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Local Plan Consultation
Planning, Building Control and Regulatory Services
Pendle Borough Council
Town Hall
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Nelson
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BB9 7LG

4 December 2024
EP ref: 23-617

Dear Sir/Madam

Re: Representations: [redacted] - Land to the south of Knotts Lane & Lenches Road, Colne, Lancs

We are instructed by our client, [redacted], in relation to the Pendle Local Plan Fourth Edition Publication Consultation.

Our client objects to Draft Policy DM12 of the Publication Local Plan, and the identification of our client's site interest as a Local Green Space Designation (hereafter referred to as 'LGS') (Ref: LGS/LP4/DM12/026 – Land at Lenches Road and Knotts Lane), on the basis that it is not sound. We submitted a comprehensive objection to the identification of our client's site as a potential LGS through a consultation carried out by the Council in 2023; a copy of our representations is provided at **Appendix EP1** of this letter.

The Framework sets out the relevant tests for identification of LGS through paragraphs 105 and 106. It is an essential part of the process for the Council to carry out a balancing exercise as to the merits of LGS against the need to deliver sufficient homes with paragraph 105 stating the following:

> *"Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period."*

Even where a site satisfies the threshold for LGS at paragraph 106 of the Framework (i.e. demonstrably special), the Council must carry out a balancing exercise as to consistency with sustainable development and a LGS must be capable of enduring beyond the plan period. In the case of the Pendle Local Plan Fourth Edition Publication Plan, any LGS must be capable of enduring beyond the year 2040.

The threshold for identification of LGS is purposefully high and it reflects the seriousness of such designations for a landowner; paragraph 107 of the Framework says that such designations are similar to Green Belt designations in policy terms. The Local Plan Inspector's Report for the Mendip Local Plan noted the following in terms of the threshold for LGS:

> "The Council has worked hard in preparing the proposed LGS designations in the submitted Plan. However, unlike a 'call for sites', which local planning authorities are encouraged to do in the interests of maximising opportunities for housing development to meet local housing needs, national policy in relation to LGS designation is completely different. Rather, it sets a very high bar for LGS designation. The opening sentence of paragraph 77 of the Framework, which can be described as a 'headline' message, states: "Local Green Space designation will not be appropriate for most green areas or open space". It therefore follows from national policy that LGS designation should be the exception rather than the rule. One good reason for national policy setting this high bar is explained in paragraph 78 of the Framework, which states that local policy for managing development within LGS should be consistent with Green Belt policy (para. 193)."
>
> "I recognise that many if not all LGS designations are important to local communities; however, this is a lower bar than being 'demonstrably special' and of 'particular local significance (para. 201)."

In terms of the need to be consistent with sustainable development and providing sufficient new housing, the Publication Local Plan sets out a housing requirement of 148 no. dwellings per annum over the plan-period. However, the draft 'standard method' says that the new housing requirement for the Borough is 382 no. dwellings per annum and this represents a significant uplift; although in draft form only now it is anticipated that the new methodology will be published in its final form over the coming weeks and it underpins the Government's target for 370,000 no. new dwellings per annum set out in the Written Ministerial Statement 'Building the Homes We Need' (July 2024).

The Draft Framework (2024) at paragraph 227 sets out transitional arrangements and the Council will be required to carry out a review of the plan at the earliest opportunity to address the shortfall in housing need. It is unclear why the Council is progressing with this local plan given that it is predicated upon a housing requirement that will most likely become obsolete and out-of-date in the coming weeks; resources should instead be focused on how the Council will meet their actual housing needs.

Notwithstanding the above point, it is critical that the Publication Local Plan does not put in place restrictions that would undermine a future plan review given the extent of the housing shortfall if the Council does progress on the basis of such a low housing requirement:

> The Publication Local Plan should not identify any LGS through this local plan given that a plan review will be necessary at the earliest opportunity to meet the housing shortfall.
> It cannot be said that any LGS is capable of enduring beyond 2040 given the context summarised above.

We are not aware that the Council has carried out a balancing exercise in terms of LGS for the purposes of paragraph 105 of the Framework and there is no assessment as to whether individual LGS are capable of enduring beyond 2040. There is no evidence of such an assessment being carried out through the Pendle Local Green Space Report and Methodology Report.

Furthermore, the Iceni Housing and Economic Need Assessment identifies an affordable housing need of 288 no. affordable homes per annum. Much of this need is within the M65 corridor and our client's site is located with this corridor. Draft Policy SP02 identifies Colne as a 'Main Town' at the top of the settlement hierarchy and will be a focus for future growth where most development will be accommodation. Draft Policy SP03 says that new development will be focused on the larger settlements of the Borough and the M65 corridor in particular.

Our client's site is located at the edge of Colne, and it has the potential to help meet housing need in a sustainable manner in accordance with the settlement hierarchy and spatial distribution set out though the Publication Local Plan. Again, this emphasises our point that the Publication Local Plan should not restrict the ability of Colne to

expand and meet current and future housing need, particularly so within the context of the Government's planning reforms summarised earlier.

Indeed, the Pendle SHLAA 2024 identifies our client's site as 'P152' and it is identified as having potential for 20 no. dwellings per annum from the year 2034 onwards. The SHLAA does not say that the site is unsuitable or unachievable.

The Council cannot reasonably determine that our client's site is capable of enduring beyond the year 2040 given the extent of the housing shortfall against the new draft standard method and the need for a plan review at the earliest opportunity. The identification of our client's site as LGS does not meet the tests at paragraph 105 of the Framework.

In terms of whether our client's site meets the demonstrably special threshold[1] at paragraph 106 of the Framework, the threshold is purposefully very high as noted earlier. The Council's methodology does not make it clear how sites were appraised and by whom e.g. suitably qualified landscape architect. In any event the assessment for our client's site LGS/LP4/DM12/026 makes it clear it is not assessed as being demonstrably special and it is unclear why 'Yes' is applied to most of the criteria; we copy extracts below of the commentary:

> Beauty – *"Though the site features in long range views, it is not extraordinary when viewed in the context of surrounding undeveloped fields."* There is nothing demonstrably special about the site in terms of beauty.
>
> Historic significance – "The Conservation Area Appraisal does not make specific mention of the site itself ..... but does reference the open countryside to the south of the town which the Lenches site is part of." There is no evidence of any historic significance.
>
> Recreational value – *"Anecdotal information suggests that the site is used for picnics, bathing and observing wildlife"*. There is a single footpath through the site and otherwise no authorised public access; the site is in private ownership.
>
> Richness in wildlife – *"The site is an integral part of the open countryside to the south of Colne. It offers a relatively secluded habitat close to the built-up area where varied flora and fauna can be found"*. There is no evidence of any biodiversity significance. It is not a statutory or non-statutory ecological designation.

There is no evidence or basis for suggesting for suggesting that the site is demonstrably special in terms of beauty, wildlife or recreational value. The Council's commentary represents vague and generalised assertions that could equally apply to any site to the edge of the built-up area of Colne. In terms of enduring beyond the plan-period, the assessment places a question mark (?) against this criterion. This is a critical part of the assessment and the Council's conclusion is that it is not capable of doing so for the purposes of paragraph 105 of the Framework.

The detailed points outlined through our previous representations for the 2023 LGS consultation also remain relevant. Rather than repeating these points, we would ask that these points are reviewed and we provide a summary below:

> The site was not considered to be of such value that LGS was warranted through the Colne Neighbourhood Plan.
>
> The site has never been identified by the Council as being of any particular public value in the past in terms of ecology, historic significance, beauty or tranquility.

[1] Even if it did, an assessment of consistency with sustainable development and enduring beyond the plan-period must still be satisfied for the purposes of paragraph 105 of the Framework.

- Our client's site forms part of an extensive area of Open Countryside surrounding Colne, and the PPG is clear that such locations are not suitable for LGS.
- Any value of the site in terms of recreation, ecology, tranquility, beauty and historic significance falls very far short of what could be considered demonstrably special, which is a very high threshold (it is not sufficient to simply say that a particular piece of land is considered important to the community).
- The site is not reasonably close to the community serves in functional terms as the only public access is physically isolated from the population with no desirable or suitable public access.
- The site is best described as an extensive tract of land.
- LGS designation would not be consistent with the local planning of sustainable development, and it would not endure beyond the plan-period.
- The site is not demonstrably special as there have been a number of opportunities recently to put the site forward as LGS, including an adopted Neighbourhood Plan which designated LGS, and the community did not propose it at that point. To be demonstrably special would also suggest some long term association and aspiration for designation and that has not been the case.

We trust that this clarifies our client's position in terms of objection to the identification of their site as a LGS. Should you require any further information, please do not hesitate to contact us.

Yours sincerely
Emery Planning

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Director

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Enc:
EP1 – Emery Planning Representations to LGS Consultation November 2023.

EP1

Representations: Local Green Space Report and Methodology

For [redacted] | 23-617

Land to the south of Knotts Lane & Lenches Road, Colne

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Project:	23-617
Site Address:	Land to the south of Knotts Lane & Lenches Road, Colne
Client:	[redacted]
Date:	November 2023
Author:	Gareth Salthouse
Approved by:	Rawdon Gascoigne

Contents

1. Introduction

1.1 This Statement supports our client's representations to the Pendle Local Green Space Report and Methodology public consultation.

1.2 It is understood that our client's site at Lenches Road and Knotts Lane, Colne, has been nominated by the Colne Town Council and a community interest group for Local Green Space (LGS) designation. The Council has not yet resolved whether to designate any LGS in the emerging local plan, although representations are invited on the potential sites identified through the Local Green Space Report and Methodology.

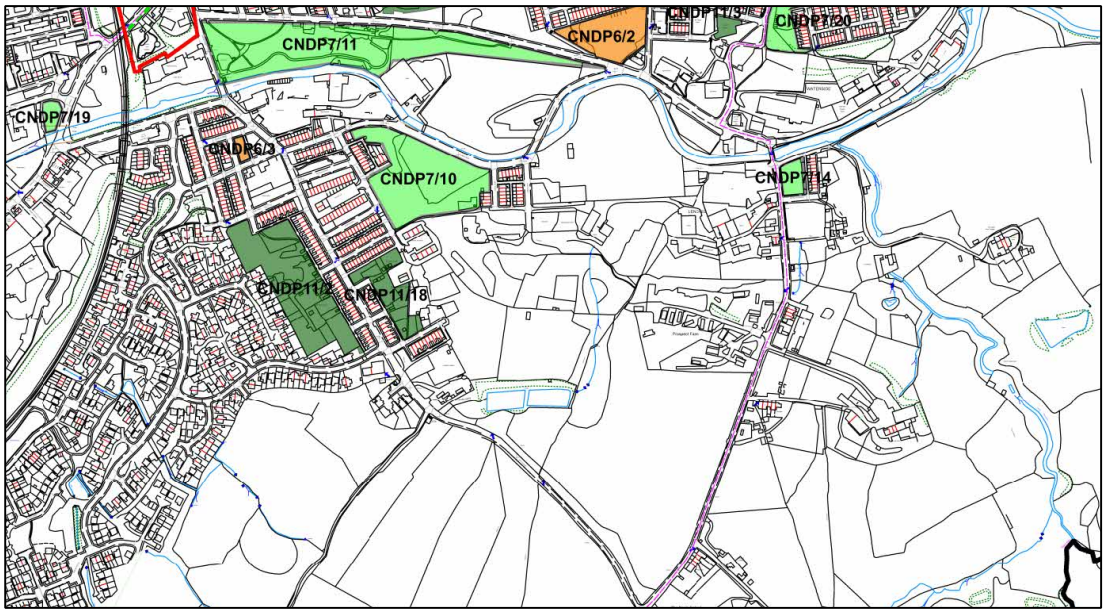
1.3 For the reasons set out through this Statement, the identification of our client's land as LGS would not be justified as it would not meet the tests set out at paragraphs 101 and 102 of the Framework and through the PPG. This is consistent with the Council's own conclusions within the Pendle Local Green Space Report which has concluded that the area of land is not demonstrably special and would not therefore justify LGS designation in accordance with the paragraphs of the NPPF referred to above.

2. The site context

2.1 Our client's site is the same area as that identified through the Pendle Local Green Space Report and Methodology 2023 as 'LGS/LP4/DM12/026 – Land at Lenches Road and Knotts Lane, Colne'.

2.2 The land in question is identified on the Proposals Map for the adopted Pendle development plan as being within the extensive 'Open Countryside' area that encloses the settlement of Colne. The land is otherwise not identified for any other designation through the adopted Proposals Map.

2.3 The site falls within the boundaries of Colne Town Council and the Colne Neighbourhood Plan was formally 'made' by the Council earlier this year. Our client's site was not identified for any designation through the Colne Neighbourhood Plan and it is instead 'white land'. The Colne Neighbourhood Plan considered the merits of LGS within the town council boundaries and formally designated certain greenspaces as LGS. We are therefore unclear why the position is being revisited in such a short space of time when the merits and the need for green space have so recently considered in this location. The green space that was designated is shown in the extract plan below:



2.4 Gleeson Homes submitted a full planning application for 106 no. dwellings on our client's land in 2021 (LPA ref: 21/0947/FUL). This application was withdrawn by the applicant prior to a decision being made by the Council. It was considered at Planning Committee in May 2022 and Members resolved to refuse planning permission based on the following reasons for refusal:

The proposed development is physically disconnected from Colne due to topography and position within the Open Countryside. It is not in a sustainable location.

Poor design, particularly in the use of materials which are not characteristic of the area and would be inappropriate for this rural location.

Traffic/highway issues – a potential bottleneck at the Grade II Listed bridge on Lenches Road, combined with the lack of footpaths.

The site would be prominent in long range views and would mar the setting of the town.

3. The merits of LGS

Planning policy and guidance

3.1 Paragraph 101 of the Framework sets out that LGS is a designation that allows communities to identify and protect green areas of particular importance to them. In addition:

> The designation should be consistent with the local planning of sustainable development.
>
> The designation should complement investment in sufficient homes, jobs and other essential services; and
>
> LGS should only be designated when a plan is prepared or updated and should be capable of enduring beyond the plan period.

3.2 If the designation of a particular site is inconsistent with overall sustainability objectives, or the provision of sufficient homes, then the site should not be designated. That may be because the site is best placed and required to meet a housing or other need, or because the site is likely to be required to be released in the next plan period.

3.3 Paragraph 102 of the Framework sets out 3 no. criteria to be satisfied for LGS:

a. a) in reasonably close proximity to the community it serves;
b. b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
c. c) local in character and is not an extensive tract of land.

3.4 LGS is an exceptional designation and will not be suitable for most open space or green spaces. The threshold for designation is purposefully high as it reflects the severe policy implications arising from LGS i.e. policies for managing such land should be consistent with those for the Green Belt. The PPG also emphasizes the point that LGS may be designated where those spaces are demonstrably special (para. 37-009).

3.5 The Local Plan Inspector's Report for the Mendip Local Plan noted the following in terms of the threshold for LGS:

> "The Council has worked hard in preparing the proposed LGS designations in the submitted Plan. However, unlike a 'call for sites', which local planning authorities are encouraged to do in the interests of maximising opportunities for housing development to meet local housing needs, national policy in relation to LGS designation is completely different. Rather, it sets a very high bar for LGS designation. The opening sentence of

> paragraph 77 of the Framework, which can be described as a 'headline' message, states: "Local Green Space designation will not be appropriate for most green areas or open space". It therefore follows from national policy that LGS designation should be the exception rather than the rule. One good reason for national policy setting this high bar is explained in paragraph 78 of the Framework, which states that local policy for managing development within LGS should be consistent with Green Belt policy (para. 193)."
>
> "I recognise that many if not all LGS designations are important to local communities; however, this is a lower bar than being 'demonstrably special' and of 'particular local significance (para. 201)."

3.6 It is clear from the extract above that it is not sufficient for a site to simply be considered important or valuable by certain members of the community. The demonstrably special threshold is a very high test and must be justified by reference to commensurately detailed evidence.

3.7 LGS must also be in reasonable proximity to the settlement it purportedly services in physical and spatial terms. Whether a site meets this definition and whether it can be described as being local in character requires planning judgement to be exercised, although Local Plan Inspectors have provided guidance in the past on interpretation as we discuss further below.

3.8 The PPG also says that:

> LGS should not be used in a way that undermines the aim of the plan-making process.
>
> LGS should only be designated where sufficient land in suitable locations has been identified to meet development needs.

The Pendle Local Green Space Report and Methodology

3.9 The Pendle Local Green Space Report and Methodology, hereafter referred to as the Pendle LGS Report, sets out a 2-staged process to assessing potential LGS:

> Stage 1: Desk-based review
>
> Stage 2: Site assessments.

3.10 In terms of Stage 1, the Pendle LGS Report says the following at paragraph 2.5:

> "If land is already protected by Green Belt policy, or a different type of designation (e.g. Area of Outstanding Natural Beauty (AONB), Open Space etc.) consideration is given to whether any additional local benefit would be gained by designation as LGS."

3.11 In terms of Stage 2, the Pendle LGS Report sets out several questions to be answered:

> Is the site publicly accessible?

Is the site within a reasonable walking distance of the community (or communities) that it serves?

Is the site demonstrably special to one (or more) local communities?

