within the BNG report. Section 1.3 which refers to the NPPF, states that it makes provision for biodiversity net gain, however it also states that the mandatory 10% net gain set out by the Environment Bill has not yet been brought in. This is no longer correct, the report should refer to the Environment Act 2021 as this has now been made law, whilst a mandatory 10% net gain will not come into effect until November 2023. However, Section 3.3 then contradicts, as it states that “*Planning policy covering the current application site does not require a 10% BNG, only minimising impacts on and providing net gains for biodiversity, in accordance with the NPPF. i.e. no net loss*”. Whilst the 10% BNG is not mandatory, and the NPPF does not specifically refer to a BNG within the Biodiversity Metric 3.1 (BM3.1) for a development, it no longer refers to a no net loss. Therefore, a no net loss would not be considered acceptable as part of this development, especially with regards to the hedgerow habitats, which in the R7 of the BM 3.1 tool achieve a 0% net change. It has also been evident through previous iterations of the BNG reports that a net gain for hedgerow habitats can be provided. Within R6 of the BM 3.1 tool that was provided with the BNG report from October 2023 had a 0.19% net gain for hedgerow habitats, therefore this tool demonstrated that a net gain could be provided for hedgerow habitats. Whilst off-site compensation is referred to within the most up to date BNG report, this off-site compensation gets the Site to a 0% net change with respect to hedgerow

habitats. No further off-site compensation has been suggested for hedgerows. It would be therefore questioned why a biodiversity net gain with respect to hedgerows cannot be sought.

8. The second issue within the BNG report is the Section 3.3 approach and explanations, which are often over complicated and as such is confusing to the reader with respect to replicating methodology and understanding how this document can be upheld for the purposes of providing BNG at the Site going forward and as part of a multi-phase development. It is understood that the applicant would like to demonstrate the loss of habitats in 2018 that had occurred due to a previous planning application at the Site following a consultation with the local authority. However, this consultation does not appear to be referenced or provided within the document attachments to the planning application. As such it is not known what was decided during that consultation and how the baseline habitats were to be approached. From this, confusion has been created with regards to the baseline habitats used and therefore delays in habitat creation as part of the post-development habitats and the value of those habitats.
9. In Section 3.3 Envirotech quote a Jacobs comment which refers to the fact that the baseline habitats have been correctly identified as habitats prior to clearance in 2018. However, because these habitats are used in the BM3.1 tool, Jacobs subsequently state that the metric should also therefore account for a delay in habitat creation, because the development at the Site would be delayed in putting in the habitats that would be created in compensation for the habitats lost in 2018. As such Envirotech have attempted to explain how they can account for this in two ways. The first is by looking at pre-clearance habitats and the value of how long the woodland has been lost for. Envirotech has, within the Biodiversity Metric 3.1 Calculations for delays in habitat creation test sheet, created 3.163 ha of woodland in poor condition, the same area and condition that was lost with a delay of 6 years and assumed that the value of the woodland lost for 6 years would therefore be 4.1 Habitat Units (HU) (based on the baseline woodland units – created woodland delayed for 6 years woodland). There is nowhere in *The Biodiversity Metric 3.1: auditing and accounting for biodiversity value User Guide* (Natural England, 2022) or *The Biodiversity Metric 3.1: auditing and accounting for biodiversity value Technical Supplement* (Natural England, 2022) that describes this methodology and therefore this methodology would need to be independently verified by Natural England. This would especially need to be verified as the 3.163 ha of mixed woodland from the baseline will not be replaced like-for-like and therefore the delay would be in creating habitat that will replace the mixed woodland and R7 of the BM 3.1 tool does not have mixed woodland as a habitat to be created. There will also be the added complication of which habitats will be delayed for and how long for as this is a phased development.
10. The second way that Envirotech have approached accounting for the delay is by looking at the difference in unit values between the habitats lost from 2012 and the new 2022 habitats. The argument is that they still need to account for the habitats that have since 2018 replaced the habitats that were lost and these habitats roughly account for the same biodiversity units, therefore there would be not true delay and the biodiversity units that are being created would still account for the same biodiversity units if there were a delay. However, it is thought the approach is not robust enough to demonstrate this methodology. The Biodiversity Metric 3.1 Calculations for delays in habitat creation test sheet demonstrates the difference between the 2012 habitats and the 2022 habitats, as per the wording within the report. However, the way that is has been demonstrated within the test sheet is confusing and could be laid out better to explain the methodology. Ecus propose that to best display the difference between the habitats that were present on the Site in 2012 and the habitats present within 2022 after

