

Bolton Metro

Environment Department

Planning Control Policy Note No 17

Nature Conservation

Introduction

1. Bolton's wildlife is richly varied, and is often found in unexpected places. The Borough has a substantial area of open countryside, but there is also a valuable heritage of wildlife within the urban area. Nature conservation sites within the urban area have enhanced value as a consequence of the relative lack of wildlife sites in built up areas. The river valleys are very important for urban wildlife and result in interesting habitat sites being found close to many homes.
2. In recent years, the concept of sustainable development has emerged as a key theme in land use planning. An important aspect of this is ensuring that nature conservation and environmental issues are given their proper place within the planning process. Recognition has also been given to the fact that improvements to the environment can bring forward social, economical and recreational benefits.
3. This Note aims to provide guidance and advice to applicants involved in, formulating and implementing schemes, in order to protect wildlife and their habitats. This need for a carefully planned approach is essential as conflicting land-use needs become ever more accentuated. In order to accommodate this need, conditions and planning obligations regarding the conservation of a wildlife site may be attached to a planning permission.

Policy

4. Policy CE16 of the Council's Unitary Development Plan states:

The Council will enrich and diversify the opportunities for wild plants and animals.

5. The reasoned justification for policy CE16 states:

Policy CE16 reflects the Council's wish to protect areas of nature conservation interest and to encourage the spread of wildlife in the Borough. The Council has also adopted the Greater Manchester Nature Conservation Strategy. A Planning Control Policy Note provides further guidance on nature conservation.

6. Policy CE16/1 states:

The Council will protect and enhance sites and areas of nature conservation importance including Sites of Special Scientific Interest and Sites of Biological Importance from inappropriate development which would damage their value.

7. The reasoned justification for policy CE 16/1 states:

Strategic Guidance stresses the need to protect areas of scientific, nature conservation and geological importance. There are four existing Sites of Special Scientific Interest in Bolton; Red Moss, Nob End, Gale Clough and Shooterslee Wood, and a section of the River Tonge. The first three are ecological sites, the last a geological site. In addition, the Council is pursuing the declaration of four Local Nature Reserves (see Policy CE16/3). Sites of Biological Importance are defined on a Greater Manchester wide basis. On these sites, damage to wildlife would warrant a refusal of planning permission. There are three grades of sites, A, B and C, grade A being the most important. Further guidance on these matters is provided in a Planning Control Policy Note. SBI's are defined on a Greater Manchester wide basis and the Bolton sites are listed in Appendix 3.

8. Policy CE16/2 states:

The Council will normally protect identified wildlife corridors from development that would damage their value, and seek ways to improve the potential for wildlife movement along them.

9. The reasoned justification for policy CE16/2 states:

The reasoned justification for policy CE16/2 states:

Isolated patches of wildlife habitat tend to be less rich in species than continuous habitats. This is particularly significant in the urban areas where there can be rich habitats which are separated from one another by urban development. Wildlife corridors can link otherwise isolated habitats in the urban areas by allowing plant and animal species migration and dispersal. The most valuable of these are shown on the proposals map. These corridors will be protected from development that would sever them.

They are not of fixed width but if any development does take place on or adjacent to them, a gap of at least 15 metres should be left to allow wildlife movement along the corridor. To be most effective, the corridors should only be reduced to a minimum width for short distances and should link frequently occurring larger areas of good quality habitat. Development and wildlife interests need not be incomparable, and sometimes development proposals can create or extend wildlife corridors. In some locations the illustrated corridors have existing urban development across them. If redevelopment of these sites takes place, then the

opportunity must be taken to consolidate open space along the corridor. Opportunities should also be taken to enhance the wildlife value of existing open corridors.

10. Policy CE16/3 states:

The Council will promote the declaration and good management of Local Nature Reserves. The following locations are currently proposed as Local Nature Reserves; Rumworth Lodge, Doffcocker Lodge, Cox Green and Nob End. Any further sites of appropriate nature conservation value will be considered.