Why does the site hold a particular local significance? Are the "unique and special qualities" of the site associated with its natural beauty, historic significance, recreational value, tranquillity, or richness of wildlife, or a combination of these?

Is the site local in character, rather than an extensive tract of land?

Can the special characteristics of the site, together with any uses or activities which form part of the case for its designation, be maintained and managed for the duration of the plan period?

3.12 The Pendle LGS Report then goes on to set out a 'Decision Tree' at Figure 2.1. If LGS will not provide additional local benefits beyond any existing protections, then it is not likely that LGS will be justified for a particular site.

3.13 In terms of the demonstrably special test, the Pendle LGS Report sets out the following parameters:

Beauty – Is the green space visually attractive? Does the green space make a positive contribution to townscape, landscape character or local distinctiveness. Is the flora and fauna considered to be special to the local area?

Historic significance – Does the green space have any archaeological value? Does the green space have a positive impact on a conservation area, or its setting? Does the green space provide a setting for a listed building or other heritage asset?

Recreational value (including as a playing field) – Does the green space support activities or events which provide value to their community and are considered to be of local significance?

Tranquillity – Does the green space provide a quiet space for reflection? Is the green space in an area away from sources of noise and pollution?

Richness of wildlife – the area(s) may have ecological importance, be subject to local, national or international designations due to its wildlife or support wildlife which can be evidence such as through providing hedgerows, ponds, mature trees.

3.14 The Pendle LGS Report identifies our client's site as 'LGS/LP4/DM12/026 – Land at Lenches Road and Knotts Lane, Colne'. It concludes that the site is not demonstrably special to the community, and we agree with this conclusion for the reasons set out through this Statement.

Assessment of LGS

3.15 This section of our Statement is structured as follows to reflect the guidance set out through the Framework and the PPG:

Is the site already subject to any policy designations?

Is the site in reasonably close proximity to the community it serves?

Is the site local in character and not an extensive tract of land?

Is the site demonstrably special and does it hold in particular local significance?

Would designation be consistent with the local planning of sustainable development?

Would designation endure beyond the plan-period?

Is the site already subject to any policy designations?

3.16 The site is currently identified as forming part of the Open Countryside designation surrounding the settlement of Colne. The adopted development plan already applies restrictive planning policy parameters to the site as the relevant strategic policies say that new development proposals should be located within a settlement boundary in general terms.

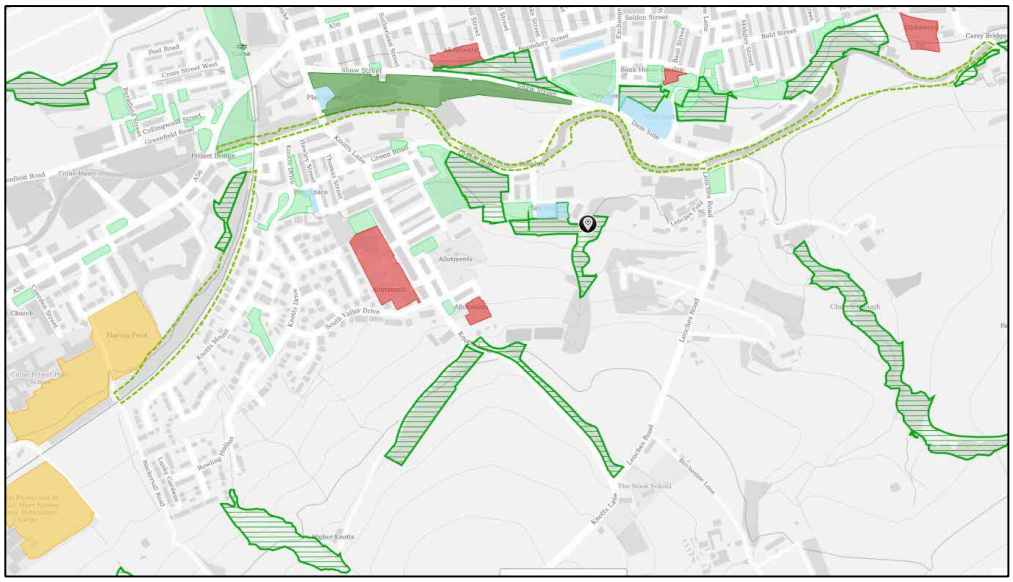
3.17 The question as to whether the site should be located within the built-up settlement area or not is a separate question for the local plan-making process, although it is unrelated to the question of LGS. As it stands, the site is within the Open Countryside and there is no added benefit in identifying the site as LGS in terms of policy protections for new development proposals.

3.18 In terms of public access, there is already a single public right of way (PROW) extending across the land between Knotts Lane and Lenches Road. However, there is no wider access to the land and no prospect of that position changing in the near or medium term future. There is no added benefit in identifying the site as LGS in relation to some recreational access for the public. The site is in private ownership and merely identifying the site as LGS would not result in any additional authorised public access on the land.

3.19 In response to the decision tree in the Pendle LGS Report at Figure 2.1, the identification of our client's site as LGS would not result in additional local benefits beyond existing protections. As such, LGS is not justified regardless of the merits of such a designation and we go on to discuss this further below.

3.20 Furthermore, our client's site has never been identified in the past by the Council for any type of 'public value' or non-statutory or statutory heritage or ecology designation. This reflects the limited value of the site in terms of beauty, richness in wildlife and historic significance.

3.21 Indeed, the site was not identified by the Council through the Pendle Open Space Audit 2019 as meeting any typology of open space, including amenity green space or natural greenspace. Only a very small portion of the land is identified as open space and this comprises an area of trees (Ref: WD467) as seen in the extract map below from the Pendle Open Space Audit 2019:



3.22 The definition of 'open space' provided through the Framework is as follows:

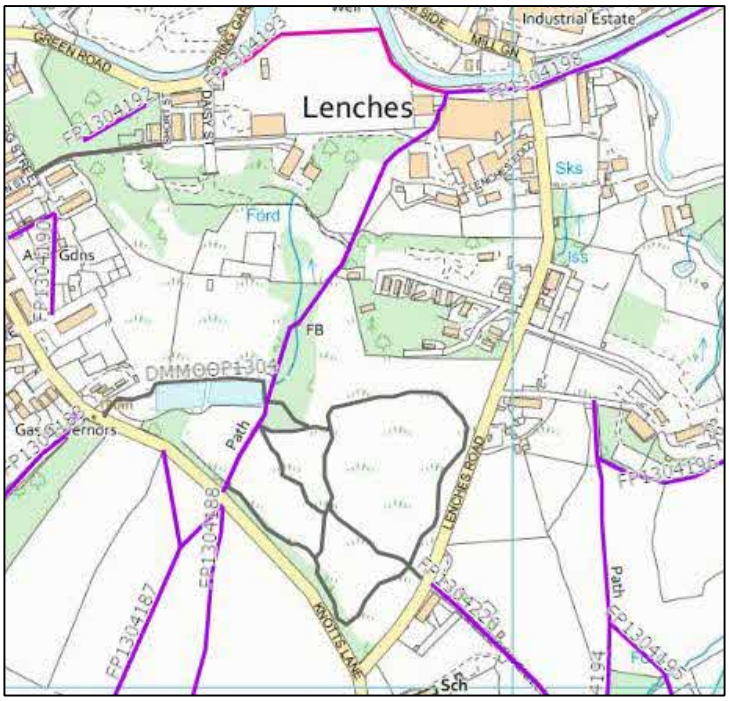
> "All open space of public value (our emphasis), including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."

3.23 Our client's site, except for a small area of trees noted further above (Ref: WD467), has never been assessed as being of 'public value' in the sense of meeting the definition of 'open space'. It would be highly surprising if the Council were to conclude that the site is now of such demonstrably special value, which is a far higher threshold than the 'public value' test, having accepted that this lower threshold has not been satisfied on a number of occasions I connection with plan making in the very recent past. This only goes to further emphasise that LGS is not warranted for our client's land.

3.24 It is also highly significant that the Colne Neighbourhood Plan, formally 'made' earlier this year, considered potential LGS and did not identify our client's site as LGS through the neighbourhood plan-making process. This only goes to emphasise the point that the value of our client's site falls far short of what could be considered demonstrably special for the purposes of the Framework and the PPG. There is no basis to consider that position has changed in the intervening period having regard to the very certain way in which LGS should be considered. It should not for instance be purely reactionary in the context of current or recent development proposals.

Is the site in reasonably close proximity to the community it serves?

3.25 The site is only accessible to the public via a single PROW crossing the site in a north-south direction between Knotts Lane and Lenches Road. There is otherwise no authorised public access. See the following map with the route of the PROW shown through the purple line:



3.26 The relationship of the land with the built-up area reflects the Open Countryside designation already in-situ i.e. there is an element of physical detachment from the community of Colne. Indeed, Members at the Planning Committee meeting in May 2022 resolved to refuse planning permission for planning application 21/0947/FUL based on the following concern:

> *"The proposed development is physically disconnected from Colne due to topography and position within the Open Countryside. It is not in a sustainable location."*

3.27 Whilst that context may be considered in a different way when considering development proposals to meet needs, the assessment for LGS should be on the current position and appearance and it cannot be said that the site can be characterised as above by the Council whilst also being considered in reasonably close proximity to the community it serves by the same Authority for the purposes of an LGS assessment. That would clearly not result in consistency in decision making as is required of the Council. Furthermore, the PROW only allows for access between Knotts Lane and Lenches Road:

> The access via Knotts Lane is only accessible from the open fields to the south and the reality is that the PROW is of interest to ramblers rather than it serving the 'everyday needs' of the community of Colne. There is currently no safe and dedicated footway along Knotts Lane between the PROW access and the built-up area of Colne.
>
> The access via Lenches Road is via Lenches Road Industrial Park and the various industrial units in-situ. The PROW link via Lenches Road is not obvious and it leads walkers through the busy yard area, which is well-used by parked and maneuvering HGVs and commercial vehicles. It is not a desirable PROW link into our client's land. Again, the land does not serve the 'everyday needs' of the community of Colne.

3.28 See the photographs provided below that illustrate the points summarised above:

Is the site local in character and not an extensive tract of land?

3.29 There is no definitive guidance on what may constitute an extensive tract of land. The South Derbyshire Local Plan Inspector's Local Green Spaces Report in 2020 noted that the Council had identified a maximum site area of 5ha:

> *"LGS designations should not relate to extensive tracts of land, though the PPG acknowledges that a degree of judgement will inevitably be needed. In seeking to interpret the NPPF, the Council's Stage 1 assessment sets a threshold of 5 hectares, above which sites may constitute an extensive tract of land. It also recognises that this will be dependent on local circumstances. I am satisfied that, in doing so, the Council has assessed sites on a consistent and transparent basis, whilst allowing for local circumstances to be taken into account."*

3.30 In the Alrewas Neighbourhood Plan Examiner's Report, dated August 2015, the Examiner removed 2 no. proposed LGS designations of 2.5 and 3.9 hectares respectively, having found these to constitute "extensive' tracts of land by virtue of their size.

3.31 Our client's site is 7.7ha in size and it cannot be described as being local in character. It is better described as an extensive tract of land for the purposes of paragraph 102 of the Framework and LGS is not justified on this basis. The Examiner's Report for the Chapel-en-le-Frith Neighbourhood Plan in 2015 noted the following for a potential LGS ('Fields Between Homestead Way and Ashbourne Lane') and similar comments could equally be directed to our client's land:

> *"*These are fields on the edge of the built up area with public access via a footpath. I realise that they provide a green backdrop. However, so does a considerable amount of the surrounding countryside. I realise that the footpath is used by local residents. However, I do not consider there to be robust justifiable evidence to show that this site is demonstrably special to a local community or holds a particular local significance. Thus, I do not consider that this site meets the criteria for designation as Local Green Space.*"*

3.32 The identification of our client's site, which comprises Open Countryside adjacent to the settlement of Colne, would be contrary to paragraph 37-015 of the PPG advises as follows:

> *"*Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.*"*

Is the site demonstrably special and does it hold in particular local significance?

3.33 As noted earlier with reference to the Local Plan Inspector's Report for the Mendip Local Plan, it is not sufficient for a site to simply be considered important or valuable by certain members of the community. The demonstrably special threshold is a very high test and must be justified by reference to commensurately detailed evidence.

Recreational value

3.34 Please see our comments at paragraphs 3.23 to 3.27 above. Public access to the site is limited and is not suitable or desirable for regular use for all members of the community of Colne.

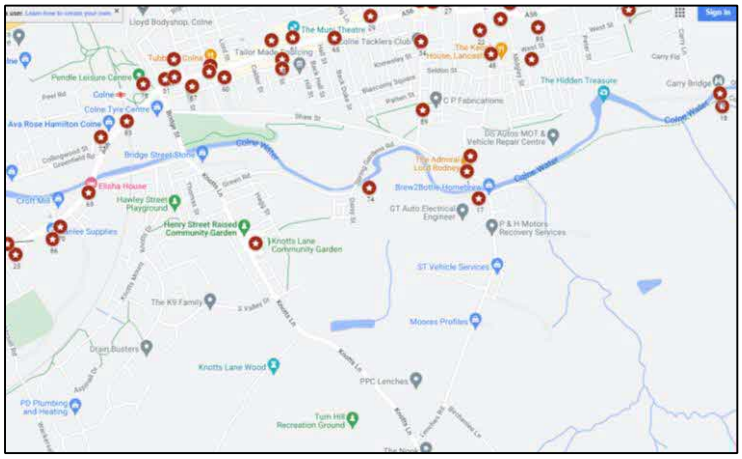
3.35 In terms of recreational value, the Pendle LGS Report asks whether the land in question supports activities or events that provide value to the community. The land has never been used in this way. Again, we refer to the Examiner's Report for the Chapel-en-le-Frith Neighbourhood Plan in 2015 in relation to the general tests on LGS:

> *"*I must emphasise that in order for an area to be designated as a Local Green Space, it has to meet all the criteria for designation. I realise that footpaths dissect some of the parcels of land. This is not in itself a reason to designate a parcel of land as a Local Green Space.*"*

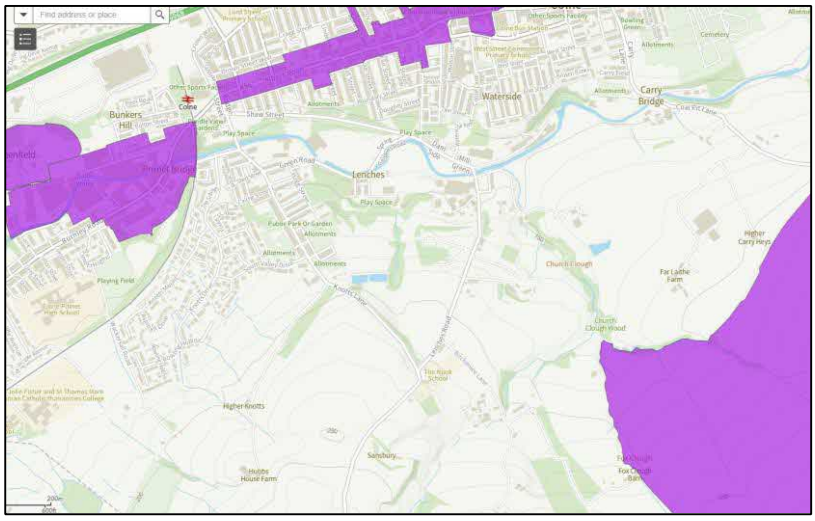
3.36 Any recreational value of the site falls very far short of what could be considered to be demonstrably special for the purposes of paragraph 102 of the Framework.

Historic significance

3.37 The Colne Heritage Impact Assessment (May 2022 – Kirkwells), prepared for the Colne Neighbourhood Plan, and the Colne Heritage Assets Report (June 2022), prepared as part of the general local plan evidence base for the emerging Pendle Local Plan, do not identify any designated or non-designated heritage assets within influencing distance of our client's site. The following map, copied from the Colne Heritage Assets Report (June 2022), identifies non-designated heritage assets and this shows that there is no historic significance in relation to our client's site or the surroundings:



3.38 The following map shows conservation areas, highlighted purple, and our client's land is not within influencing distance of any such designated heritage asset:



3.39 There is no evidence to suggest that our client's site is of any historic significance and the demonstrably special threshold is clearly not met for the purposes of paragraph 102 of the Framework.

3.40 Furthermore, it is significant that the Council was satisfied that the site could accommodate over 100 no. dwellings without any harm to historic significance through planning application 21/0947/FUL.

Richness in wildlife

3.41 Detailed ecology surveys were carried out by Ascerta for planning application 21/0947/FUL and reports submitted to the local planning authority. Please see the final April 2022 report appended at EP1 of this Statement. The findings followed site visits by suitably qualified ecologists, a desk study and biological records search and extended surveys to identify the potential for protected species. The work carried out by Ascerta was in accordance with established guidelines and best practice, such as the 'Guidelines for Ecological Impact Assessment in the UK and Ireland' 2nd edition (2018)':

> There are no statutory or non-statutory ecology sites within influencing distance of the site e.g. Site of Special Scientific Interest (SSSI) or Special Area of Conservation (SAC).
>
> The nearest non-statutory site is over 1km away.
>
> The site contains no designated or priority habitats.
>
> A major residential development on the site would not adversely affect the ecological value of the area.