the woodland and grassland was cleared to look at the true difference in biodiversity units at the Site between this time. A metric tool should be provided which has the full baseline biodiversity value of the habitats from 2012, followed by a metric tool that has the baseline biodiversity value of the 2022 habitats with the post-development biodiversity value. This approach would best show the change in biodiversity units between 2012 and 2022, accounting for the loss of the woodland and grassland from 2012 and still valuing the current habitats. This would therefore follow the baseline value stated by the Environment Act 2021 in Schedule 14 Paragraph 5 and 6:

***“Pre-development biodiversity value***

5 (1) *In relation to any development for which planning permission is granted, the pre-development biodiversity value of the onsite habitat is the biodiversity value of the onsite habitat on the relevant date.*

(2) *The relevant date is—*

(a) *in a case in which planning permission is granted on application, the date of the application, and*

(b) *in any other case, the date on which the planning permission is granted.*

(3) *But the person submitting the biodiversity gain plan for approval and the planning authority may agree that the relevant date is to be a date earlier than that specified in sub-paragraph (2)(a) or (b) (but not a date which is before the day on which this Schedule comes into force in relation to the development).*

(4) *This paragraph is subject to paragraphs 6 and 7.*

6 *If—*

(a) *a person carries on activities on land on or after 30 January 2020 otherwise than in accordance with—*

(i) *planning permission, or*

(ii) *any other permission of a kind specified by the Secretary of State by regulations, and*

(b) *as a result of the activities the biodiversity value of the onsite habitat referred to in paragraph 5(1) is lower on the relevant date than it would otherwise have been,*

*the pre-development biodiversity value of the onsite habitat is to be taken to be its biodiversity value immediately before the carrying on of the activities.”*

11. As such, if this approach is followed then the 2022 habitats should be taken as the true baseline and would support the BNG report which states that they do not need to account for loss of habitat prior to January 2020. Whilst it is understood that the applicant would like to demonstrate compensation of the habitats lost in 2018, this is not necessary and has complicated the BNG report. The BNG report states in the Summary of Section 3.3 that “*there is no requirement to offset or account for habitat loss due to a previous planning application*” and “*Under BNG guidelines, if clearance were to be accounted for, this need only be from January 2020*”. However, the R7 BM 3.1 tool does not clearly demonstrate this

as it uses baseline habitats from prior to January 2020. Therefore, following the approach laid out above by Ecus, would remove the delay in habitat creation issue as stated by Jacobs but still account for the loss of the woodland and grassland and also fits the correct approach to baseline value as per the Environment Act 2021.

