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Subject	Ecology comments: Application no.	Project Name	LCC Ecology Advice
	LCC/2022/0048		
Attention	Jonathan Haine	Project No.	B2327FE3
From	██████████		
Date	08/02/2023		

APPLICATION: LCC/2022/0048

Application for Planning Permission for Proposed Development – Proposed cricket facility comprising 2 no. cricket ovals and associated pavilion building and spectator seating, covered cricket nets, access, parking, landscaping and associated works (including temporary event overlay facilities on ticketed match days), realignment of Public Rights of Way Ref 9-12-FP 1, 7-4-FP 6 and Public Right of Way Ref 9-12-FP 2, 7-4-FP 5.

Location: Land at Woodcock Estate, Stanifield Lane, Farington. GR 354744 424731

The previous ecological response was provided in October 2022. This raised a number of issues in regard to the Ecological Assessment and Biodiversity Net Gain Assessment, which needed to be addressed before the application could be approved.

This updated ecological response has been based on a review of the submitted updated information relating to biodiversity and ecology for the above application and accessed through the planning portal in January and February 2022. The documents submitted to support the application were reviewed as part of this consultation response and are listed below:

- BDP (January 2023). Ecological Assessment – Rev 04.
- Urban Green (December 2022). Biodiversity Net Gain Design Stage Assessment – Rev 08.
- Urban Green (December 2022). Biodiversity Enhancement Management Plan – Rev 06.

Summary

The applicant has updated the Ecological Assessment, Biodiversity Net Gain Assessment and the Biodiversity Enhancement Management Plan. They have addressed some of the comments raised during the previous ecological response, but some comments are still outstanding or have not been sufficiently addressed.

The BNG assessment still has a number of inconsistencies with the Ecological Assessment and some of the habitat types and condition scores appear incorrect. It is not possible to effectively review the BNG assessment without the Defra Metric Calculation Tool.

Ecological Assessment

The applicant has updated the evaluation section of the Ecological Appraisal in order to provide further details in an attempt to provide an ecological impact assessment. **Further updates are still required in order to understand that all impacts have been assessed for each receptor and appropriate mitigation measures are proposed.** See the additional specific comments below.

A series of recommendations and enhancement proposals are listed in the report. A clear distinction is required in the assessment to define what is required mitigation compared to recommendations or enhancement measures. Most of the proposed enhancements appear to be required mitigation rather than enhancements. For instance, implementing a lighting plan for an area that is currently unlit, does not represent an enhancement.

Hedgerows

The network of hedgerows with associated mature oak trees and ditches are the key ecological feature at this site. Many of the hedgerows, especially to the south of the site, appear to have a significant number of tree standards. There are also two public rights of ways through the site and a number of associated features. It's not clear whether the hedgerows have been adequately valued in the assessment.

The previous ecological response requested that further information is provided to confirm whether any of the hedgerows are classified as 'important' under the Hedgerow Regulations 1997. In the Ecological Assessment the application has stated that one of the hedgerows is classified as important but has not provided a methodology or the results for the other hedgerows across the site. **The applicant should provide a detailed methodology and results for the Hedgerow Regs assessment for each hedgerow.**

It is noted that the applicant has classified all the hedgerows as species poor hawthorn hedgerows in the Ecological Assessment. In the BNG Assessment a UKHab plan is provided but all hedgerows are illustrated as native hedgerow. Some of the hedgerows should be classified as native hedgerow with drain or native hedgerow with trees. The line of trees category also needs to be clarified. It is not clear in the phase 1 habitat plan or UKHAB plan where the drainage ditches are located.

Amphibians

The previous ecological response requested that the applicant justifies why a survey buffer of 500m was not used to comply with best practice and clarifies whether ditches were assessed for GCN suitability. The methodology has not been updated to explain the survey area for the GCN assessment. In the results that applicant states that Stanfield Lane to the east and the dual railway line to the west present a barrier to movement for GCN. Whilst the details about the survey area should be provided in the methodology, the results and evaluation are acceptable.

Bats

The applicant has now defined the habitat suitability of the site for bats and explained why some emergence surveys were terminated early. These explanations are deemed acceptable.

The applicant has now added a recommendation in the Ecological Assessment to climb inspect all trees with bat roost potential prior to felling. It is recommended that **pre-construction surveys are conditioned as part of any planning approval to ensure that mitigation for bats remains appropriate.**

The previous ecological response requested that the applicant needs to provide a detailed impact assessment in relation to bats and their commuting/foraging habitat on Site. This should reference impacts arising from the construction and operation of the Site (including lighting and noise, in addition to habitat loss and fragmentation) as well as appropriate mitigation or compensation measures to reduce any impacts. A full worked impact assessment has not been provided and it is not clear how each potential construction and operational impacts has been addresses. **The Ecological Assessment should be updated to give confidence that all impacts have been considered and addressed.**

In the previous ecological response concerns were raised in terms of potential impacts on trees/buildings along the western and eastern boundary of the site and the lack of any surveys. In the Ecological Appraisal methodology section, the applicant has stated that no direct or indirect impacts are anticipated on these areas and that safeguards will be implemented during construction and operation to ensure impacts are avoided. There is no specific mention of the safeguard measures elsewhere in the report. **The document should be updated to ensure a detailed mitigation plan for bats is provided.**

The BEMP has been updated to include the timings of bat box installation and the maintenance regime. **It is recommended that the BEMP is conditioned as part of any planning approval.**

Water Vole

The applicant has clarified why the ditch network is largely unsuitable for water vole. These explanations are deemed acceptable.