3.42 The detailed evidence available firmly establishes that the site is of relatively low biodiversity value, and any local or sub-regional ecological designation is not justified.

3.43 Any ecological value of the site falls very far short of what could be considered to be demonstrably special for the purposes of paragraph 102 of the Framework.

3.44 Furthermore, it is significant that the Council was satisfied that the site could accommodate over 100 no. dwellings without any undue harm in terms of biodiversity through planning application 21/0947/FUL.

Beauty

3.45 As noted elsewhere in this Statement, the site forms part of the Open Countryside surrounding Colne and it already benefits from policy protection through this development plan designation. The point that the site is undeveloped is far from sufficient to justify LGS and there must be something demonstrably special to put the case that there may be merit in LGS in relation to our client's site.

3.46 The site clearly has some visual and landscape interest as a green space to the edge of Colne although the same can equally be said of all the land adjoining the settlement and this is a point that was extensively responded to in the case of the Chapel en le Frith Neighbourhood Plan in rejecting potential LGS

designations as detailed above. The land has never been identified by the Council in the past for any statutory or non-statutory landscape designation. The Colne Neighbourhood Plan identifies part of the land as within an 'important viewpoint' as per Policy CNP13, although such viewpoints cover extensive areas of land to the edge of the settlement and this does not confer any demonstrably special status (if it was of such value then the neighbourhood plan steering group is likely to have pursued LGS designation).

3.47 A Landscape Visual Impact Assessment, carried out by Ascerta in accordance with established guidelines for landscape specialists, in connection with planning application 21/0947/FUL. This concluded that the site could accommodate over 100 no. dwellings without any significantly adverse visual and landscape harm arising.

3.48 The visual and landscape qualities of the site fall very far short of what could be considered to be demonstrably special for the purposes of paragraph 102 of the Framework.

Tranquillity

3.49 The Pendle LGS Report asks whether the land in question provides a quiet space for reflection and whether it is a space away from sources of noise and pollution. The advice set out through the PPG at 37-015 must be taken into account when considering tranquility as the intention is not to apply blanket designations of Open Countryside adjacent to settlements; there must be an overriding and unique demonstrably special quality about the land in question in terms of tranquility and this will often be that a certain green space performs an important function in an otherwise urban environment in providing a much-needed quiet environment (this is very far removed from our client's site).

3.50 Our client's site forms part of the extensive areas of Open Countryside surrounding Colne, and it obviously benefits from a certain level of tranquility; this could be applied to any site in the Open Countryside as noted above. The sense of tranquility relevant to our client's site is relatively limited by virtue of the following points:

Noise and disturbance from the various commercial and industrial uses at Lenches Road Industrial Park.

Visual intrusion and general noise and disturbance from the Prospect Farm Residential Park off Lenches Road.

Visual intrusion from the built-up area settlement edge of Colne that includes residential properties on Knotts Lane and Dewhurst Street and other uses such as the adjacent equestrian complex.

The built-up area of Colne and the adjacent industrial units are highly visible from all parts of the land in question.

Noise from traffic using Knotts Lane and Lenches Road, which are well-used traffic routes around the edge of Colne.

3.51 Any sense of tranquility is 'commonplace' to any area of Open Countryside close to busy roads and an adjacent settlement, and it falls very far short of what could be considered to be demonstrably special for the purposes of paragraph 102 of the Framework.

Would designation be consistent with the local planning of sustainable development, and would designation endure beyond the plan-period?

3.52 Paragraph 101 of the Framework states the following:

> *"*The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*"*

3.53 This means that sites should not be designated as LGS until the Borough's, and Colne's, development requirements (i.e. how much housing and employment is needed) are understood and it has been determined how this development can be accommodated (i.e. what is the spatial distribution strategy and which sites in the city are required to be allocated to accommodate this development). This can only be resolved through the emerging local plan-making process.

3.54 The Pendle SHLAA 2014 identifies our client's land as a developable site for housing development (circa. 168 no. dwellings) for delivery between 2024-29 (SHLAA Ref: S161). The Council's assessment does not identify any overriding and significant constraints, and this only goes to again emphasise the point that LGS cannot be justified for our client's site.

3.55 Our client's site has the potential to deliver much-needed housing development to help meet the needs of the Borough and the needs of Colne, which is a principal urban settlement of the Borough. The identification of the site as LGS is therefore not appropriate as it would be inconsistent with the need to provide sufficient homes for the purposes of paragraph 101 of the Framework.

3.56 Paragraph 101 of the Framework also refers to the need for LGS to endure beyond the plan-period. Even if our client's site is not allocated for housing as part of the emerging Pendle Local Plan, which will cover the plan-period up to 2040, LGS would not endure beyond the year 2040 given the following points:

The plan would need to be reviewed every 5-years and allocation of the site is highly likely by 2040 given the identification of the land through the Pendle SHLAA 2014 as a developable site for circa. 168 no. dwellings.

The site is in private ownership and our client has clearly communicated to the Council in the past that their intention is to develop the land for housing and not manage it as 'open space'.

Summary: Assessment of LGS

3.57 We summarise our points below:

The site was not considered to be of such value that LGS was warranted through the Colne Neighbourhood Plan.

The site has never been identified by the Council as being of any particular public value in the past in terms of ecology, historic significance, beauty or tranquility.

Our client's site forms part of an extensive area of Open Countryside surrounding Colne, and the PPG is clear that such locations are not suitable for LGS.

Any value of the site in terms of recreation, ecology, tranquility, beauty and historic significance falls very far short of what could be considered demonstrably special, which is a very high threshold (it is not sufficient to simply say that a particular piece of land is considered important to the community).

The site is not reasonably close to the community serves in functional terms as the only public access is physically isolated from the population with no desirable or suitable public access.

The site is best described as an extensive tract of land.

LGS designation would not be consistent with the local planning of sustainable development, and it would not endure beyond the plan-period.

The site is not demonstrably special as there have been a number of opportunities recently to put the site forward as LGS, including an adopted Neighbourhood Plan which designated LGS, and the community did not propose it at that point. To be demonstrably special would also suggest some long term association and aspiration for designation and that has not been the case.

4. Conclusion

4.1 For the reasons set out through this Statement, the identification of our client's land as LGS would not be justified as it would not meet the tests set out at paragraphs 101 and 102 of the Framework and through the PPG.

5. Appendices

EP1 – Ascerta Ecology Report 2022.

EP1

Ascerta

Landscape, Arboricultural & Ecological Solutions
for the Built Environment

Preliminary Ecological Appraisal, Bat Activity Survey and Static Detector Deployment

Lenches Road, Colne, BB8 8HG

Ref: P.1418.21

April 2022

(see revision dates below)

Rev	Date	Details
A	22nd October 2021	Updates following revised layout
B	26th January 2022	Updates following site visit
C	19th April 2022	Update to include April bat activity survey and static detector deployment

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P.1418.21

Preliminary Ecological Appraisal,
Bat Activity Surveys and Static Detector Deployment

Of

Lenches Road, Colne, BB8 8HG

For

Gleeson Homes

20 April 2022

Field Work by	Liz Kenyon BSc (Hons) CIEEM
Document Author	Liz Kenyon and Lizzie Atkinson MSC CIEEM
Technical Review	Liz Kenyon
QA Review & Approval	Ciaran Power - Office Manager

Contents

EXECUTIVE SUMMARY

A Preliminary Ecological Appraisal has been carried out at Lenches Road, Colne, BB8 8HG on 18th January 2021 by Liz Kenyon CIEEM. The assessment comprised a desk study and biological records search, as well as a site walkover survey in order to map habitat types. The survey was extended to assess the potential for protected species to use the site. The assessment provides baseline data as to current site conditions and where appropriate allows recommendations to be made in respect of further potential work in order to satisfy current wildlife legislation.

An updated site walkover survey was carried out on 26th January 2022 by Liz Kenyon to assess the bat roost potential of the trees that are to be lost to the proposals and to reassess the site for bat foraging and commuting suitability.

A nocturnal bat activity survey was carried out on 11th April 2022 by Liz Kenyon and Lizzie Atkinson. One static bat detector was also deployed within the site for eight consecutive nights in April 2022.

Assessed against the 'Guidelines for Ecological Impact Assessment in the UK and Ireland' 2nd edition (2018), the habitats range in ecological value from negligible to within the zone of influence of the site. All habitats are likely to be lost to the proposals. As the habitats to be lost to the proposals are small in area and not of high ecological value it is considered that their loss can be mitigated for and the proposals will not adversely affect the ecological value of the wider area, provided the recommendations detailed below are followed.

Bat surveys are conducted in accordance with the Bat Surveys for Professional Ecologists - Good Practice Guidelines, published 2016 (the Guidelines). Strict adherence to these is not necessary, but where practice deviates from them, clear reasons and rationale are required.

The habitats on site comprise unmanaged semi-improved grassland with pockets of rush. The grassland has become encroached by bramble scrub to the margins and has scattered trees throughout. Stone walls bound the east and west site boundaries with section of species poor hedgerow. A small area of standing water is present to the western site boundary.

A low level of bat activity was recorded during the bat activity survey carried out on 11th April 2022 with only common pipistrelle and noctule recorded using the site for brief foraging periods and commuting. No bats were recorded by the static bat detector deployed prior to sunset on 11th April 2022 for 8 consecutive nights within tree group G6 (Drawing P.1418.21 Tree Survey, Appendix 1).

If the recommendations below are followed these species will not be adversely affected by the proposals.

Nocturnal bat activity surveys and the deployment of a static bat detector to be carried out (between June and October in suitable weather conditions) to assess the level of bat activity throughout the site;

Production and implementation of a hedgehog RAMS to avoid any harm to this species during the proposed works.

Production and implementation of a badger RAMS to avoid any harm to this species during the proposed works.

Production and implementation of an amphibian RAMS to avoid any harm to this species during the proposed works.

Precautionary check for badger prior to works commencing to assess if badger are using the habitats within the site for shelter;

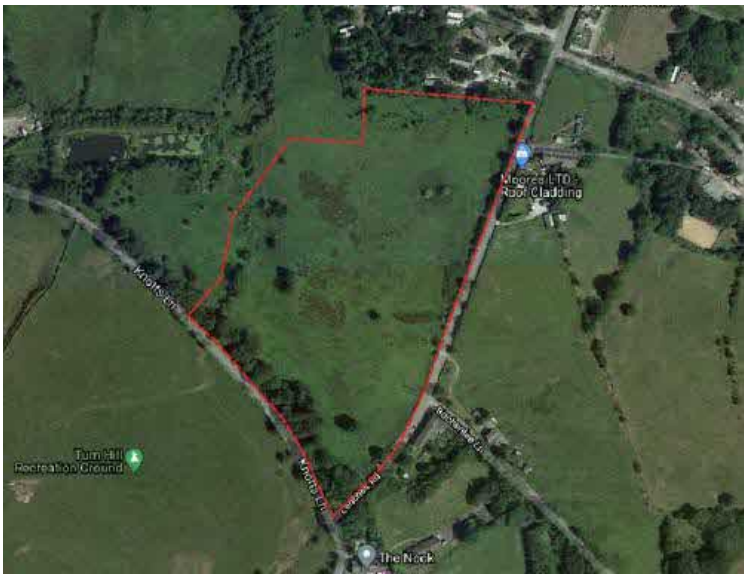
Precautionary check for invasive prior to works commencing; and

Enhancing the site for species through appropriate landscape planting that includes native, species rich hedgerows, trees and areas of wildflowers plus provision of integrated bat and bird features within newly constructed buildings.

The site provides habitat for nesting birds, badger, hedgehog, amphibians and bats. Habitats on site will be lost to the proposals. There is to be likely low impacts on the local ecology due to the proposals if the recommendations within section 6 are implemented.

1.0 Introduction

Ascerta has been instructed by Gleeson Homes to carry out a Preliminary Ecological Appraisal and a bat activity survey at the land at Lenches Road, Colne, BB8 8HG (hereafter referred to as the site). The site OS grid reference is SD 8885 3916 and of the site is displayed in photograph 1.1 below.



Photograph 1.1: Extent of site

The site was visited on 18th January 2021 by Liz Kenyon BSc (Hons) Qual CIEEM when a Preliminary Ecological Appraisal, which includes an assessment of the potential for protected species to be using the site or surroundings, was carried out in accordance with the Handbook for Phase 1 Habitat Survey: a Technique for Environmental Audit (JNCC, 2010). The report was prepared following methods detailed in the CIEEM 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (2018) and 'Guidelines for Ecological Report Writing' (2017). This report presents the results of the survey including evaluation of habitats on site and potential for protected species to be using the site. The report includes recommendations for further actions where applicable in order to satisfy current wildlife legislation and to achieve our client's objectives. Relevant legislation is detailed within Appendix 4.

An updated site walkover survey was carried out on 26th January 2022 by Liz Kenyon to assess the bat roost potential of the trees that are to be lost to the proposals and to reassess the site for bat foraging and commuting suitability.

A nocturnal bat activity survey was carried out on 11th April 2022 by Liz Kenyon and Lizzie Atkinson. One static bat detector was also deployed within the site for eight consecutive nights in April 2022, no bat activity was recorded within this period of the static detector.

The habitats on site comprise unmanaged semi-improved grassland with pockets of rush. The grassland has become encroached by bramble scrub to the margins and has scattered trees throughout. Stone walls bound the east and west site boundaries with section of species poor hedgerow. A small area of standing water is present to the western site boundary.

Our client seeks planning consent to redevelop the site for the construction of residential dwellings with associated access roads

2.0 Objectives

Our client's objectives are to assess the potential ecological constraints of the proposed development site.

Our objectives are as follows:

Identify and evaluate any features of ecological value and the potential of the site to support protected species based on the walkover survey and biological records search;

Identify designated sites within 2km of the site;

Review protected species records within 2km of the site;

Map the habitats within the site using JNCC (2010) methods;

Provide recommendations for further species-specific surveys and mitigation measures where current legislation requires;

Provide recommendations that seek to enhance the ecological value of the site;

Provide recommendations to assist our clients in achieving their objectives whilst satisfying current wildlife legislation.

3.0 Survey Methods

The Preliminary Ecological Appraisal involved the collection and review of data from a desk study and field survey along with assessment of the value of the habitats following CIEEM guidelines.

3.1 Desk Study

A review of the designated sites and habitats within 2km of the site has been undertaken in January 2021 using the Multi-Agency Geographic Information for the Countryside (MAGIC) and the Natural England websites.

A review of UK and Local priority species and habitats known to occur within 2km of the site has been undertaken in January 2021; using the Joint Nature Conservation Committee website, Multi-Agency Geographic Information for the Countryside (MAGIC) and local records from LeRN (Appendix 5).

3.2 Field Survey

A walkover survey of the site was conducted on 18th January 2021 by Liz Kenyon, when the habitat types and features of ecological interest were identified and mapped in compliance with the Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit (JNCC, 2010). The survey methods involve the recording and mapping of all habitat types and ecological features present on site, including the identification of the main species present and examination of the potential for any protected species. Habitats were mapped and target notes made for any interesting features.

The surveys particularly focused on the following species and habitat features:

Mammals (badgers and bats);

Birds;

Amphibians and reptiles;

Invertebrates;

Hedgerows and boundaries;

Invasive plant species; and

Plant communities and trees.

Weather conditions during the survey on 18th January 2021 were cool (4ºC), light rain (7/8 cloud cover) with a F1 (Beaufort Scale) calm air, therefore appropriate for this type of survey.

Weather conditions during the survey on 26th January 2022 were cool (6ºC), dry (8/8 cloud cover) with a F0 (Beaufort Scale) calm air, therefore appropriate for this type of survey.

3.3 Bat Survey Methods

The survey methods followed the guidelines set out by the Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines – 3rd Edition (2016). Habitats, buildings and trees were assessed for suitability for use by bats and categorised independently using table 4.1 page 35 within the Bat Conservation Trust Guidelines (Collins, 2016).

Preliminary Ecological Appraisal for Bats

Habitats on site were assessed for their suitability for bats to use them for roosting, commuting and foraging both on the site and surrounding area. Commuting and foraging habitat suitability was categorised low to high. Commuting and foraging habitat valued as moderate or above may need further survey effort if lost to the proposals.

Preliminary Roost Assessment Trees

All trees to be lost or impacted by the proposals were inspected for Potential Roost Features (PRFs). Features searched for included: Natural or woodpecker holes, cracks/splits in major limbs, loose bark, hollows/cavities, dense epicormic growth, bird and bat boxes. Where such features were found, they were investigated for scratches or staining, bat droppings and smoothing of surfaces around entry points. Trees assigned a suitability of moderate or above may require further inspection if they are to be lost to the development.

Table 4.1: Guidelines for assessing Potential Roost Features (PRFs), commuting and foraging habitat within a proposed development site. Guidelines taken from table 4.1 page 35 of the Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines – 3rd Edition (2016).

Suitability	Roosting Habitats	Commuting and Foraging Habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions [a] and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation [b]). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential. [c]	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions[a] and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions [a] and surrounding habitat.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

[a] For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.

[b] Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten et al., 2015). This phenomenon requires some research in the UK but ecologists should be aware of the potential for larger numbers of this species to be present during the autumn and winter in large buildings in highly urbanised environments.

[c] This system of categorisation aligns with BS 8596:2015 Surveying for bats in trees and woodland (BSI,2015).