12. A further issue related specifically to river habitats within the BM3.1. Within the Chapter 12 Ecology document including Appendix 12.1 Ecological Appraisal, it stated that streams were present on the Site. Within the BNG report, streams are not mentioned other than within the 2022 Phase 1 habitat maps in Appendix A in which running water is displayed. The BNG report does not describe the river linear habitats on the Site nor does it discuss the condition of those habitats other than for the ditch habitats, which can be found in Appendix C and displayed in the R7 BM3.1 tool received. If streams are present on the Site, these would need to be condition assessed based on the River Condition Assessment (RCA) methodology within the BM 3.1 Technical Supplement (Panks et al. 2022b). In order to undertake the RCA, the ecologist undertaking the survey and assessment should be trained and certified in order to use the programme which generates the river condition score, which is inserted into the BM3.1 tool. The BNG report does not detail whether this has been undertaken; and as the BM3.1 tool for the Site also does not include reference to streams it can be assumed that the streams are not included within the BNG report or calculations. There is therefore, the potential that they are losing more biodiversity value than they are currently accounting for.
13. There also is the mention of off-site compensation within the BNG report and this is included within the R7 BM 3.1. Within the previous two BNG reports from July and October 2022, the offsite compensation was discussed but not demonstrated. An example scenario for offsite compensation has now been demonstrated within the R7 BM 3.1, however within the report it states that *“an offsite area for habitat creation has not been identified at this time but it is assumed such habitat would comprise modified grassland in poor condition outside the Lancashire Ecological Grassland Network.”* If off-site compensation is required, a baseline cannot be assumed as the baseline will affect the net change and therefore percentage net change. It may not be possible to find 1.6 ha of modified grassland. If off-site compensation is needed the above scenario should not be taken as the definite option being taken forward. A specific off-site receptor site should be identified and guaranteed, not assumed.
14. The last issue identified is in the overarching approach to how BNG is dealt with across the Site as a whole, with regards to the full application and the outline application areas. As this is a phased development, there are uncertainties that cannot be guaranteed within this BNG report. The report itself states that *“The scheme comprises a full planning application for Phase 1 Infrastructure for which a detailed landscape scheme has been prepared. The scheme also includes an outline planning application with the layout and landscaping reserved. An indicative layout has been prepared for the outline application showing one of many potential development scenarios along with landscaping. This has been used to show one potential BNG outcome but cannot be taken as the final scheme. This report presents the results of this desk-based study to assess net change in biodiversity ‘units’ in connection with the loss/ enhancement and creation of habitats for the proposed development at the site for both the Phase 1 Infrastructure and outline application areas combined.”* As this is a phased development, Ecus consider that it would be more prudent to separate the BNG report into the different phases, at least at this stage a separate report should be created that covers Phase 1 only so that it is clear which (Baseline) habitat sections are applicable to Phase 1. These can therefore be omitted from calculations as and when the further (outline) Phases progress. Currently the combined calculations

does not separate items out clearly. The BNG report in Section 3.4 states that *“Baseline values for the area of the site subject to a detailed application will be as per the current assessment. Additional assessment of later phases of work will be required to assess their baseline condition at the time each phase of development is brought forward. The condition of each habitat subject to a BNG should be as at the time planning permission for each phase is determined.”* If this is the case this BNG report will need to be updated after each phase as the first phase which will be part of a full planning application will rely on this current BNG report to achieve a net gain and therefore all other phases will be reliant on each other to achieve a net gain. If further assessments will be undertaken for each phase a standalone BNG report should be created for the first phase. Or at least if there was to only be one BNG report for both this first full planning application and the outline planning applications of the further phases, the biodiversity metric should reflect the habitats from each phase rather than combining all the habitats.

15. The wording from Section 3.4 is also contradicts itself both in the same paragraph and within previous paragraphs in the report. It is right in saying that baseline values for the areas of the site should be as per the current assessment and should remain as such, however it then goes on to say that in later phases of the work they will have to update the baseline condition at the time each phase is brought forward for application. If this is the case the baseline value may change and therefore this report, of which Phase 1 relies on, may change. As such it would make more sense to split the baseline habitats in the metric up so that it is easier for each phase to properly assess the baseline. It would be more appropriate to say that this BNG report will be updated after each phase is brought forward with respect to their post-development habitats as this will start to paint a picture of how each phase will interact. Again, this will be difficult as currently there is no specific splitting of habitats based on phase location, therefore it may be complicated to pick apart which habitat creation belongs to which phase. There is also no commitment for each of these phases to supply BNG as a single Site, the BNG in this report is dependent on each phase coming together to supply BNG. There is no single controller that controls that BNG outcome when all phases have been complete. Whilst it is the developer’s responsibility during construction, whose responsibility is it if the developer for each phase is different, especially if off-site compensation is required, whose responsibility is it to make sure this is completed. This needs to be made clear if this report is moved forward with. If separate reports are moved forward with this will give each phase more control over the BNG but also would allow for less scrutiny for delay in habitat creation as it could be years before each phase is brought forward for development.
16. It should also be noted that a small discrepancy has been identified in the BNG report. The BM 3.1 tool provided does not match the stated baseline value within the report. The report states that the baseline habitats are worth 128.99 HU, however the BM 3.1 tool states that the baseline habitats are worth 129.52 HU. This discrepancy probably only results from mistyping or not changing from a previous report but for full clarity these numbers should match.