11. The reasoned justification for policy CE 1 6/3 states:

The Council is empowered to declare Local Nature Reserves under the National Parks and Access to the Countryside Act 1949. They may be of importance for the preservation, study of, or research into, flora, fauna or other features of special interest. All the proposed Local Nature Reserves are of great ecological interest and Nob End is a Site of Scientific Interest. Their declaration as Local Nature Reserves would assist in enriching and diversifying their wildlife value.

12. Policy CE16/4 states:

Outside Sites of Biological Importance the Council will seek to protect existing features of nature conservation interest, by requiring them to be incorporated, where appropriate, into developments that affect them! and encouraging appropriate management measures. The creation and appropriate management of new nature conservation habitats will also be encouraged.

13. The reasoned justification for policy CE16/4 states:

In considering planning applications on all sites, the Council will take into account the need to protect sites of nature conservation interests. It will seek to retain them through the use of conditions or if this is not possible, ensure that compensatory features are provided. A Planning Control Policy Note provides further guidance on this subject.

14. Policy M2/1 states:

A proposal for mineral working and exploration will normally be permitted only when all the following criteria are satisfied (as appropriate to the type of development):

- (g) local features of landscape, ecological, archaeological or geological interest within the site are protected as far as possible;**
- (h) it will not have an unacceptable impact on areas of recreational use or potential, special landscape value, River Valleys, and Sites of Special Scientific Interest or Sites of Biological Importance.**

15. The reasoned justification for policy M2/1 states:

Stringent criteria must be met before mineral working or exploration can be acceptable. In the case of (g), local features are those which are not identified elsewhere in the Plan, but have an importance within a particular part of the Borough.

16. Policy WD3/1 states:

A proposal for a new waste disposal site or facility (or extension) will normally be permitted only when the following criteria are satisfied:

- (g) local features of landscape, ecological, archaeological or geological interest within the site are protected as far as possible;**

(h) it will not have an unacceptable impact on areas of recreational use or potential, special landscape areas, Sites of Special Scientific interest or Sites of Biological Importance.

17. The reasoned justification for policy WD3/1 states:

As a land-use, waste disposal can give rise to serious difficulties, especially within a built-up area like Bolton. In particular it can make life uncomfortable for people living near disposal sites and along the access routes and it raises immediate problems in relation to environmental resources. Nevertheless there is a need to dispose of waste. For example European Community directives require water companies to cease disposal of sewage sludge at sea by 1998 and alternative land-based disposal methods are required. This policy seeks to balance such requirements against the need to protect the environment.

18. In pursuing its environmental initiatives, the Council can directly influence the environment of the Borough by seeking to improve its character and landscape. This may be achieved by promoting and directing development to enhance the wildlife and ecology of the area and by resisting development which would be harmful. The policies incorporate a number of established means of protecting the environment and these aims will be actively pursued.

Planning Policy Guidance Note 7 (PPG7) "The Countryside - Environmental Quality and Economic and Social Development."

19. This recently revised PPG considers nature conservation within the context of the countryside. The guidance states that when deciding planning applications local planning authorities should take account of any statutory designation and then weigh a number of factors, including the need to protect landscape, wildlife and historic features.

Planning Policy Guidance Note 9 (PPG9) "Nature Conservation."

20. PPG9 was published in October 1994 and gives policy and general guidance on the protection and enhancement of the UK's nature conservation resources. The guidance states that nature conservation can be a significant material consideration in determining planning applications. However, the PPG advises that local planning authorities should not refuse permission if development can be subject to conditions that will prevent damaging impacts on wildlife habitats or if other material considerations are of greater importance.

21. Where there is a risk of damage to a designated site, the guidance recommends that the planning authority should consider the use of conditions or planning obligations to 'protect and, in some cases, enhance the nature conservation interest. For example, planning obligations can accompany planning permissions in

order to secure management of a site or provide compensatory features for those lost when development takes place.