3.4 Bat Activity Survey Methods

Following the findings on the site appraisal on 18th January 2021, a dusk activity survey was carried out on 11th April 2022. The dusk activity survey commenced at sunset and continued until two hours after sunset.

During the survey, the surveyors walked a planned transect route with stop points around the full area of the site. Surveyors also recorded general bat activity whilst on the site during the survey. The transect route and stop point locations are marked on drawing P.1418.21.06, Appendix 1.

The weather conditions during the survey are detailed within table 3.1 below. Temperate, wind speed/direction and cloud cover were recorded at the beginning and end of the survey, along with any significant weather changes during the survey (e.g. heavy showers).

The weather conditions during the surveys are detailed within table 3.1 below.

Table 3.1: Weather conditions

Date	Temperature (°C)	Cloud cover ($^0/_8$)	Wind (Beaufort Scale)	Precipitation
11th April 2022 (start of the survey)	9	7/8	F2	Dry
11th April 2022 (end of the survey)	9	6/8	F2	Light rain

During the survey, the following details were noted:

- Weather and temperature;
- Time bat detected / seen and if they emerged from or entered the building;
- Frequency at which the bat was detected;
- Location of bats and if they were foraging and commuting;
- Direction of flight; and
- Number and species of bats present

3.5 Static Detector Survey

One Wildlife Acoustics SM4 Bat full spectrum bat detector was deployed within the site (location marked on Drawing P.1418.21.05 Static detector location Appendix 1). The static bat detector was positioned within the tree group G6 (Drawing P.1418.21 Tree Survey, Appendix 1) west of the site which is due to be partially removed to accommodate proposals. The data was collected from the detector for a minimum of 5 consecutive nights in April 2022, in suitable weather conditions for bats.

The detector was deployed with an SMM-U1 ultrasonic microphone. The SMM-U1 microphone was angled down at a slight angle to prevent water ingress. The microphone was positioned at a height of approximately 1.5m, recording for a minimum of five consecutive nights in April.

The detector was set to begin recording 30 minutes prior to sunset and until 30 minutes after sunrise. The detector was set to use an automatic trigger with threshold and sensitivity for the detection of bat calls. The following settings were used:

Table 3.2: Details of static detector settings
Parameter Static Detector Settings

Parameter	Static Detector Settings
Gain	12db
16k High	Off
Sample Rate	256KHz
Min Duration	1.5.ms
Max Duration	None
Min Trigger Frequency	16KHz
Trigger Level	12dB
Trigger Window	3s
Max Length (mm:ss)	00:15
Compression	W4A-6

Data Analysis Procedure

For analysis, a 'bat pass' was defined as two or more bat calls in a continuous sequence, up to 10 seconds duration. Sound files longer than 10 seconds were split using Kaleidoscope Pro software. Calls were analysed using Kaleidoscope Pro to verify species.

Bat passes were recorded throughout the deployment of the static detectors, however due to the low number of bats recorded during the hours of unit operation the total number of bat passes per hour (Bat PPH) have not been included for each bat species within the analysis. Instead, only the peak bat activity in each five-day recording period has been recorded as Bat PPH.

Bat Passes Per hour (Bat PPH) was calculated using the following formula:

$$\text{Bat PPH} = \frac{\text{Total bat passes recorded at location}}{\text{Total number of hours unit operation}}$$

Temperature, wind speed/direction and cloud cover were recorded at the beginning and end of the survey, along with any significant weather changes during the survey (e.g. heavy showers).

During the survey, the following details were noted:

- Weather and temperature;
- Time bat detected/seen;
- Frequency at which the bat was detected;
- Location of bats and if they were foraging and commuting;
- Direction of flight; and
- Number and species of bats present

3.6 Badger Survey Methods

The site was searched for setts and badger field signs including foraging areas, latrines and tracks. Attention was paid to the presence of the following field signs:

Setts: single holes or a series of holes likely to be interconnected underground;

Latrines: badgers usually deposit faeces in excavated pits;

Paths and footprints;

Scratching posts: at the base of trees;

Snuffle holes: areas where badgers have searched for insects;

Day nest: bundles of vegetation where badgers may sleep above ground; and

Traces of hair.

3.7 Great Crested Newt Habitat Suitability Index (HSI)

The two off-site ponds and small area of ephemeral standing water within the site were assessed for suitability as great crested newt breeding habitat. The HSI assessment followed the method described by Oldham et al. (2000) as updated by ARG UK (2010), involving an assessment of each water body against ten suitability indices:

Location of the pond within the context of Britain;
Total surface area of the pond;
Pond drying (based on both local knowledge and field evidence);
Water quality;
Percentage perimeter shaded;
Presence or absence of waterfowl;
Presence or absence of fish;
Number of water bodies situated within 1km;
Suitability of terrestrial habitat; and
Percentage macrophyte cover.

The HSI is calculated using an equation producing a single number between 0 and 1. The value provides an indication of whether the water body is likely to support a population of great crested newts. The lower the Index the less likely the location is to support a breeding population. Ponds are classed as Poor, Below Average, Average, Good or Excellent habitat suitability based on this value.

3.8 Evaluation

Habitats and species on the site were evaluated following the 'Guidelines for Ecological Impact Assessment in the UK and Ireland' 2018. A geographical frame of reference is assigned to each habitat and species, with International Value being most important, then National, Regional, County, District, Local and lastly, within the immediate Zone of Influence (ZoI) of the proposals only.

Value judgements are based on characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations such as SSSIs. For undesignated features, the size, conservation status (locally, nationally or internationally), and the quality of the ecological resource are considered. Ecological resource quality can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

Although we cannot assess the survey findings fully in relation to the draft Environment Bill and Biodiversity Metric, the recommendations detailed within this report aim to meet requirements of the Environment Bill and Biodiversity Metric as far as possible at this stage.

3.9 Limitations

The site visits were undertaken in January. Although this within the sub-optimal time of year for phase 1 habitat surveys, sufficient vegetation was present to enable habitat identification and the full site was fully accessible. It is not considered a limit to the conclusions of the report based on the habitats found within the site and the works proposed.

The absence of biological records does not necessarily mean the absence of species. This has been taken into account within the report conclusions.

4.0 Survey Results

4.1 Desk Study

Two statutory sites were identified within a 2km radius of the proposed development site and three non-statutory sites such as Biological Heritage Sites (BHS) /District Wildlife Sites (DWS) were identified within a 2km radius the proposed development site.

The following statutory sites were identified within the vicinity of the proposals (with approximate distance and direction from the site):

Greenfield (LNR) 1.4km north-west; and
Alkincoats Woodland (LNR) 1.8km north.

The following non-statutory sites were identified within the vicinity of the proposals (with distance and direction from the site):

Shelfield Farm (BHS) 1.4km south;
Gibhill Fields (BHS) 1km west; and
Ball Grove Lodge, Laneshaw Bridge (DWS) 2km east.

The full designations for each site are listed within appendix 5.

The site does lie within a Natural England SSSI Impact Risk Zone, however a consultation with Natural England will not be triggered as the proposals are for residential dwellings only.

Following a review of records held by the LeRN, several priority species that have the potential to occur within the vicinity of the proposed development have been identified. These include birds, bats, hedgehog and amphibians. The species records are summarised below, and the detailed records held by LeRN within 2km of the site are displayed within Appendix 5.

No species records were returned by LeRN within the site boundary.

Birds

Three hundred and fourteen records were returned for bird species within 2km of the site. Species present include swift, skylark, house martin, kestrel, swallow, house sparrow, starling and song thrush. All species recorded within 2km are displayed within Appendix 5. All the records are dated between 1964 and 2018 and the majority relate to locations at Knotts lane Railway Sidings approximately 670m west of the site.

Bats

Four records for pipistrelle bats and two records for soprano pipistrelle were returned for Nun Clough Farm, approximately 200m south of the site in 2018. A roost and two field records for pipistrelle bats were returned for a location at Marsden Farm, approximately 1.5km south west of the site in 2015. A further pipistrelle bat roost record was also retuned approximately 1km north of the site in 2009. South Lancashire Bat Group (SLBG) also returned one bat roost record for pipistrelle bat species in June 2004 approximately 1.5km west of the site.

Amphibians

Thirteen records of amphibians were returned within 2km of the site, these records included three for palmate newt, one for smooth newt, eight for common frog and one for common toad. The most recent record was recorded in May 2019 for common frog approximately 1.5km south-west of the site.

Reptiles

No records of reptiles were returned within 2km of the site.

Terrestrial mammals

Five records for brown hare were returned within 2km of the site. The most recent record is for September 2011 in a location approximately 870m east of the site.

One record for otter in 2011 was returned for a location within Colne Water, approximately 320m north of the site. A single hedgehog records for a location approximately 1.2km north was returned in 2018.

Two European Protected Species Licence (EPSL) applications within 2km of the site since 2015 were identified using Magic Maps and are detailed below:

> 2017-32352-EPS-MIT for the impact and damage of a breeding site and the damage of a resting place for common pipistrelle bats. Start date 15/02/2018, end date 30/09/2019, 630m north-east; and
> 215-16015-EPS-MIT for the destruction of a resting place for common pipistrelle bats. Start date 02/11/2015, end date 31/01/2016, 1.35km south-west.

A list of key habitats is shown in table 5.1 below and a summary description of key habitats within the site is provided in Section 5.2. Notes on the presence or potential presence of protected species are provided in Section 5.3. The Phase 1 Habitat map can be found in Appendix 1. The Target Notes (TN) and lists of species recorded during survey are presented in Appendix 2.

4.2 Habitat Survey

The site lies approximately 850m south of the centre of Colne and is within an agricultural setting. The east of the site is bound by Lenches Road with Knotts Lane to the south western boundary. A static caravan park is present to the north eastern boundary of the site. Adjacent to the north of the site there are two small fishing lakes that have access to them over the site from the caravan park and a gateway from Lenches Road.

The habitats on site comprise unmanaged semi-improved grassland with pockets of rush. The semi-improved grassland has become encroached by bramble scrub to the margins and has scattered trees throughout. Stone walls bound the east and west site boundaries with section of species poor hedgerow. A small area of standing water (P1) is present to the western site boundary that is fed from flowing water that enters the site from the south of the site and flowed to the north. The western site boundary was open and led to the fishing lake area. Mammal tracks were present throughout the site, roe deer droppings were identified to the west of the site (TN1) and badger snuffle holes within the eastern section of the site.

The surrounding habitat comprises agricultural land use, residential dwellings and industrial units. Tum Hill Recreation Ground is approximately 10m from the western site boundary and Colne Water 240m north of the site.

The habitat types identified within the site are detailed below and are displayed on drawing P.1418.21.01 Phase One Habitat Survey in Appendix 1 and on Photographs within Appendix 3. Species lists and target notes are displayed in Appendix 2.

Dense/continuous scrub (A2.1)

Bramble scrub is present throughout the margins of the site and had encroached the unmanaged grassland areas. This habitat is displayed in photograph 3 within Appendix 3.

Scattered trees (A3.1)

Scattered trees are present throughout the site, predominantly to the boundaries. Species present are beech, sycamore and oak. This habitat is displayed in photograph 4 within Appendix 3.

Poor semi-improved grassland (B6)

The site is predominantly unmanaged semi-improved grassland. The sward height is approximately 15-20cm. The grassland is dominated by Yorkshire fog with, poa sp., bent sp., ragwort. and fescue sp. This habitat is displayed in photographs 1 and 2 within Appendix 3.

Species Poor Hedge (J2.1.2)

A species poor hedgerow line the eastern site boundary. Species present include hawthorn and holly. This habitat is displayed in photograph 5 within Appendix 3.

Standing water (G1)

An ephemeral area of standing water (P1) is present to the western site boundary and is fed from flowing water that enters the site at the southern boundary. There had been heavy rainfall and snow prior to the site visit which will have increased the water level within the site. The area to the south is of a greater elevation which has resulted in water run off across the site. The water body is surrounded by scattered trees and unmanaged semi-improved grassland, a moorhen was present at the time of the survey. Adjacent to the northern site boundary there are two small fishing lakes (P2 and P3) that are regularly accessed by fishermen. A heron was present at P2 during the walkover survey. The water bodies were assessed for their great crested newt suitability and are discussed further in section 4.3 below. This habitat is displayed in photographs 7 and 8 within Appendix 3.

Stone Wall (J2.5)

Stone walling lines the eastern and southern site boundaries. The sections of walling were in a varied state of repair with section of missing stone. Due to the changes in elevation of the site in relation to its surrounding land use the walls were very wet at the time of the walkover survey with water flowing through the gaps in the stonework. This habitat is displayed in photograph 7 within Appendix 3.

4.3 Great Crested Newt Suitability

Great Crested Newt Habitat Suitability Index (GCN HSI)

Table 4.1: Standing Water Description and GCN HSI with full details in Appendix 6.

Standing water description	Photograph
Pond 1 (P1): is an ephemeral water body to the western site boundary that is fed from offsite water runoff from the south of the site. The water body is surrounded by semi-improved grassland and scattered trees, a moorhen was noted on the water during the GCN assessment. The pond was holding water approximately 5cm deep. The HSI score was 0.42 meaning it has Poor suitability for use by great crested newt for breeding.	
Pond 2 (P2): is a small fishing lake adjacent to the northern site boundary. A heron was present within a bank of the lake during the assessment and flew away to the north. The lake is regularly accessed by fishermen and surrounded by semi-improved grassland. The lake was holding water approximately >1m deep and never dries. The HSI score was 0.59 meaning it has Below Average suitability for use by great crested newt for breeding. Pond 3 (P3): is a small fishing lake to the north of P2. The lake is regularly accessed by fishermen and surrounded by semi-improved grassland. The lake was holding water approximately >1m deep and never dries. The HSI score was 0.43 meaning it has Poor suitability for use by great crested newt for breeding.	

4.4 Bat Activity Survey

The timings of the survey are detailed below in table 4.1 for the bat activity survey carried out in April 2022.

Table 4.1: Survey Timings

Date	Dusk/Dawn Time	Survey Start Time	Survey End Time
11th April 2022	20:00	20:02	22:02

On 11th April 2022, bat activity commenced at 20:45 (45 minutes after sunset) with a commuting noctule at transect stop 5. The bat was heard but not seen. At 21:10 a single common pipistrelle was recorded commuting at stop 7. Constant common pipistrelle foraging was then recorded at stop 7 between trees within group G15, G17 (Drawing P.1418.21 Tree Survey, Appendix 1) and scrub within the east of the site. Activity ceased at 21:18 (1 hour and 18 minutes after sunset). Light rain occurred towards the end of the survey at 21:49 at stop 1. All bat activity was heard but not seen. No Activity was recorded at stops 1, 2, 3, 4, 6, 8 and 9.

The absence of any bat activity within the stops to the west of the site correlate with the data collected by the static bat detector that was deployed for eight consecutive nights within the site.

The transect stops are indicated on drawing P.1418.21.06 Bat activity survey 11.04.22

Table 4.2: Survey equipment used by the surveyors during nocturnal bat survey transect during April 2022

Date	Surveyors	Equipment
11th April 2022	Liz Kenyon and Lizzie Atkinson	Echo Meter Touch and Samsung A12

4.5 Static detector data analysis

The static bat detector was deployed prior to sunset on 11th April 2022 for 8 consecutive nights within tree group G6 (Drawing P.1418.21 Tree Survey, Appendix 1). No bats were recorded during the time the static detector was deployed.

Other wildlife
On 11th April 2022, a domestic cat was noted crossing the southern section of the site and two rabbits were recorded within the eastern section on the site.

4.6 Protected and Notable Species

Birds

The habitats within the site provide suitable foraging and nesting opportunities for bird species. These habitats include bramble scrub, semi-improved grassland, species poor hedgerow, scattered trees and pockets of rush. During the survey heron, moorhen, blackbird, robin, wood pigeon, dunnock and common gull were identified within the site.

Bats

No buildings are present within the site. The trees that will be lost or impacted by the proposals were subject to a ground level assessment for their potential to support roosting bats. The trees impacted are T1, T4, G6 (in part), G14 (in part), G15 and G17 (in part), Ascerta drawing P.1418.21, Tree Survey (Appendix 1). The four groups proposed for loss comprise self-seeded saplings and scrub. T1 and T4 have no features that may support roosting bats, an individual tree within G15 had a very small break within a branch. T2, T3 and G2 will also require some pruning works to the canopy prior to the start of construction. All trees that are proposed for loss or pruning works have been assessed to provide negligible bat roost potential

Trees within the site have the potential to support roosting bats however, a detailed preliminary bat roost assessment was not undertaken during the survey, it was noted that trees to the south of the site possessed features, including cracked and broken limbs that may support roosting bats.

The scrub, species poor hedgerow, semi-improved grassland and scattered trees within the site provide good suitability for commuting and foraging bats, with good connectivity to the surrounding land use.

Badger and other small mammals

The semi-improved grassland and scrub habitats within the site provide foraging and shelter habitat for badger and other small mammal species such as hedgehog. Mammal tracks and badger snuffle holes were identified within the site, indicating the badgers are using the site for commuting and foraging. Roe deer dropping were also noted to the west of the site (TN1).

Amphibians

One ephemeral water body (P1) is present within the site and two small fishing lakes to the northern site boundary (P2 and P3) two further ponds, a ditch network and Colne Water are present within 500m of the site as mapped on Magic Maps.