## **Protected Species**

17. With respect to the information provided within the Chapter 12 Ecology including Appendix 12.1 Ecological Appraisal the approaches to the information and conclusions relating to protected species appear to be suitable. However, clarification on the methodology, specifically the timings, of the surveys should be sought to ensure the surveys have been undertaken in accordance with best



practice guidance. Species specific surveys have timing and weather constraints to ensure that the data collected has little to no limitations associated with it.

18. With respect to bat survey methodology the Appendix 12.1 Ecological Appraisal states that *“The survey methods comprised a transect route which was walked in order to cover all on-site habitats from sunset until light levels dropped to the extent that bat flight heights could not be determined and walking over the site in the dark was judged to be unsafe. Activity during the hours immediately prior to sunset through to one hour after sunset was detected using Wildlife Acoustics Echo Touch Pro time expansion bat detectors.”* The current guidance (Collins, 2016) for undertaking bat activity transects involves walking a transect route from sunset to 2-3 hours after sunset. From the methodology in the Ecological Appraisal it is unclear as to whether the current guidance has been followed. The Ecology response clarified that the surveys in May did not follow guidelines but that the subsequent surveys in June and August did follow the guidelines.
19. The Ecological Appraisal also stated that the foraging habitat on the Site *“is moderate to high value for bat species”*. The report states that surveys on the 2<sup>nd</sup> and 25<sup>th</sup> May had occurred with a further survey scheduled in June and static bat detectors were deployed in late May. The Ecology Response also stated that another survey had been undertaken in August. The current guidance states that for a moderate suitability habitat for bats, one survey visit per month (April – October) with at least one of those surveys comprising a dusk and a dawn should be undertaken. This should be supported by deployment of static detectors in two locations per transect. For a high suitability habitat for bats this should be increased to two survey visits per month and three static locations per transect. With the dates provided it would be assumed that two survey visits occurred in May as per the survey guidelines for a high suitability site, however there were no surveys undertaken in April and no mention of surveys in July, September, or October, with only one survey undertaken in June and one in August. There appears to be a reliance on previous bat surveys that occurred in 2012, 2016 and 2019 by Simply Ecology. The report does state within Paragraph 5.5.11 that *“Simply Ecology (2012) concluded that the site does not support a large or diverse population of bats for feeding or roosting, this was confirmed by Simply Ecology (2017). Nonetheless, each part of the site does have value of small numbers of these bats, and overall this collectively results in such a large site supporting several tens of bats at any one time. Initial results from the surveys in May 2022 do not contradict this assessment although the level of survey is insufficient to fully confirm.”* However, since 2012, the Site has not had a full suite of bat transect surveys from April – October at the level required according to the methodology specified in each ecology report. The last known transect surveys undertaken were in 2019 and as such it would have been expected that those survey results were out of date based on CIEEM guidelines<sup>1</sup> and as such the surveys should not be relied on and should be updated in full.
20. Paragraph 3.9.3 stated that *“Surveys at the site have been undertaken over a number of years and as survey results remain similar, it is considered the level of use of the site by species targeted for survey has been determined sufficient to make outline recommendations but full surveys in the 2022 season are required to draw more sound conclusions particularly in respect of breeding birds.”* It was then further stated in Paragraph 5.7.3 that *“Four breeding bird surveys of the site had been completed in the 2022 season by mid-June but data has not yet been fully compiled. Initial results suggest a lower number of bird species are present on the site but until the surveys are fully analysed it is not possible*

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<sup>1</sup> Chartered Institute of Ecologists and Environmental Managers (CIEEM) (2019) ADVICE NOTE – On the Lifespan of Ecological Reports and Surveys. (April 2019).