Areas of Nature Conservation Interest

- 22.** Site of Special Scientific Interest (SSSI) is a statutory designation applied to land of special nature conservation interest by the English Nature (EN) the statutory body for nature conservation in England. Areas of land or water containing species rich habitats, plants, animals, geological features or landforms of special interest may be identified as SSSI's by EN, who then notified the local authorities concerned to allow consideration to be given to their preservation.
- 23.** Under the General Development, Procedure Order (GDPO), planning authorities must consult EN before granting permission for the development of land in an SSSI. The local authority must also consult EN if the proposal is in a consultation area around an SSSI defined by EN. In addition, consultation is required for development which is not in the SSSI or any consultation area but is likely to affect it e.g. a development upstream of a river SSSI.
- 24.** As the sites may be damaged by activities not subject to planning control further provisions were introduced in the Wildlife and Countryside Act 1981 in order to protect the special interest of these sites. Under the 1981 Act (as amended), an SSSI is now formally notified to the owners and occupiers of the land, the Secretary of State for the Environment and the local authority. The notification to owners and occupiers includes, amongst other things a list of operations requiring consent which appear to English Nature likely to damage the special interest of the site.
- 25.** If the owner or occupier wishes to carry out such an operation they must give notice to English Nature who will consider the proposal. English Nature will normally respond with one month and will either give consent to the operation, refuse it, or invite the owner or occupier to discuss possible modifications to the scheme. Such modifications may include a management agreement for the site and there is plenty of time available for these discussions. After four months from the date of the written notice, if consent is given, the operation may be carried out, unless the Secretary of State has consulted with English Nature and made a Nature Conservation Order. The objective of this Order is to extend consultation whilst protecting the specific area against specific works which may not be carried out on the site by any persons.

Sites of Biological Importance

- 26.** A register of non-statutory Sites of Biological Importance (SBI's) within Greater Manchester is maintained by the Greater Manchester Ecology Unit. The sites are graded "A", "B" and "C". Grade "A" sites are of County significance, grade "B" sites are of district significance and grade "C" sites of more than local significance.

27. There are five criteria, known as the Primary Attributes, which are used in selecting sites for SBI status. These Primary Attributes take into account rarity and diversity of species and habitat, naturalness of a site, fragility of a site and good examples of a habitat type which may be scarce. In many cases these attributes may also be sufficient for the purposes of grading the site. However, in other cases the grade may be arrived at using a further criteria known as Supplementary Attributes. Sites are reviewed by the Unit and new areas added or deleted as appropriate.
28. It should be noted that the Council will apply the principles of policy CE16/1 to sites identified as SBI's but which have not yet been formally adopted within the LTDP.

Local Nature Reserves

29. Sites with the most valuable wildlife, and the greatest social and educational value will justify Local Nature Reserve (LNR) status. These are designated, by local authorities under the National Parks and Access to the Countryside Act 1949. Declaration of LNR's gives the Council powers to create bye-laws relating to protection and management.

Wildlife corridors

30. Wildlife corridors are important because they allow wildlife movement, contain substantial areas of good wildlife habitat, provide feeding areas for wildlife and promote the enrichment of these habitats and other areas of open space by acting as channels for species migration and dispersal. If areas of similar habitat are not close together or linked in some way, the less mobile species are never likely to reappear should the site be destroyed. Consequently, wildlife conservation in urban areas must concern itself with the planning and protection of these corridors which link established habitats and which provide important wildlife features themselves.
31. As policy CE16/2 states the minimum width that wildlife corridors should be reduced to is 15 metres. However, this should be considered as an absolute minimum and be limited to only short stretches of the corridor.
32. Habitats with a long history of the same kind of management are particularly valuable for nature conservation. Sites such as ancient woodlands may also have other values and provide a link to the history of the human activity in the area.
33. Many habitats are irreplaceable, as their plant and animal communities have developed over many years. While habitats for wildlife can be created and be of value, they can never be a complete substitute for the remaining semi-natural communities.

Species protection

34. The Borough of Bolton contains a number of wildlife species which are rare or threatened in Great Britain as a whole. The protection of these species is primarily dependent on the conservation of their habitats, which is critical for their survival, and it is an offence to intentionally damage or obstruct these habitats.
35. The presence of a protected species is a material consideration when the authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat.