The habitats within the site (semi-improved grassland, bramble scrub and species poor hedgerow) provide terrestrial habitats for amphibians and the water bodies will provide some limited aquatic habitat for amphibians. Amphibians may use water bodies that score an average or below HSI assessment. The water that flows through the site from the south was fast flowing as a result of previous heavy rain and snowfall and is therefore an unsuitable aquatic habitat for amphibians.

Reptiles

The habitats within the site do not offer suitability to support reptiles and are prone to high human disturbance. Reptiles do not require further consideration within this planning application and will not be discussed further within this report.

Invasive species

No non-native invasive species were identified within the site during the walkover survey.

5.0 Evaluation and Recommendations

5.1 Designated Sites and Habitats

There are no statutory sites within the vicinity of the proposals that are likely to be influenced by the proposals and the closest non-statutory site is over 1km from the site. It is considered that there will be no impact on any statutory or non-statutory sites in the vicinity as a result of the proposals.

The site lies within a Natural England SSSI Impact Risk Zone; however, Natural England will not need to be consulted for this type of planning proposal within the residential area as the proposed development does not fall under the likely impacts for the SSSI as detailed on MAGIC Maps. It is considered that there will be no impact on any SSSIs in the vicinity as a result of the proposals.

The habitats on site compromise semi-improved grassland, bramble scrub scattered trees, an ephemeral water body and species poor hedgerow. These habitats are considered to have an ecological value of within the zone of influence of the site or lower. The site contains no designated or priority habitats. Overall, the proposals are unlikely to adversely affect the ecological value of the area.

5.2 Protected and Notable Species

Birds

The semi-improved grassland, scattered trees, pockets of rush and bramble scrub provide suitable habitat for nesting and foraging bird species. It is recommended that vegetation clearance should be undertaken outside of the nesting bird season (1st March to 31st August Inclusive) to avoid any impact on breeding birds. If vegetation clearance cannot be undertaken outside of the breeding bird season, a nesting bird check undertaken by a suitably experienced ecologist should be undertaken immediately prior to works commencing. If an active birds' nest is identified a suitable buffer zone should be implemented where no works are to occur within until the young have fledged the nest.

Bats

Bat records were returned within 2km of the site. The closest record was recorded 200m south of the site.

The habitats on site were assessed to provide moderate suitability for commuting and foraging bats during the Preliminary Ecological Appraisal of the site.

Following the analysis of the data collected the static bat detector within tree group G6 (Drawing P.1418.21 Tree Survey, Appendix 1) for 8 consecutive nights in April 2022, which recorded no bats and the nocturnal activity survey which recorded very low bat activity, along with the production of the masterplan where only habitat loss to the central areas of the site is proposed, along with some minimal loss to boundary features, the sites assessment was updated to low potential for commuting and foraging bats. The site will require further two bat activity surveys between June and October, along with the deployment of one static bat detector per survey (for a minimum of 5 nights) to determine the level of bat use throughout the site.

No buildings are present within the site. Following updated site visits and revision of the site layout, the trees to be lost are minimal and commuting and forging habitats will be retained the site boundaries allowing bats to connect to surrounding areas.

Badger and other small mammals

The site provides habitat for badger and hedgehog within the scrub and semi-improved grassland. These habitats are likely to be impacted by the proposals and therefore, it is recommended that a Hedgehog Reasonable Avoidance Measures (RAMS) Method Statement is implemented during the works to avoid harm to this species. The RAMS should include:

> Construction materials stored on pallets so as not to create a hedgehog refuge area; and
> Existing refuge areas (bramble scrub) should be removed by hand so hedgehog within are not harmed during their removal.

To enable hedgehog continued use of the site it is advised that gaps of at least 13cm by 13cm are left under any new garden fences to enable hedgehog to roam freely within the area following development. To mitigate for the loss of habitat that could be used by hibernating hedgehog it is recommended that a hedgehog hibernaculum is provided within the landscaping.

As badger are a mobile species is it recommended an updated badger check of suitable habitats (scrub and semi-improved grassland) is undertaken prior to works commencing within the site to avoid harm to badger that may have moved into the habitats within the site. A Badger Reasonable Avoidance Measures (RAMS) Method Statement is implemented during the works to avoid harm to this species. The RAMS should include:

> Construction materials stored on pallets so as not to create a hedgehog refuge area; and
> Existing refuge areas (bramble scrub) should be removed by hand so badger within are not harmed during their removal.

Invasive species

No non-native invasive species were identified during the walkover survey. As invasive species can colonise very quickly it is recommended that an updated check invasive species check is undertaken prior to the start of works.

Amphibians

Following a Habitat Suitability Index (HSI) assessment during the site walkover survey, the onsite ephemeral water body and two off site fishing lakes provide some limited suitable habitats for great crested newts. The site provides terrestrial habitat within the semi-improved grassland, species poor hedgerow and bramble scrub areas. Amphibians may also use water bodies that have scored below average or below. The water that flows through the site from the south was fast flowing as a result of previous heavy rain and snowfall and is therefore an unsuitable aquatic habitat for amphibians. The two offsite ponds are stocked with fish and provide very limited suitability for amphibians such as great crested newt. The terrestrial habitats do provide refuge areas and connectivity corridors for amphibians.

These habitats are likely to be impacted by the proposals and therefore, it is recommended as the areas to be lost and small in size that an Amphibian Reasonable Avoidance Measures (RAMS) Method Statement is implemented during the works to avoid harm to this species.

5.3 Enhancements

In order to meet requirements for biodiversity protection and enhancement outlined within the NPPF, it is recommended that ecological enhancements are included. These could include:

1. Provision of five bird boxes (25mm and 32mm entrance hole box, house sparrow terrace, swift box), attached to or integrated within new buildings on site;
2. Provision of six bat features (e.g. Vivara Pro WoodStone Bat box or similar) attached to a retained or new tree on site or provision of a bat box (e.g. Vivara bat bricks or 'bird brick houses' bat boxes) integrated within new buildings; and
3. Suitable landscaping incorporating species that provide a food or shelter resource to wildlife to include hawthorn, hazel, holly, blackthorn, field maple, dog rose and honeysuckle as hedgerow species and oak, alder, silver birch, crab apple, rowan and bird cherry as tree species together with implementing a relaxed mowing regime and establishing wildflowers in these areas.

6.0 Conclusions

The site was subject to an extended phase one habitat survey, a nocturnal bat activity survey and the deployment of a static bat detector in April 2022. During the survey and following review of historical species records, it is considered that impact on birds, bats, badger, amphibians and hedgehog are likely to occur in relation to the proposals for the site. In summary, the following recommendations have been made to avoid impact on these species:

Nocturnal bat activity surveys and the deployment of static bat detectors (between June and October in suitable weather conditions) to assess the level of bat activity throughout the site;
Production and implementation of a hedgehog RAMS to avoid any harm to this species during the proposed works.
Production and implementation of a badger RAMS to avoid any harm to this species during the proposed works.
Production and implementation of an amphibian RAMS to avoid any harm to this species during the proposed works.
Precautionary check for badger prior to works commencing to assess if badger are using the habitats within the site for shelter;
Precautionary check for invasive prior to works commencing; and
Enhancing the site for species through appropriate landscape planting that includes native, species rich hedgerows, trees and areas of wildflowers plus provision of integrated bat and bird features within newly constructed buildings.

It is considered that there would be very limited impact on the local ecology as a result of the proposals, provided the recommendations detailed within section 5.0 above are followed.

7.0 References

Bat Conservation Trust (2018) Bats and lighting in the UK- bats and the built environment series 08/18 Bat Conservation Trust, London.

BTHK 2018. Bat Roosts in Trees-A Guide to Identification and Assessment for Tree -Care and Ecology Professionals. Exeter: Pelagic Publishing.

CIEEM (2017) Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester

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

Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

Department for Communities and Local Government (2019), National Planning Policy Framework (NPPF)

Joint Nature Conservation Committee (JNCC) (2010) Handbook for Phase 1 Habitat Survey – a Technique for Environmental Audit. JNCC Publications, Peterborough;

Joint Nature Conservation Committee (JNCC). The UK Biodiversity Action Plan (UK BAP) [online] Available at: www.jncc.defra.gov.uk/page-5155

Maddock, A., (ed) (2011) UK Biodiversity Action Plan; Priority Habitat Descriptions, JNCC.

Multi Agency Geographic Information for the Countryside (MAGIC) [online]

Rose. F. (2006). Collins The Wild Flower Key, how to identify wild flowers trees and shrubs in Britain and Ireland .Penguin Group: London.

Stace, C., (2010). New Flora of the British Isles. 3rd Edition. Cambridge University Press: Cambridge.

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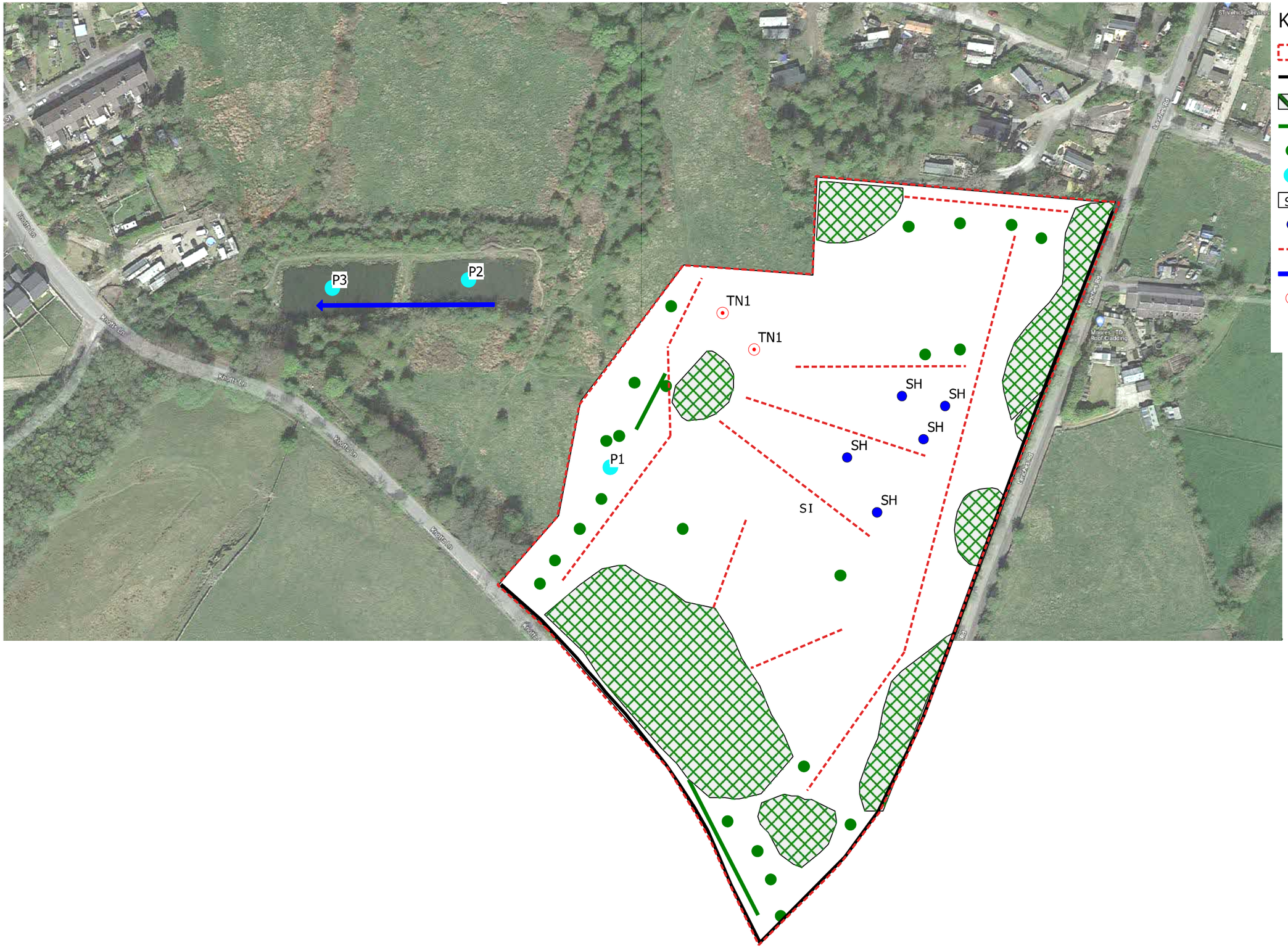
Appendix 1



KEY

- Red line boundary
- Wall (J2.5)
- Bramble scrub (A2.1)
- Species poor hedge (J2.1.2)
- Scattered trees (A3.1)
- Standing water(G1)
- SI — Poor semi-improved grassland (B6)
- Badger snuffle holes
- Mammal tracks
- Heron flight line
- Target note

TN1 - Location of roe deer droppings

DO NOT SCALE.
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CLIENT :
Gleeson Homes

PROJECT :
Lenches Road, Colne

DRAWING TITLE:
Phase One Habitat Survey

SCALE:	DRAWN BY:	DRAWING No:
NTS@A3	LK	P.1418.21.01
DATE:	CHKD BY:	REV:
20/01/2021	CP	-

DO NOT SCALE

ALL COORDINATES RELATED TO LOCAL GRID LOCATED TO OS NG BY BEST FIT TO DETAIL EXTRACTED FROM OS DIGITAL DATA.

KEY

Existing tree to be retained

Existing tree to be removed

13m Spruce #250Ø

10m Sycamore #200Ø x3

9m Oak #300Ø

15m Ash #850Ø

16m Ash #900Ø

8m Sycamore #350Ø

13m Sycamore #390Ø

13m Sycamore #400Ø

6.5m Hawthorn #150Ø

18m Sycamore 600Ø

15m Sycamore 550Ø

Dead standing Horse Chestnut No canopy

19m Lime 790Ø

Lime #450Ø

Lime #600Ø

T1 T2 T4 T5

G5 G6 G7 G8 G9 G10 G11 G12 G13 G14 G15 G16 G17

LENCHES ROAD

Table 1: Trees to be Removed

T. No.	Species	HT (m)	Stem DBH (mm)	Cat / Grade	Reason
T1	Oak	9.5	200 + 200	B2 / C2	To accommodate the development proposal.
G6 (in part)	Hazel, Elder, Hawthorn, Holly	7 - 9	#100 Avg	C2	
T4	Ash	15	560	B1	
G14 (in part)	Ash, Holly, Goat Willow, Hybrid Poplar, Elder, Hawthorn	3 - 7	#100 Avg	C2	
G15	Goat Willow, Alder	2 - 7	#80 Avg	C2	
G17 (in part)	Holly, Hawthorn, Blackthorn, Alder, Elder	5 - 7	#50 Avg	C2	

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DRAWING TITLE: Tree Survey and Tree Removal Plan Sheet 1 of 2

SCALE:	DRAWN BY:	DRAWING No:	REV:
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DATE:	CHKD BY:		
08/03/2021	RA	P.1418.21.01	-

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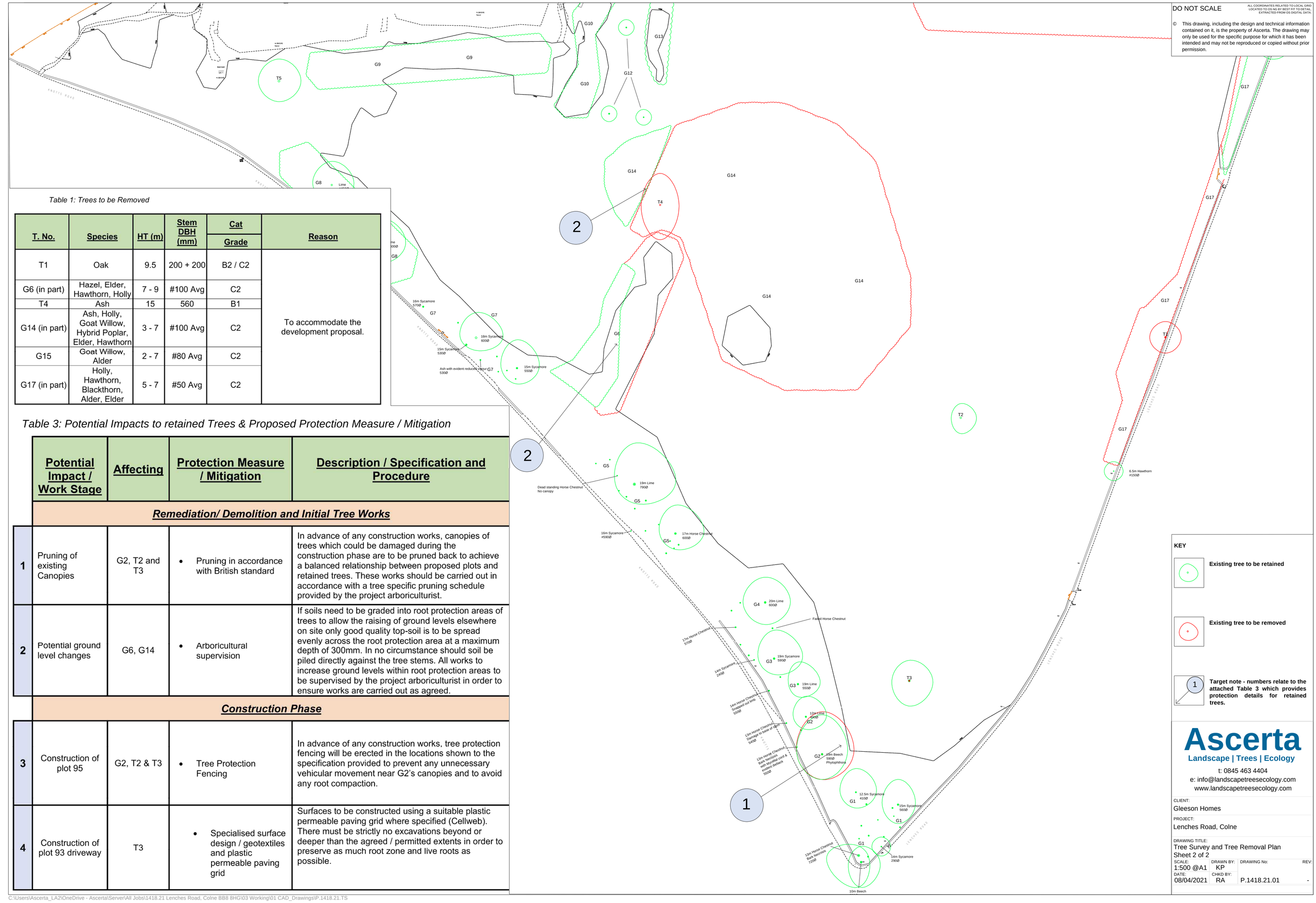
Table 1: Trees to be Removed