Birds

The previous ecological response recommended that vegetation clearance should be carried out outside of the breeding bird season (March to August inclusive) or if this is not possible a pre-works check should be carried out to ensure there are no active nests present. The Ecological Appraisal includes this recommendation. **It is recommended that this requirement is conditioned as part of any planning approval to ensure direct impacts on breeding birds are avoided.**

The BEMP has been updated to include the timings of bird box installation and the maintenance regime. **It is recommended that the BEMP is conditioned as part of any planning approval.**

Badger

The previous ecological response recommended that a pre-works check is carried out for badgers. The Ecological Appraisal was not updated accordingly and should be updated to include this pre-works task. It is recommended that **pre-construction surveys are conditioned as part of any planning approval to ensure that the absence of badger is confirmed prior to construction.**

Common Reptiles

The applicant has provided further justification in the results section to explain the likely absence of common reptiles. The results are deemed acceptable.

Other Notable Species

The applicant has updated the Ecological Appraisal evaluation section and stated that the proposals will have a negligible impact on other notable species. It unclear, how this evaluation has been

determined. The hedgerows, woodland and treelines appear to support potential habitat for hedgehog in particular. **Further explanation is required to confirm either why these habitats are unsuitable for hedgehog or what safeguards will be implemented to avoid impacts.**

Invasive Non-Native Species.

The previous ecological response recommended that a management plan for Himalayan balsam (*Impatiens glandulifera*) should be provided. The Ecological Appraisal has now been updated to include this task. **It is recommended that a management plan for the removal of Himalayan balsam be conditioned as part of any planning condition.**

Biodiversity Net Gain (BNG) Design Stage Assessment

It is not possible to effectively review the BNG assessment without the Biodiversity Metric calculator. As previously requested, **the applicant should provide the Biodiversity Metric calculator tool.** The applicant should ensure the baseline and post development areas are the same (excluding urban street trees).

It is noted that urban street trees are included in the post development, it should be clearly explained in the BNG assessment how the areas for these habitats were determined.

The applicant has provided further details on how the strategic significance has been determined in the assessment. The applicant has used LBAP and NERC act habitats to define the high strategic significance habitats. Lancashire Environment Record Network (LERN) provide woodland and grassland habitat network plans for Lancashire. These tools should be used to determine strategic significance. For other habitats, Natural England's Habitat Network Tool on Magic should be used to determine strategic significance.

There are a number of questions around the condition categories that have been assigned.

Baseline

Modified Grassland – Why have the grasslands failed on cover of bare ground between 1-10%? Grasslands would typically fail on this category if the fields are overgrazed. Again, there may be some localised damage from machinery and cattle at access points but does this constitute over 5 %? From the habitat description, site photos and area photos both these categories appear to be achieved. Further evidence is required to justify why a low condition score is appropriate for all modified grasslands.

Other Neutral Grassland – There are no invasive non-native or undesirable species on the species list. Why has condition criteria 5 been failed? Further evidence is required to justify why a low condition score is appropriate for the other neutral grassland.

Hedgerows – See the comments on hedgerows in the Ecological Assessment section. There are a number of queries around the hedgerow condition assessments. The condition criteria should be reassessed and clearly justified. At the moment, there are inconsistencies between what is reported in the Ecological Assessment and the BNG Assessment. Both reports should be updated to ensure they are consistent.

All the hedgerows have failed on the height category A1 - >1.5m average along length in the BNG Assessment. In the Ecological Assessment it states "*The hedgerows are generally managed with an*

average height of $\approx 1.5-2.5m$, although there are a small number of hedgerows which are not managed, which exceed $3m$ high." The BNG assessment should be corrected, to reflect what has been reported in the Ecological Assessment.

All the hedgerows have failed on category B1. From the photos in the Ecological Assessment some of the hedgerows do not appear to have a gap at the base of the hedge. Further evidence is required to explain why all hedgerows fail this category.

All the hedgerows have failed on category C2. The Ecological Assessment lists a small number of undesirable species but no description of the percentage cover has been provided. Further evidence is required to explain why all hedgerows fail this category.

All hedgerows have failed on category D2. From the photos in the Ecological Assessment some of the hedgerows do not appear to have any damage caused by human activity. Further evidence is required to explain why all hedgerows fail this category.

Post Development

Pond (Non-Priority Habitat) – Given that the applicant is creating a SUDs pond, the Urban SUDs category should be selected.

Ditch – In the baseline, the ditch features fail on condition criteria 1 (good water quality) and 6 (sufficient water levels are maintained). The application should explain what additional measures will be implemented in order for these categories to be achieved post development or amend the condition criteria according.