Phase I Habitat Survey

36. In 1989 the Lancashire Wildlife Trust was commissioned by the Council to undertake a Phase I Ecological Survey of wildlife habitats in the area. The survey shows the extent and location of various habitats and the dominant species on the site. Target noted sites were assessed, using English Nature guidelines as being of above average interest or potential for nature conservation within the Borough. The results of this survey have been presented to the Council and are held by the Environment Department.

Tree Preservation Orders

37. The Council can also use its powers to confirm Tree Preservation Orders to achieve the protection and management of wildlife sites containing trees of high amenity value. Information regarding Tree Preservation Orders is held on a register within the Environment Department. Generally, there will be a presumption in favour of protecting healthy trees and hedges.

Advice

38. The policies to protect the wildlife habitats and sites will be used in determining applications by the Planning Control Section of the Environment Department. Planning conditions and planning obligations may be used to protect, retain, enhance, extend, create or restore habitats during or after development. Agreements on landscaping and restoration plans can stipulate the use of locally native species.

Development and nature conservation

39. The Council will promote the following principles with regard to development and nature conservation.

** The Council will require that developers carry out specific surveys where protected species or important habitats are likely to occur before any work can be carried out.*

40. The carrying out of such surveys will ensure that developers do not unknowingly damage or destroy important habitats, particularly those which support protected species. By gaining greater knowledge of the site the developer will be able to avoid those parts of the site which have greatest nature conservation value.

The Council will recommend that developments not only incorporate existing ecological features but also develop new wildlife interest.

41. The creation of the built development need not necessarily lead to the loss of wildlife habitats. In certain circumstances, redevelopment of sites may result in an increase in wildlife habitats. Efforts may harmonise built development to accommodate the needs of wildlife and maximise the opportunities to protect valuable features and to create new semi-natural habitats in new development. In preparing new development proposals for land, there is often an opportunity to provide for nature conservation in the design, layout, landscaping and management of new developments.

42. Detailed site design and the identification and inclusion of existing wildlife features of interest and value should be included in the design for the site wherever this is feasible. Sufficient information is now known about the requirements of specific wildlife habitats for accurate assessments to be made about the potential impact on the wildlife of the site. Modifications to site design may improve the opportunities for the encouragement of wildlife or to minimise the impact of the development on the habitat.

** The Council will seek wherever possible to protect and enhance important habitats and species and will demand appropriate mitigation and long term management commitments where development is permitted.*

43. The development of sites often disrupts the natural systems or habitats occupying a site and usually involves their destruction. Other activities such as pollution from industry will also affect wildlife sites. These matters are considerations which should be taken into account at an early stage in the planning process so that mitigation measures can be taken to ameliorate these adverse affects. Agreements for the management of sites may be obtained through planning obligations attached to the permission.

** The Council will encourage redevelopment schemes which provide areas of green space within built-up areas.*

44. In urban areas where there is little or no accessible green space, redevelopment offers the opportunity for these areas to be designed into the scheme. This is an extremely important and valuable activity, particularly where it helps to establish good wildlife corridor linkages.

Derelict land

45. The Council will take the opportunity, where possible, to encourage nature conservation within the Borough through sympathetic management of land. Advice on land management for nature conservation is available through consultation and liaison with the English Nature and other bodies such as Lancashire Wildlife Trust and the Bolton Wildlife Project.
46. Environmental improvement schemes, derelict land reclamation and redevelopment schemes provide considerable scope for the incorporation of new wildlife areas into the proposals.

Sites of mineral extraction

47. The Council as the mineral planning authority have expertise and experience in the control of minerals workings. The requirements of restoration can provide, in certain circumstances, both temporary and permanent wildlife habitats.