T. No.	Species	HT (m)	Stem DBH (mm)	Cat Grade	Reason
T1	Oak	9.5	200 + 200	B2 / C2	To accommodate the development proposal.
G6 (in part)	Hazel, Elder, Hawthorn, Holly	7 - 9	#100 Avg	C2	
T4	Ash	15	560	B1	
G14 (in part)	Ash, Holly, Goat Willow, Hybrid Poplar, Elder, Hawthorn	3 - 7	#100 Avg	C2	
G15	Goat Willow, Alder	2 - 7	#80 Avg	C2	
G17 (in part)	Holly, Hawthorn, Blackthorn, Alder, Elder	5 - 7	#50 Avg	C2	

Table 3: Potential Impacts to retained Trees & Proposed Protection Measure / Mitigation

	Potential Impact / Work Stage	Affecting	Protection Measure / Mitigation	Description / Specification and Procedure
	Remediation/ Demolition and Initial Tree Works			
1	Pruning of existing Canopies	G2, T2 and T3	• Pruning in accordance with British standard	In advance of any construction works, canopies of trees which could be damaged during the construction phase are to be pruned back to achieve a balanced relationship between proposed plots and retained trees. These works should be carried out in accordance with a tree specific pruning schedule provided by the project arboriculturist.
2	Potential ground level changes	G6, G14	• Arboricultural supervision	If soils need to be graded into root protection areas of trees to allow the raising of ground levels elsewhere on site only good quality top-soil is to be spread evenly across the root protection area at a maximum depth of 300mm. In no circumstance should soil be piled directly against the tree stems. All works to increase ground levels within root protection areas to be supervised by the project arboriculturist in order to ensure works are carried out as agreed.
	Construction Phase			
3	Construction of plot 95	G2, T2 & T3	• Tree Protection Fencing	In advance of any construction works, tree protection fencing will be erected in the locations shown to the specification provided to prevent any unnecessary vehicular movement near G2's canopies and to avoid any root compaction.
4	Construction of plot 93 driveway	T3	• Specialised surface design / geotextiles and plastic permeable paving grid	Surfaces to be constructed using a suitable plastic permeable paving grid where specified (Cellweb). There must be strictly no excavations beyond or deeper than the agreed / permitted extents in order to preserve as much root zone and live roots as possible.



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DRAWING TITLE: Tree Survey and Tree Removal Plan Sheet 2 of 2

SCALE:	DRAWN BY:	DRAWING No:	REV:
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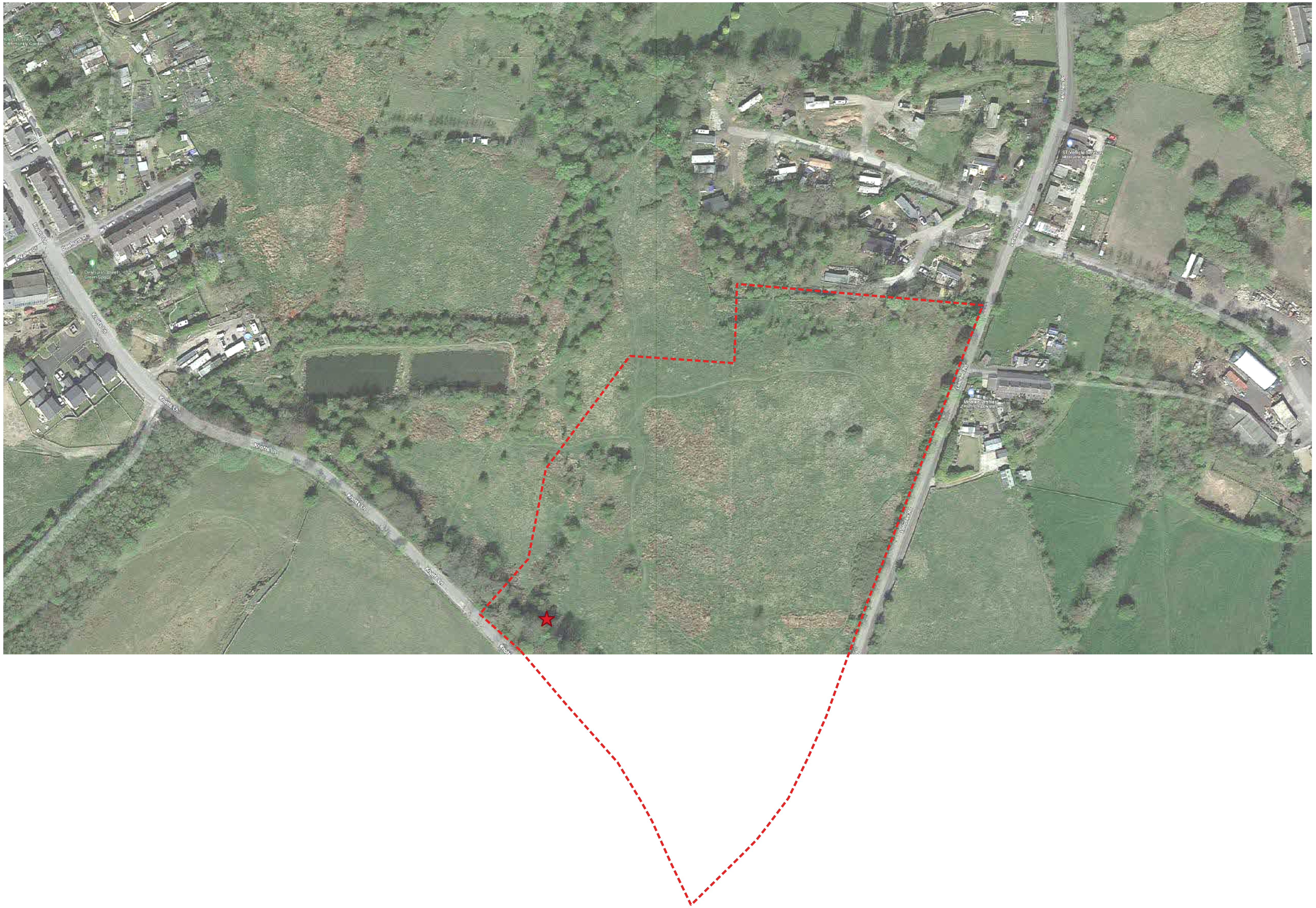

KEY

Red line boundary

Static detector location

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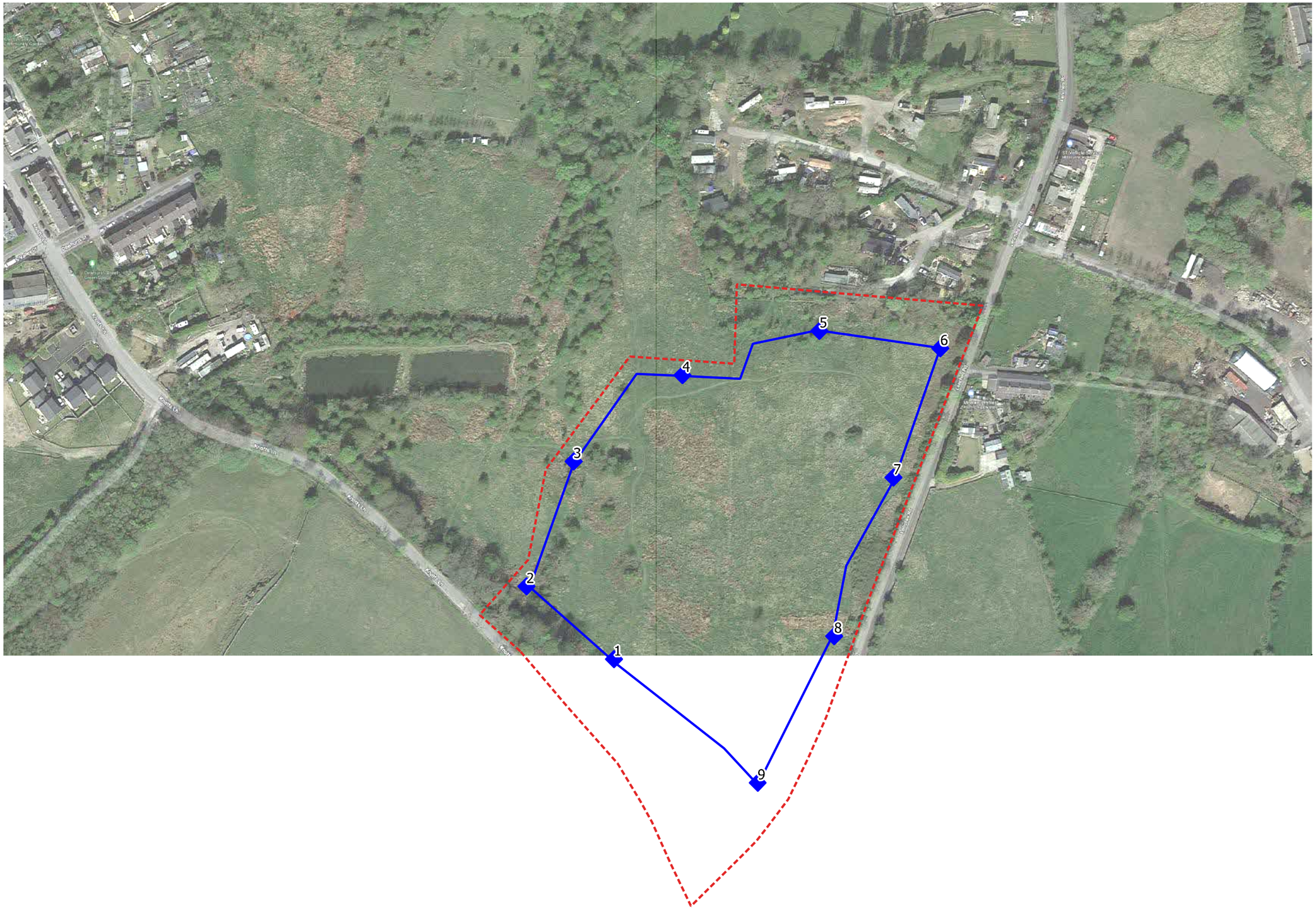
DRAWING TITLE: Static Detector Location		
SCALE: NTS@A3	DRAWN BY: LA	DRAWING No: P.1418.21.05
DATE: 12/04/2022	CHKD BY: LK	REV: -



KEY

- Red line boundary
- Transect stops
- Transect route

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Gleeson Homes

PROJECT:
Lenches Road, Colne

DRAWING TITLE:
Bat Activity Survey 11.04.22

SCALE:	DRAWN BY:	DRAWING No:
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DATE:	CHKD BY:	REV:
12/04/2022	LK	-

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Appendix 2

Species Lists and Target Notes

Table 1: Flora Species

English Name	Scientific Name
Alder	Alnus glutinosa
Ash	Fraxinus excelsior
Beech	Fagus sylvatica
Bramble	Rubus fruticosus agg
Broadleaved dock	Rumex obtusifolius
Broadleaved plantain	Plantago major
Cleavers	Galium aparine
Clover	Trifolium repens
Cock's-foot	Dactylis glomerata
Common daisy	Bellis perennis
Common field speedwell	Veronica persica
Compact rush	Juncus conglomeratus
Creeping bent-grass	Agrostis stolonifera
Creeping buttercup	Ranunculus repens
Creeping thistle	Cirsium arvense
Dandelion	Taraxacum officinale
Greater willowherb	Epilobium hirsutum
Hawthorn	Crataegus monogyna
Holly	Ilex aquifolium
Horse chestnut	Aesculus hippocastanum
Ivy	Hedera helix
Meadow grass	Poa sp.
Oak	Quercus robur
Perennial ryegrass	Lolium perenne
Ragwort	Senecio jacobaea / Jacobaea vulgaris
Red fescue	Festuca rubra
Ribwort plantain	Plantago lanceolata
Silver birch	Betula pendula
Soft rush	Juncus effusus
Sphagnum moss	Sphagnum sp.
Stinging nettle	Urtica dioica
Sycamore	Acer pseudoplatanus
Yorkshire fog	Holcus lanatus

Table 2: Target Notes

Target Note Number	Description
TN1	Location of roe deer droppings

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Appendix 3

Photographs

Table 3: Photographs of the site

	
Photograph 1: Unmanaged semi-improved grassland	Photograph 2: Unmanaged semi-improved grassland with desire line leading to the offsite fishing lakes
	
Photograph 3: Bramble scrub within the field margins	Photograph 4: Scattered trees that are present throughout the site

	
Photograph 5: Species poor hedgerow	Photograph 6: Stone wall along Lenches Road
	
Photograph 7: Ephemeral water body (P1)	Photograph 8: Offsite fishing lakes (P2 and P3)

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Appendix 4

Relevant Legislation

European Legislation

The following Directives have been adopted by the European Union and provide protection for fauna and flora species of European importance and the habitats which support them:

Directive 2009/147/EC on the Conservation of Wild Birds (Birds Directive);

Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive).

UK Legislation

The Habitats Directive has been transposed into national legislation through the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (The Habitats Regulations). This provides for the designation and protection of 'European Sites' (SPAs, SACs and Ramsar Sites, including proposed or potential European Sites) and the protection of 'European Protected Species'.

The key UK legislation relating to nature conservation is the Wildlife and Countryside Act 1981 (as amended) (W&C Act). This Act is supplemented, inter alia, by provision in the Countryside and Rights of Way (CRoW) Act 2000, and the Natural Environment and Rural Communities Act 2006 (NERC Act). Additional species and habitat specific UK legislation includes the Protection of Badgers Act 1992 and the Hedgerow Regulations 1997.

The UK legislation is due to be updated, with the publication of The Environment (Principles and Governance) Bill, which is due to be passed through parliament in the 2020. The draft Environment Bill sets out how the UK will maintain environmental standards following leaving of the EU. The Bill builds on the vision of the 25 Year Environment Plan, with the ambition from the government to leave the environment in a better state than it was when inherited.

The Defra Biodiversity Metric is being implemented to work alongside the Environment Bill. This tool calculates potential biodiversity impacts as a result of development and identifies mitigation and compensation requirements to ensure no net loss of biodiversity. In addition, it identifies measures that can be implemented in order to meet Biodiversity gain as a result of development. Defra released a beta version of the biodiversity metric in July 2019. This metric is likely to be the default metric used by councils once the Environment Bill comes into force.

The National Planning Policy Framework (NPPF) 2019 has been published to provide further planning guidance. Wildlife, biodiversity and ecological networks are referred to in Section 15 'Conserving and enhancing the natural environment'. The NPPF states that the planning system should contribute to and enhance the natural and local environment by: recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future

pressures. Further guidance is provided within Government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System.

Species and Habitats of Principal Importance

Species and Habitats of Principal Importance are listed under section 41 of the NERC Act and are a material consideration in planning decisions. Planners require relevant, up to date information from ecological surveys in order to assess the effects of a proposed development on biodiversity as Councils have a statutory obligation under section 40 of the NERC Act to consider biodiversity conservation in the determination of planning applications.

Background information about the lists of priority habitats and species (Species and Habitats of Principal Importance) can be found within the UK Biodiversity Action Plan (UK BAP). Although this has been succeeded by the 'UK Post-2010 Biodiversity Framework', many of UK BAP tools are still relevant. BAPs identify habitats and species of nature conservation priority on a UK (UK BAP) and Local (LBAP) scale. Most BAP priority habitats and species have Habitat Action Plans (HAP) and Species Action Plans (SAP) and there are also "grouped action plans" for groups of related species with similar conservation requirements. The LBAP relating to this Site is the Lancashire Biodiversity Action Plan.

Badgers

The legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992.