*to draw definitive conclusions.*” Whilst most of the comments have been addressed within the Ecology Response, there should be a full survey report discussing how those methodologies and results have been assessed against the proposals, with further recommendations that have been picked up by the EIA.

21. It should be noted that within the Ecology Response reference to wintering bird surveys has been made. Concerns have been raised regarding the justification of not undertaking wintering bird surveys based on the previous application not needing the assessments and not supporting suitable habitat for overwintering birds. The breeding bird surveys identified oystercatcher as well as lapwing and several gull species. These species can often be part of over-wintering bird populations and if they have been identified during breeding bird surveys, it is expected this would trigger further surveys in the form of over-wintering birds. The Site itself is large and comprised of mainly grassland field which are open and would be considered suitable for over-wintering birds.

## **Invasive Species**

22. Himalayan balsam has been noted within the Site and the locations of the invasive species have been detailed within Appendix 12.1 Ecological Appraisal and mentioned within the Chapter 12 Ecology document. However, there are no recommendations or protocols on how to deal with the presence of the invasive species during construction or during operational phases of the development at the Site. It would have been expected that a Construction Environmental Management Plan or Biodiversity Management and Monitoring Plan would highlight measures on how to address this. A CEMP has not been provided on the basis that *“Until the timing and extent of work is known, preparation of these plans is not possible. It would be usual for these to form a pre-start planning condition.”* It is Ecus’ experience that these often form part of the planning application, especially on a Site this large and complex. A CEMP can be created and then updated when the timing and extent of the work is not known and can often inform construction based on the ecological constraints when construction should occur etc.

## **Missing Information**

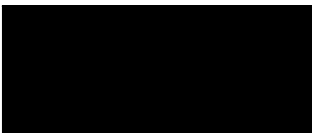
23. To reiterate the above, as part of the planning application it would have been expected that the following reports would be provided to undertake a full assessment of the impacts on ecology at the Site:
  - Appendix 12.1 Ecological Appraisal (Envirotech, 2022) references further bat surveys, which were still to be undertaken, therefore it is expected that there should also be a further bat report from Envirotech. Whilst the majority of the comments have been addressed within the Ecology Response, there should be a full survey report discussing how those methodologies and results have been assessed against the proposals, with further recommendations that have been picked up by the EIA.
  - Appendix 12.1 Ecological Appraisal (Envirotech, 2022) references further breeding bird surveys, which were still to be undertaken, therefore it is expected that there should also be a further bat report from Envirotech. Whilst the majority of the comments have been addressed within the Ecology Response, there should be a full survey report discussing how those methodologies and

results have been assessed against the proposals, with further recommendations that have been picked up by the EIA.

- As site of this size, it would be expected that there would be several management plans that would be associated with the planning application, and these would at least need to be stated as a planning condition at the Site. The management plans would include as an example a Construction Environmental Management Plan (CEMP) or Biodiversity Management and Monitoring Plan (BMMP). A CEMP has been mentioned throughout the Chapter 12 Ecology document. A BMMP would be created to ensure that biodiversity is managed and monitored after the construction phase of the development and also would include the management and monitoring of habitats to ensure a Biodiversity Net Gain on the Site. A CEMP has not been provided on the basis that *“Until the timing and extent of work is known, preparation of these plans is not possible. It would be usual for these to form a pre-start planning condition.”* It is Ecus’ experience that these often form part of the planning application, especially on a Site this large and complex. A CEMP can be created and then updated when the timing and extent of the work is not known and can often inform construction based on the ecological constraints when construction should occur etc.

If there is anything that you would like to discuss in more detail with regards to this Ecological Technical Note, please do not hesitate to contact me.

Yours sincerely,



**Francesca Thorley BSc (Hons) MSc ACIEEM**  
Consultant Ecologist

**M:** [Redacted]

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