Protection during construction and development works

** The Council will require developers to protect wildlife features from damage during the construction phase of development.*

48. Construction and maintenance operations may have a damaging effect on wildlife sites. This damage can be kept to a minimum by careful preparation of the site and supervision throughout the operation.
49. The parties involved in the construction process should adopt a positive approach to environmental protection if the wildlife is not to be needlessly harmed. Staff should be made aware of this policy and of the methods of implementation.
50. Unnecessary disturbance can be minimised by planning the operation in advance to enable adequate assessment of the wildlife on the site. In some cases, this information is already known and only requires assembling.
51. Every possible effort should be taken to protect existing wildlife should development commence. This is particularly important in cases where the works take place close to sensitive areas. The actual working area should be restricted to a minimum in order to avoid disturbance.
52. Vulnerable and valuable sites should be fenced off in order to provide a buffer zone around the area to be protected. Any structures, such as site compounds and offices, involved with the development should be located with care to have a minimal effect on the wildlife site.
53. Extreme care should be taken in the use of machinery as careless use can result in severe damage to plants and animals. The thoughtless use of site equipment can

result in branches being broken off, and damage to the bark may cause disease or death. In addition the storage of materials under trees near important sites should be avoided as the compaction of the soil can damage the roots.

54. Care should also be taken to avoid accidental spillage of chemicals, petrol, tar and other toxic substances from tankers and other vehicles. These spillages may kill the plants in the immediate vicinity and will probably soak into the ground and be absorbed by the root systems of trees and shrubs further away. In addition, these substances may eventually find their way into nearby watercourses severely damaging aquatic life.
55. The effects of construction can often be remedied by good after care and landscaping. This reinstatement of the site may include landscaping and replanting schemes which may form a condition or obligation of the planning consent. Developers will be required to ensure that the design and management of the landscaping and open space is based on ecological principles and helps to foster native flora and fauna.
56. Developers may be encouraged to establish areas of nature conservation interest and, where appropriate, enhance existing features where the opportunity arises.

Appendix

The 1981 Wildlife and Countryside Act.

The Act is a comprehensive wildlife law providing new measures and legal protection to a wide range of plants and animals. Penalties were also introduced against offenders and important steps were taken to protect valuable habitats and those species of wildlife which are particularly vulnerable to disturbance, theft, damage or destruction.

Protected species present in Bolton, as included in Schedule 5 and Schedule 1 (birds) of the Wildlife and Countryside Act 1981:

Bats - all species

Newt - Great Crested Newt

Badgers

Barn Owls

Kingsfisher

Little Ringed Plover

Peregrine

Black Redstart

Badgers are also protected under the 1992 Protection of Badgers Act.

Groups and Agencies with a Nature Conservation Interest

The Environment Agency

The Environment Agency came into existence in April 1996 and brings together the staff and responsibilities of the National Rivers Authority, Her Majesty's Inspectorate of Pollution and 83 local authority waste regulation authorities. This single agency is responsible for the overall protection and management of air, land and water. The work of the Environment Agency should help to protect and enhance the nature conservation interest through, amongst other things, reducing pollution, improving water quality and tackling the problem of contaminated land.

At the local level, the Agency have influence over a number of applications relating to environmental matters such as waste, water quality and pollution levels. A representative of the Agency visits the Environment Department every week and compiles a list of applications on which they feel the need to comment on. These comments are then considered before any decision is made regarding the proposal.

English Nature

English Nature (EN) is the, agency responsible in England for advising central and local government on nature conservation, and for monitoring, research and promotion of wildlife and natural features. This includes the establishment, maintenance and management of nature reserves, and the notification and protection of SSSIs.

English Nature can advise local authorities and others on a wide range of conservation issues. They have a statutory role in development plan preparation and development control.

Bolton Wildlife Advisory Group

In 1988 Bolton Council set up the Bolton Wildlife Advisory Group which draws expertise from local wildlife and statutory organisations. The role of this group involves providing advice and guidance on ecological issues, acting as a forum for general discussion on nature conservation and wildlife and comment on planning applications affecting wildlife and habitat conditions.

Greater Manchester Ecology Unit

The Greater Manchester Ecology Unit (GMEU) was established in 1996 under the title of the Greater Manchester Countryside Unit. GMEU provide an advisory service to the ten local authorities of Greater Manchester. The Unit carries out a wide variety of work relating to wildlife and nature conservation including site surveys, species recording, protection and improvement of habitat.

The Bolton Wildlife Project

The Bolton Wildlife Project (BWP) was setup in 1988 by the Lancashire Wildlife Trust in partnership with Bolton Metro. It has been active in Habitat creation and management and consultation regarding planning issues. BWP also organises community and school projects and advise on a wide range of environmental issues.