Under the Protection of Badgers Act 1992 it is an offence inter alia to:

Wilfully kill, injure or take a badger, or to attempt to do so;

Cruelly ill-treat a badger; or

Intentionally or recklessly interfere with a badger sett by (a) damaging a sett or any part of one; (b) destroying a sett; (c) obstructing access to or any entrance of a sett; (d) causing a dog to enter a sett; or (e) disturbing a badger when it is occupying a sett.

The Badger Act 1992 defines a badger's sett as "any structure or place which displays signs indicating current use by a badger"

Natural England can issue licences to enable works to continue that may affect a protected species. In relation to disturbance of badgers, Natural England (2009) gives guidelines on disturbance which will require a licence. These includes: "using very heavy machinery (generally tracked vehicles) within 30 metres of any entrance to an active sett; using lighter machinery (generally wheeled vehicles), particularly for any digging operation, within 20 metres; light work such as hand digging or scrub clearance within 10 metres. There are some activities which may cause disturbance at greater distances (such as using explosives or pile driving) and these should be given individual consideration."

Bats

In England, all bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2017 and the Wildlife & Countryside Act 1981 (as amended). Several species of bat are also highlighted as Priority Species under the UK Biodiversity Action Plan and within the Local BAP.

Under the current legislation as summarised on pages 8 and 9 of the Bat Surveys for Professional Ecologists Good Practice Guidelines – 3rd Edition (2016) it is a criminal offence to:

"To kill, capture, injure or take a wild bat;

To damage or destroy a place used by a bat for breeding or resting. All offences of this nature are identified within the Habitats Regulations. This offence is unique in that it can be committed accidently. No element of intentional, reckless or deliberate action needs to be evidenced;

To disturb bats anywhere (roosts, flight lines or foraging areas) if levels of disturbance can be shown to impair their ability to survive, to breed or reproduce, to rear or nurture their young, to hibernate or migrate or to affect significantly local distribution or abundance;

To intentionally or recklessly disturb a bat, whilst it is occupying a place of shelter or protection;

To intentionally or recklessly obstruct access to any place used by a bat for shelter or protection; and

To be in possession or control of a bat alive or dead (or any part of a bat or anything derived from a bat, although bat droppings are generally considered to be acceptable), or to transport a bat, to sell or exchange a bat or to offer to sell or exchange a bat taken from the wild."

Breeding Birds

Breeding Birds are protected under the Wildlife and Countryside Act which make it an offence to:

intentionally kill, injure or take any wild bird or take, damage or destroy the nest of any wild bird whilst it is in use or being built;

intentionally take or destroy the egg of any wild bird;

have in one's possession or control any wild bird, dead or alive, or any part of a wild bird (including eggs), which has been taken in contravention of the Act or the Protection of Birds Act 1954;

intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Great Crested Newt

The great crested newt (Triturus cristatus) is fully protected under the Wildlife and Countryside Act, 1981 (as amended) and the Habitats Regulations, 2017. It is also a Species of Principal Importance. The legislation makes it an offence to:

Deliberately (or intentionally) kill, injure or capture (or take) a great crested newt, or great crested newt egg or eft;

Deliberately (intentionally) damage or destroy any breeding site or resting place (i.e. pond, refuge, hibernaculum);

Deliberately or recklessly obstruct access to any breeding site or resting place;

Deliberately, intentionally or recklessly disturb a great crested newt, in particular disturbance which is likely to:

impair the ability of the great crested newt to survive, breed, reproduce, or to rear or nurture young;

impair the ability of the great crested newt to hibernate or migrate; or significantly affect the local distribution or abundance of great crested newts

Invasive Species

It is an offence under Section 14(2) of the Wildlife and Countryside Act 1981 to 'plant or otherwise cause to grow' in the wild any plant in Schedule 9 Part II.

It is a criminal offence to intentionally, wilfully kill, injure or take any of the aforementioned protected species or to destroy or disturb its habitat.

Local Policy

The site lies under the jurisdiction of Pendle Borough Council and is covered by Pendle Local Plan Part 1 Core Strategy 2011-2030 (Adopted 17th December 2015). The policy of relevance is ENV 1 within the Core Strategy document.

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Appendix 5

Appendix 7 – Summary of statutory and other protected sites in Pendle (listed alphabetically)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Antley Gate Trawden Forest	SD 916 364	LNI (BHS)	8.53 (6.29)	An in-bye field adjoining South Pennine Moors SSSI, SPA and SAC lying to the north of Boulsworth Hill and to the south of Trawden. It is important for its relict area of blanket mire (Bog) and for flushes emanating from springs near the head of the clough.	Swamp and Fen (Fe2) Bog (Bo3a) Flowering Plants and Ferns (Ff3)
Back Lane Higham-with-West Close Booth	SD 799 370	SBV	0.02	Narrow bank of tall, often acidic, grassland below a wire fence, with short hawthorn hedge at eastern end. Length 118m / Width 1.5m.	Lowland dry acidic grassland
Ball Grove Lodge Laneshaw Bridge	SD 909 403	LNI	0.60	An ex-mill lodge now a fishing lake in a parkland setting.	
Bank Ends, Middle and Hollin Woods Roughlee Booth	SD 843 411	BHS	7.97	Comprising woodland that is ancient semi-natural in character. The open canopy is dominated by Oak with frequent Birch and occasional Rowan, Sycamore and Larch.	Woodland and Scrub (Wd2)
Bank House Flushes Trawden Forest	SD 937 387	BHS	4.46	Comprising three adjoining fields along the western side of Wycoller Beck, which support species-rich neutral to acidic grassland with numerous flushes.	Grassland (Gr3) Swamp and Fen (Fe1)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Barden Lane Fields Reedley Hallows	SD 840 352	BHS	2.32	Species-rich grassland situated along the western side of the Leeds Liverpool Canal.	Grassland (Gr3)
Barley Car Park Field Barley-with-Wheatley Booth	SD 823 404	BHS	0.58	A steep south-facing field supporting species-rich neutral/acidic grassland with flushes and scattered scrub.	Grassland (Gr3)
Barley Lane Barley-with-Wheatley Booth	SD 814 416	SBV	0.05	Moderately steep bank of tall grassland leading up to a dry stone wall. Length 166m / Width 3m (approx)	Lowland dry acidic grassland
Barley Road Barley-with-Wheatley Booth	SD 831 402	SBV	0.07	Edge of an ash dominated woodland bank with no physical boundary to rear. Length 166m / Width 4m (approx)	Lowland mixed deciduous woodland
Barley Road Pasture Barley-with-Wheatley Booth	SD 825 402	BHS	2.10	Two adjacent fields on a steep north-facing slope supporting species-rich neutral and acidic grassland with localised scattered scrub.	Grassland (Gr3)
Barnoldswick Road Blacko / Foulridge	SD 870 422	SBV	0.12	Mixed-ash and alder-ash hedgerow. Length 80m / Width 3m	Ancient and/or species rich hedgerows

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Barrowford Locks Hills and Hollows Barrowford / Colne	SD 867 401	BHS	0.33	A small area of sloping hummocky grassland which is very species-rich.	Artificial habitats (Ar1)
Birch Hall Lane Pasture Earby	SD 918 468	BHS	1.58	Situated on the outskirts of Earby at the western end of Three Acre Clough comprising species-rich semi-natural neutral grassland.	Grassland (Gr3)
Black Moss Pasture Barley-with-Wheatley Booth	SD 836 419	BHS	6.82	Two adjoining areas of pasture to the north of Black Moss Road supporting neutral grassland.	Grassland (Gr3)
Black Moss Reservoirs Barley-with-Wheatley Booth	SD 824 413	BHS	17.40	Comprising Upper (7.71ha) and Lower (9.67ha) Black Moss Reservoirs and adjacent habitat including species-rich grassland. The reservoirs are of significant ornithological value being important for both wintering and breeding birds and water-purslane, a species listed in the Provisional Lancashire Red Data List of Vascular Plants, occurs at the site.	Birds (Bi8) Grassland (Gr3) [Flowering Plants and Ferns (Ff4)]
Black Moss Road Barley-with-Wheatley Booth	SD 825 421	SBV	0.01	Short section of tall grassland (dry acidic against the wall and damp grassland along roadside) backed by a dry-stone wall. Common lizard observed to be present. Length 80m / Width 1.5m	Lowland dry acidic grassland
Bleara Moor Earby	SD 925 456	BHS	39.02	Moorland to the south east of Earby supporting heather-dominated vegetation.	Heathland (He1)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Broach Pasture Foulridge	SD 897 419	BHS	3.94	A field to the south-east of Foulridge supporting species-rich grassland.	Grassland (Gr3)
Brogden Road Bracewell-with-Brogden	SD 863 473	SBV	0.07	Hedge and woodland edge, with tall grass fronting the hedgerow to the roadside. Length 250m (approx) / Width up to 5m	Ancient and/or species rich hedgerows Lowland mixed deciduous woodland
Burn Moor Blacko	SD 848 432	BHS	54.58	Comprising an area of moorland supporting modified blanket bog and wet heath communities with associated flush systems. The moor is of ornithological importance with breeding red grouse and curlew.	Birds (Bi2) Heathland (He1) Bog (Bo3)
Castercliffe Colne	SD 885 384	LGS	1.80	An iron-age hill fort with hut circles, but somewhat scarred by mining. The fort comprises of an oval-shaped internal plateau enclosed on all sides except the north by three rubble ramparts (1.5m high), with an external ditch (1.5m deep) in front. Limited excavation of the defences indicates that the inner rampart was revetted with stone and also timber-laced.	Mineshafts
Castor Gill Roughlee Booth / Blacko	SD 845 416	BHS	5.48	Comprising clough woodland and species-rich grassland along Castor Gill and a tributary stream.	Woodland and Scrub (Wd2) Grassland (Gr3)
Catlow Valley Nelson / Trawden Forest / Briercliffe	SD 895 363	BHS	20.36	A steep-sided valley with a fast-flowing stream running east-west. The valley supports a mosaic of habitats including species-rich grassland, mires, scrub and woodland. Three species listed in the Provisional Lancashire Red Data List of Vascular Plants are present – broad-leaved cottongrass, grass-of-Parnassus and globeflower.	Grassland (Gr3) Swamp and Fen (Fe1) Flowering Plants and Ferns (Ff3)(Ff4) Habitat Mosaic (Hm3)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Claude's Clough – Admergill Water Blacko / Roughlee Booth	SD 850 419	BHS	12.98	Comprising species-rich grassland and woodland/scrub on the steep slopes of the narrow stream valleys of Claude's Clough and Admergill Water in the north and Blacko Water and Castor Gill in the south.	Woodland and Scrub (Wd2) Grassland (Gr3)
Coal Pit Lane Bracewell and Brogden / Middop / Rimington / Gisburn	SD 843 470	BHS	N/A	Wide verges, hedgerows and trees running along both sides of Coal Pit Lane for approximately 3.5km – part in Pendle, part in Ribble Valley. The verges support a wide variety of habitats including species-rich grassland, tall herb vegetation, damp ditches, wet flushes, scattered scrub and woodland.	Artificial habitats (Ar2) Flowering Plants and Ferns (Ff3) and (Ff4)
Coldwell Reservoirs Trawden Forest	SD 905 363	BHS	24.10	Comprising Lower and Upper Coldwell Reservoirs and adjoining moorland and plantation of significant ornithological interest.	Birds (Bi2) Swamp and Fen (Fe2)
Colne / Skipton disused railway Colne / Foulridge / Kelbrook & Sough / Earby	SD 899 451	BHS	6.35	An exceptionally diverse range of habitats including woodland and scrub, neutral, acidic and calcareous grassland, tall herb-fen and heather.	Artificial habitats (Ar2) Flowering Plants and Ferns (Ff3) (Ff4)
Colne Water Pastures Trawden Forest	SD 913 403	BHS	4.54	Two fields of species-rich, semi-natural, neutral grassland situated 1 km west of Laneshawbridge. The fields lie on sloping ground adjoining the south bank of Colne Water including the embankment between the fields and Colne Water.	Grassland (Gr3)
Corn Close / Bent Moor Trawden Forest	SD 947 410	LNI	163.33	Open moorland.	

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
The Crank, Wycoller Trawden Forest	SD 933 387	BHS	0.51	A steep, rocky slope to the south of Copy House Farm supporting flushed mire communities amidst acid grassland.	Swamp and Fen (Fe1)
Croft Top Higham-with-West Close Booth	SD 813 375	SBV	0.01	Bank of tall grass below a fence along a narrow road. Periodic evidence of stone wall beneath grassy bank. Length 122m / Width 1.5m	Lowland dry acidic grassland
Emmott House Grassland Laneshaw Bridge	SD 928 407	BHS	2.18	Species-rich grassland and other habitats on steeply sloping banks along the River Laneshaw and a tributary to the east of Laneshaw Bridge.	Grassland (Gr3)
Fir Trees Brook Pasture Higham-with-West Close Booth	SD 804 355	BHS	6.04	A clough supporting species-rich flushed grassland with scattered scrub.	Grassland (Gr3)
Flake Hill Moor Trawden Forest	SD 939 378	LNI	44.00	Open moorland.	
Foulridge Reservoirs Foulridge / Colne	SD 885 418	BHS	56.63	Comprising the Upper Reservoir and adjacent fields (20.21ha) and Lower Reservoir (36.42ha), which together form an area of significant ornithological value and support good inundation vegetation.	Birds (Bi8) Swamp and Fen (Fe1) Flowering Plants and Ferns (Ff2) (Ff3)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Ghyll Lane Church Yard Barnoldswick	SD 893 481	BHS	1.40	A cemetery supporting semi-natural neutral grassland which is species-rich in places.	Artificial habitats (Ar1)
Gib Hill Fields Nelson / Colne	SD 879 386	BHS	1.62	Three fields of neutral grassland to the north-east of Nelson adjacent to Marsden Park Golf Course.	Grassland (Gr3)
Gilford Clough / Trawden Brook Trawden Forest	SD 923 368	BHS	13.17	A clough complex formed by three converging tributaries of Trawden Brook. Supporting a mosaic of habitats including species-rich grassland and Ancient Semi-Natural Woodland.	Habitat Mosaic (Hm3) Woodland and Scrub (Wd1) Grassland (Gr3)
Gisburn Old Road Blacko / Bracewell-with-Brogden	SD 862 436	SBV	0.24	Largely overgrown ditch, with tall (acidic) grass on either side, backed by a dry-stone wall. Length 591m / Width 2m	Lowland dry acidic grassland Fens
Greenfield Road Colne	SD 872 396	LNR (LNI)	3.12 (2.13)	On the slopes and floodplain of Colne Water. Supporting woodland and scrub, grassland, wetland and tall ruderal vegetation.	Woodland and scrub Grassland Habitat mosaic
Guide Lane Higham-with-West Close Booth	SD 815 370	SBV	0.04	Tall unmanaged holly and mixed-ash hedgerow. Length 100m (approx) / Width 4m (approx)	

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Hagg Wood Higham-with-West Close Booth / Ightenhill	SD 817 346	BHS	0.30	Semi natural (ancient) woodland. Birch dominates, with ash, oak, sycamore and beech. Ground flora dominated by creeping soft grass, frequent bramble, bracken and broad buckler fern. Also bluebell greater stitchwort, foxglove and honeysuckle, Occasional wood-sorrel, wood anemone, red campion and pignut. N.B. The total area of the BHS is 5.7ha but only part is in Pendle.	Woodland and scrub (Wd1)
Harden Clough Kelbrook & Sough	SD 913 446	BHS	11.47	Comprising a mosaic of habitats including neutral grassland, acid grassland, flush communities, scrub and ancient semi-natural woodland situated along Harden Clough.	Habitat Mosaic Hm3) Woodland and Scrub (Wd1) Grassland (Gr3)
Heald Wood Reedley Hallows	SD 836 348	BHS	0.50	Broad-leaved woodland on the steep slopes above Pendle Water. The woodland ground flora is ancient semi-natural in character. N.B. The total area of the BHS is 2.60ha but only part is in Pendle.	Woodland and scrub (Wd1)
Higher Old Laund Pastures Old Laund Booth	SD 836 377	BHS	5.21	Species-rich grassland, associated flushes and scrub/woodlands situated along a stream valley adjoining Old Laund Clough.	Grassland (Gr3)
Hollin Brow Roughlee Booth	SD 841 408	BHS	1.00	Comprising a steep brow supporting species-rich neutral grassland with some open scrub.	Grassland (Gr3)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Kelbrook Moor and Woods Kelbrook & Sough	SD 915 435	BHS	103.16	An area of heather-dominated moorland and an adjacent clough supporting species-rich grassland, flushes and plantation woodland.	Heathland (He1) Swamp and Fen (Fe2) Grassland (Gr3)
Leeds & Liverpool Canal, (Old Hall Street to J12 M65) Burnley / Reedley Hallows / Brierfield	SD 841 352	BHS	15.10	A section of the Leeds Liverpool Canal from Old Hall Street in the south to M65 Junction 12 in the north. Aquatic and marginal vegetation is present in the canal itself and the towpath and banks support a range of habitats including species-rich grassland, tall herb vegetation and scrub.	Artificial habitats (Ar1)
Leeds & Liverpool Canal, (Barrowford Locks to J12 M65) Colne / Barrowford / Nelson	SD 847 371 SD 858 383 SD 869 397	LNI	8.52	This section of the canal links the sections to north and south which are BHS. Woodland and scrub adjacent in parts.	Artificial habitats
Leeds Liverpool Canal (Barrowford Locks to Foulridge Tunnel) Colne / Blacko / Foulridge	SD 870 406	BHS	5.88	Marginal vegetation occurs along the canal itself whilst the canal banks and adjacent land support a variety of habitats including species-rich grassland, tall-herb vegetation, scrub and woodland.	Artificial habitats (Ar1) Flowering Plants and Ferns (Ff3)
Leeds Liverpool Canal (Foulridge Wharf to county boundary) Foulridge / Salterforth / Barnoldswick	SD 889 449	BHS	19.23	Canal supports marginal flora and the bankings and land associated with the towpath supports scrub and species-rich grassland.	Artificial habitats (Ar1) Flowering Plants and Ferns (Ff3)
Lodge Hill Syke Bracewell and Brogden	SD 857 487	BHS	1.60	Species-rich grassland along Lodge Hill Syke.	Grassland (Gr3)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Lomeshaye Marsh and Green Old Laund Booth	SD 846 376	LNR (BHS)	2.00	A mosaic of habitats including species-rich grassland, swamp and open water, on the site of a former sewage works.	Grassland (Gr3) Swamp and Fen (Fe1) Amphibians (Am2)
Lower Blacko Water Blacko	SD 856 412	BHS	4.00	A grazed strip of river-side woodland and species-rich semi-improved and unimproved pasture alongside Blacko Water.	Woodland and Scrub (Wd2) Grassland (Gr3)
Lower Ogden Reservoir Grasslands Barley-with-Wheatley Booth	SD 819 398	BHS	5.30	Moderate to steeply sloping ground to the south and south-east of Lower Ogden Reservoir supporting species-rich grassland with extensive flushing.	Grassland (Gr3)
Moor Isles Clough Reedley Hallows	SD 820 360	BHS	14.40	Semi-natural woodland and flushed ground occupying the steep sides of Moor Isles Clough to the east of Higham. Canopy dominated by Alder with some Ash and Oak in the drier areas.	Woodland and Scrub (Wd2) Swamp and Fen (Fe1) Grassland (Gr3)
Old Laund Clough Old Laund Booth	SD 839 375	BHS	3.86	Ancient semi-natural woodland occupying a deep, steep-sided ravine and two tributary valleys.	Woodland and Scrub (Wd1)
Pendle Hill Goldshaw Booth / Barley-with-Wheatley Booth	SD 800 410	BHS	414.09	Extensive and prominent upland area rising to 557m, situated between the Bowland Fells and the Pennines. It consists of a large, relatively flat, unenclosed moorland plateau with steeply sloping sides divided into sizeable enclosures. Most of the hill is covered in peat of varying depth and the vegetation forms a complex mosaic of habitat types including bog, heathland, acid grassland and species-	Bog (Bo4), Heathland (He1), Grassland (Gr2) Swamp and Fen (Fe2) (Fe3) Flowering Plants and Ferns (Ff4), Birds (Bi2)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
				rich flushes. N.B. The total area of the BHS is 1,182.30ha but only part is in Pendle.	Mosses and Liverworts (Br1)
Raven's Clough Wood Reedley Hallows	SD 838 368	BHS	7.27	Site comprises ancient semi-natural woodland situated immediately west of Pendle Water at Waterside. Canopy dominated by Ash, Birch, Beech and Sycamore with occasional Oak, Wych Elm and Rowan.	Woodland and Scrub (Wd1)
Roundwood Swamp, Meadows and Scrub Reedley Hallows	SD 839 356	BHS	10.80	An extensive area of semi-natural habitat situated between Pendle Water and the Leeds Liverpool Canal. A diverse mosaic of habitats, including swamp communities, woodland, scrub and semi-improved grassland.	Habitat Mosaic (Hm3) Swamp and Fen (Fe1)
Salterforth railway sections, embankments and cuttings Salterforth / Barnoldswick	SD 884 463 SD 887 460 SD 894 454	BHS	2.52	Three discrete sections of disused railway, the cuttings and embankments supporting a mosaic of habitats including scrub and woodland, tall-herb vegetation and species-rich wet and dry grassland.	Artificial habitats (Ar2)
Salterforth railway sections, embankments and cuttings Salterforth / Barnoldswick	SD 887 460	LGS	1.66	Section of disused railway cutting.	Characteristic Mid-Visean sediments
Sandhole Clough Foulridge	SD 877 424	BHS	5.05	A mosaic of species-rich neutral to acidic grassland, scrub and woodland, situated along a narrow stream clough.	Grassland (Gr3)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Shelfield Farm Nelson	SD 887 376	BHS	10.57	Two fields of semi-improved pasture to the north-west of Shelfield Farm. The fields support a significant population of breeding Lapwing.	Birds (Bi6)
Slacks Wood Barley-with-Wheatley Booth	SD 830 403	BHS	2.87	Two adjacent strips of broadleaved woodland and scrub to the north (2.49ha) and south (0.38ha) of Barley Road. The woodland has been planted but retains a ground layer which is ancient semi-natural in character.	Woodland and Scrub (Wd2)
Sough Pasture Kelbrook & Sough	SD 901 456	BHS	2.11	A pasture supporting species-rich neutral grassland situated immediately to the west of the disused Colne-Skipton railway.	Grassland (Gr3)
South Pennine Moors Trawden Forest	SD 943 367	SSSI	1,542.00	Unenclosed moorland area containing a diverse and extensive range of upland plant communities (SAC designation) and breeding bird assemblage of regional and national importance (SPA designation). N.B. The total area of the SSSI is 20,938.05 ha, but only part is in Pendle.	Blanket bogs (7130) Transition mires and quaking bogs (7140) Merlin Golden Plover Twite
Spurn Clough Reedley Hallows	SD 827 360	BHS	24.70	A tributary stream valley of the River Calder with an extensive mosaic of habitats including woodland and scrub, grassland and flushes.	Habitat Mosaic (Hm2) Swamp and Fen (Fe1) Woodland and Scrub (Wd2)
Stang Top Road Barley-with-Wheatley Booth	SD 841 403	SBV	0.003	Planted and maintained hedgerow, alongside very narrow lane, dominated by the non-native Bridewort Spiraea sp., with barbed wire running through. Length 59m / Width 0.5m (approx)	Lowland mixed deciduous woodland Ancient and/or species rich hedgerows

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Stanridge and Three Acre Cloughs Earby	SD 919 467	BHS	1.96	Two narrow converging cloughs supporting woodlands that are ancient semi-natural in character.	Woodland and Scrub (Wd2)
Tum Hill Colne	SD 885 387	LGS	2.53	Exposed hillside location	Meltwater channel
Turf Fields Barley-with-Wheatley Booth	SD 818 422	BHS	17.74	Comprising an area of blanket bog supporting a number of characteristic plant species as well as breeding Curlew and Skylark.	Bog (Bo2) (Bo3)
Turnholes Clough Trawden Forest	SD 939 384	BHS	3.00	A narrow, steep-sided clough supporting broadleaved woodland. The woodland in the north and south of the site is ancient semi-natural in character. These two compartments are linked by a central area of plantation woodland.	Woodland and Scrub (Wd2)
Turnholes Flushes and Grassland Trawden Forest	SD 939 383	BHS	4.17	Comprising land to the west of Turnholes Clough supporting species-rich grassland and flushes.	Grassland (Gr2) (Gr3) Swamp and Fen (Fe1)
Walverden Reservoir Nelson	SD 872 365	LNI	2.81	A reservoir surrounded by farmland except industrial buildings to the north. Marginal vegetation and birds.	

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Wanless Bridge Triangle Colne	SD 873 412	BHS	2.64	A triangular area of land between the Leeds Liverpool Canal in the west and the disused Colne-Skipton railway in the east supporting species-rich semi-natural grassland.	Grassland (Gr3)
West Close Clough and Upper Fir Trees Brook Higham-with-West Close Booth	SD 806 357	BHS	4.83	Ancient semi-natural woodland occupying a series of adjoining cloughs to the south of Higham. Alder and Ash dominate the canopy with some Oak and Rowan on drier areas.	Woodland and scrub (Wd1)
Wheathead Lane Barley-with-Wheatley Booth	SD 849 418	SBV	0.05	Woodland edge and tall holly and mixed ash hedgerow on opposite sides of narrow lane. Length 167m / Width 3m (approx)	
White Hough and Hugh Woods Barley-with-Wheatley Booth / Roughlee Booth	SD 835 403	BHS	1.82	Two adjoining woods, White Hough Wood to the north-west and Hugh Woods in the south-west occupying sloping ground above White Hough Water supporting plantation woodland over a ground flora that is semi-natural in character.	Woodland and Scrub (Wd2)
White Moor and Weets Hill Salterforth / Bracewell and Brogden / Barnoldswick	SD 870 440	BHS	230.40	An extensive area of heather-dominated moorland that supports a variety of heathland, bog and acid grassland communities. Part of the site is of significant ornithological value.	Bog (Bo4) Birds (Bi3)
White Moor Reservoir Salterforth / Foulridge	SD 878 432	BHS	24.58	Comprising White Moor Reservoir and some adjoining fields to the west and is of ornithological value.	Birds (Bi8)

Site Name / Parish	Grid Ref.	Status	Area (ha)	Brief description	Guidelines for selection Priority species / habitats
Windle Field Earby	SD 922 467	BHS	0.73	Species-rich, semi-natural neutral grassland on the steep slopes adjoining a tree and scrub-lined brook.	Grassland (Gr3)
Wycoller Beck Trawden Forest	SD 924 403	BHS	15.61	A small valley along the winding Wycoller Beck and its tributary Ratten Clough Brook. A series of fields flanking the beck support species-rich grassland as well as flushes and mires.	Grassland (Gr3) Swamp and Fen (Fe1)

Project:
P 1418 21 Lenches Road Colne

Client:
Ascerta

Grid Ref: 388850 439160

Legend

- 250 m Buffer
- 500 m Buffer
- 1 km Buffer
- 2 km Buffer
- d — Lancashire Key Species
- # — Bat Roost or Possible Roost
- * — Other Bat Record
- #(— SLBG Bat Roost or Possible Roost
- *(— SLBG Other Bat Record
- Lancashire INNS
- Biological Heritage Sites
- Local Geodiversity Sites
- District Wildlife Sites
- Local Nature Reserve

N.B. THIS IS AN INTERACTIVE PDF LAYERS CAN BE TURNED ON OR OFF TO AID CLARITY.

± Metres

0 — 1,000

1:15,000

Boundaries of statutory designations (Natura 2000, SSSI etc) are included for information only. Definitive, information for these designations should be obtained from Natural England.

Lancashire Key Species records are plotted at the centre of the area to which they relate (the precision of each record is given in the accompanying attribute data and spreadsheet).

NBN Atlas occurrence download at https://nbnatlas.org accessed on Fri Oct 20 12:44:41 UTC 2017. See supporting documentation for citations and further information.

Lancashire Environment Record Network
C/O Planning Group
Environment Directorate,
Lancashire County Council,
PO Box 100,
County Hall,
Preston. PR1 0LD

lern@lancashire.gov.uk http://www.lancashire.gov.uk/lern.aspx

Lancashire County Heritage Sites

Biological Heritage Site

Site Name: Shelfield Farm

Site Ref: 83NE01 **Approved:**

Area (ha): 10.61 **Date written/last updated:** 01 June 1997

Grid Ref: SD887376 **Owner/Occupier:** Private

Districts: Pendle

Parishes: Nelson

Description:

The site comprises two fields of semi-improved pasture situated to the north-west of Shelfield Farm. The fields support a significant population of breeding lapwing.

Other species breeding at the site include snipe, curlew, redshank, grey partridge, skylark, meadow pipit and pied wagtail. The fields are also used as a staging post by migrating golden plover (including birds of the northern race), tree pipit and yellow wagtail. Large flocks of redwing (200 + birds) and starling (400+ birds) have also been recorded in spring.

The grassland is dominated by crested dog's-tail, creeping bent, white clover and buttercups, with frequent meadow foxtail, smooth meadow-grass, cuckooflower and common sorrel. Small patches of drier ground support a more species-rich sward with occasional sneezewort, autumn hawkbit, cat's-ear, oval sedge and green-ribbed sedge. Along the course of the shallow ditch which dissects both fields, a strip of wetland vegetation supports abundant marsh marigold, with smaller amounts of marsh horsetail, plicate sweet-grass, brooklime and water-starwort.

Guideline(s) for Site Selection:

Birds (Bi6)

Other Information/Comments:

Lancashire County Heritage Sites

Biological Heritage Site

Site Name: Gibhill Fields

Site Ref: 83NE04 **Approved:** 01 January 2006

Area (ha): 1.63 **Date written/last updated:** 03 December 2010

Grid Ref: SD879386 **Owner/Occupier:** Public

Districts: Pendle

Parishes: Colne, Nelson

Description:

The site comprises of three fields of neutral grassland and lies to the northeast of Nelson adjacent to Marsden Park Golf Course.

The grasslands are generally dominated by Cock's-foot, Yorkshire Fog, Creeping Soft-grass, Rough Meadow-grass, Timothy, Meadow Foxtail and Sweet Vernal-grass, with locally abundant Tufted Hair-grass, Sneezewort, Devil's-bit Scabious, Pignut, Cat's-ear, Meadow Vetchling, Greater Bird's-foot-trefoil, Common Knapweed, Ribwort Plantain and Meadow Buttercup. Locally frequent species include Glaucous Sedge, Wood Horsetail, Soft Rush and Brooklime, whilst Meadow Fescue, Common Spotted-orchid, Marsh Thistle, Bluebell, Common Sorrel, Great Burnet, Bog Stitchwort, Great Willowherb, Tormentil occur occasionally. Species more rare in occurrence on the site include Betony, Sealheal, Common Bird's-foot-trefoil, Meadowsweet, Mat-grass, Ragged Robin, Yellow-rattle, Marsh Ragwort and Field Wood-rush. Reed Canary-grass and Floating Sweet-grass are present alongside ditches.

Trees and shrubs present in hedgerows and developing areas of scrub include Hazel, Oak, Ash, Alder, Dog-rose, Holly, Hawthorn, Rowan, Blackthorn, Elder, Bramble and Honeysuckle. The moss *Ulota phyllantha* occurs as an epiphyte.

Guideline(s) for Site Selection:

Grassland (Gr1)

Other Information/Comments:

Upland Hay Meadows is a Priority Habitat in the UK Biodiversity Action Plan.

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for the Built Environment

Appendix 6

Great Crested Newt Habitat Suitability

Pond P1

SI_1		SI_2		SI_3		SI_4		SI_5		SI_6		SI_7		SI_8		SI_9		SI_{10}		Product	HSI	Suitability
Location		Pond Area		Pond Drying		Water Quality		Shade		Fowl		Fish		Ponds		Terrestrial Habitat		Macrophytes				
Zone A	1	<50m2	0.05	Dries Annual	0.1	Poor	0.33	76-80%	0.6	Minor	0.67	Absent	1	>12	1	Moderate	0.67	1-5%	0.35	0.00016	0.4161	Poor

Pond P2

SI_1		SI_2		SI_3		SI_4		SI_5		SI_6		SI_7		SI_8		SI_9		SI_{10}		Product	HSI	Suitability
Location		Pond Area		Pond Drying		Water Quality		Shade		Fowl		Fish		Ponds		Terrestrial Habitat		Macrophytes				
Zone A	1	<50m2	0.05	Rarely Dries	1	Moderate	0.67	0-60%	1	Absent	1	Absent	1	3	0.65	Moderate	0.67	1-5%	0.35	0.00511	0.5899	Below Average

Pond P3

SI_1		SI_2		SI_3		SI_4		SI_5		SI_6		SI_7		SI_8		SI_9		SI_{10}		Product	HSI	Suitability
Location		Pond Area		Pond Drying		Water Quality		Shade		Fowl		Fish		Ponds		Terrestrial Habitat		Macrophytes				
Zone A	1	125m2	0.25	Never Dries	0.9	Moderate	0.67	0-60%	1	Minor	0.67	Major	0.01	>12	1	Moderate	0.67	1-5%	0.35	0.00024	0.434	Poor

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Appendix 7

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Landscape | Trees | Ecology

Site: Lenches Road Date: 11/04/22	Surveyors: LA LK	Weather Conditions Sunny 20 CL	Temperature (°c)	Cloud Cover (0/0)	Rainfall	Wind (FX)
	Detector:	Start	7	5/8	None	F2
	[illegible]	Finish	9	6/8	[illegible]	F2

Transect Stop	Time	Species	Number of bats	Flight line	Activity
1	20:00 20:10	—	—	—	No Activity
2	20 11 20 21	—	—	—	No Activity
3	20 2? 20 ??	—	—		No Activity
4	2? ?? ? 4.	—	—	—	No Activity
5	20 4? 20 5?	NOC	1	—	Commuting [illegible]
6	20 58 21 08	—	—	—	No Activity
7	21 10 21 10	C Pip	1	—	Commuting [illegible]
		CAP	1	—	Foraging CA [illegible]
8	21 22 21 ??	—	—	—	No Activity
9	21 35 21 45	—	—	—	No Activity
1	21 4? 21 5?	—	—		No Activity

[illegible]

21 49 Light rain

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