Useful Addresses

General site information relating to SBIs and SSSIs can be obtained from:

Policy and Transport Planning Section
Environment Department
Town Hall
Bolton BL1 1RU
Tel: 01204 522311

General advice relating to nature conservation and protected species can be obtained from:

Bolton Wildlife Project
125, Blackburn Road
Bolton BL1 8HF
Tel: 01204 361847

Other useful addresses include:

Bolton Wildlife Advisory Group
c/o Policy and Transport Planning Section
Environment Department
Town Hall
Bolton BL1 1RU
Tel: 01204 522311

Lancashire Wildlife Trust
Cuerden Park Wildlife Centre
Shady Lane
Bamber Bridge
Preston PR5 6AU
Tel: 01772 324129

English Nature (Local Office)
Pier House
Wallgate
Wigan WN 4 AL
Tel: 01942 820342

English Nature

Northminster House
Peterborough
Tel: 01733 340345

Greater Manchester Ecology Unit
Council Offices
Wellington Road
Ashton-Under-Lyne .
OL6 6DL
Tel: 0161 3422928

List of SSSI's in Bolton

Red Moss
Nob End
Gale Clough and Shooterlee Wood
Section of the River Tonge

List of SBI's in Bolton

Name	Grid Ref	Grade
Arley Woods (East)	590110	A
Bank Top	725124	A
Borsdane Wood (East)	628063	A
Bradshaw Wood and Reservoirs	735132	A
Bull Hill	738071	A
Cox Green Quarry	718145	A
Darcy Lever Sand Pit	743078	A
Gale Clough and Shooterslee Wood	705138	A
Gorse Wood	683062	A
High Shores Clough	679123	A
Lomax Brow Ponds	700044	A
Manchester, Bolton and Bury Canal	744071	A
Moses Gate	742065	A
Nob End	750064	A
Red Moss	635100	A
Ringley Woods	773047	A
Rumworth Lodge	677078	A
Winter Hill and Smithills Moor	666138	A
Bank Wood and Marsh	691087	B
Bradshaw Brook	736119	B
Carr Brook Mire	684042	B
Castle Croft	737111	B
Clifton Moss	763036	B

Darcy Lever Marsh	744084	B	
Doffcocker Lodge	685103	B	
Dunscar Reservoirs and Longworth Lane Pasture		709137	B
Firwood Fold	732112	B	
Hall Lee Bank Park	662055	B	
Hulton Park	679054	B	
Irwell Gorge Alkali Tip	755065	B	
Jumbles Reservoir	735143	B	
Jumbles Wood	739151	B	
Knoll Wood	643127	B	
Leverhulme Park	735085	B	
Longworth Clough	705146	B	
Lostock Golf Course	667088	B	
Lostock Hall Mire	658088	B	
Mill Dam Wood	684046	B	
New Park Wood	678046	B	
Ringley Bridge Woodland	761058	B	
Smithills Hall	701120	B	
Unity Brook	764044	B	
Wilders Wood and Higher Meadow	648128	B	
Borsdane Wood Railway Cutting	633070	C	
Bradford Reservoir	722076	C	
Chew Moor Sidings / Railway Cutting	666076	C	
Cow Lee Brook	659068	C	
Cunningham Brook	643049	C	
Hart Common	636054	C	
High Rid Reservoir	667103	C	
Horrocks Fold Quarry	700133	C	
Junction. 6, M61, Horwich	640089	C	
Leeds-Liverpool Canal	585100	C	
Lostock Crocus Sites	673827	C	
Middle Brook Sidings	658085	C	
Pond at Four Gates	642077	C	
Raikes Clough	752128	C	
Red Rock Railway Cutting	593108	C	
Reservoir and Canal Banks, Little Lever	764068	C	
Road Cutting on A6027, Horwich	649093	C	
Smithills Dean Quarry	681125	C	
Smith Road Reservoir	734073	C	
Victoria Lake	692112	C	

Local Nature Reserves

Doffcocker Lodge
Cox Green (proposed)

Nob End (proposed)
Rumworth Lodge (proposed)

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