



Bredbury Battery Energy Storage System

Landscape and Ecological Management Plan to support Section 73 Application

EDF Renewables

Cardinal Place
80 Victoria Street
London
SW1E 5JL

Prepared by:

SLR Consulting Limited

Floor 3, 86 Princess Street, Manchester, M1 6NG

SLR Project No.: 405.064963.00001

Client Reference No: BRE-PP

9 November 2023

Revision: 01

Revision Record

| Revision | Date | Prepared By | Checked By | Authorised By |
|----------|-----------------|-------------|------------|----------------|
| 01 | 9 November 2023 | Mark Nelson | Andy Law | Chris Mitchell |

Basis of Report

This document has been prepared by SLR Consulting Ltd (SLR) with reasonable skill, care and diligence, and taking account of the timescales and resources devoted to it by agreement with EDF Renewables (the Client) as part or all of the services it has been appointed by the Client to carry out. It is subject to the terms and conditions of that appointment.

SLR shall not be liable for the use of or reliance on any information, advice, recommendations and opinions in this document for any purpose by any person other than the Client. Reliance may be granted to a third party only in the event that SLR and the third party have executed a reliance agreement or collateral warranty.

Information reported herein may be based on the interpretation of public domain data collected by SLR, and/or information supplied by the Client and/or its other advisors and associates. These data have been accepted in good faith as being accurate and valid.

The copyright and intellectual property in all drawings, reports, specifications, bills of quantities, calculations and other information set out in this report remain vested in SLR unless the terms of appointment state otherwise.

This document may contain information of a specialised and/or highly technical nature and the Client is advised to seek clarification on any elements which may be unclear to it.

Information, advice, recommendations and opinions in this document should only be relied upon in the context of the whole document and any documents referenced explicitly herein and should then only be used within the context of the appointment.



Table of Contents

| | |
|--|------------|
| Basis of Report | ii |
| Table of Contents..... | iii |
| 1.0 Introduction | 1 |
| 1.1 Background and Previous Ecological Surveys and Assessment..... | 2 |
| 1.2 Site Description | 3 |
| 1.3 Details of the Proposed Development | 3 |
| 1.4 Purpose of this Report..... | 3 |
| 1.5 Evidence of Technical Competence and Experience | 4 |
| 1.6 Relevant Legislation and Policy | 4 |
| 1.7 Baseline Data Collection | 4 |
| 1.8 Management Prescriptions | 5 |
| 2.0 Management Plan..... | 5 |
| 2.1 Aims and objectives | 5 |
| 2.2 Protection of Retained Habitats | 6 |
| 2.3 Planting Plan | 6 |
| 2.3.1 Native scrub and trees..... | 6 |
| 2.3.2 Native hedgerow | 7 |
| 2.3.3 Monitoring and Maintenance | 8 |
| 2.4 Management body(ies) responsible for delivery | 10 |
| 3.0 Summary..... | 10 |
| 4.0 References..... | 11 |

Appendices

Appendix A Relevant Legislation and Planning Policy

Appendix B Drawings



Acronyms and Abbreviations

| | |
|-------|---|
| BESS | Battery Energy Storage System |
| CIEEM | Chartered Institute of Ecology and Environmental Management |
| EclA | Ecological Impact Assessment |
| GCN | Great Crested Newt |
| GMEU | Greater Manchester Ecology Unit |
| JNCC | Joint Nature Conservation Committee |
| LEMP | Landscape and Ecological Management Plan |
| NERC | Natural Environment and Rural Communities |
| NGR | National Grid reference |
| PSCR | Protected Species Compliance Report |
| SUDs | Sustainable Drainage System |



1.0 Introduction

SLR Consulting Limited (SLR) was commissioned by EDF Renewables (EDF-R) to prepare a Landscape and Ecological Management Plan (LEMP) for an area of land (c. 2.10 hectares ha in size), located off Stockport Road West, Bredbury, Stockport, Greater Manchester, SK6 2BP (centroid National Grid reference (NGR): SJ 91181 90968). This area of land relates to planning permission DC/082085 for a Battery Energy Storage System (BESS) which was granted consent by Stockport Metropolitan Borough Council (SMBC) the 28/02/2023.

This LEMP has been prepared to support a minor material amendment application (section 73) which seeks consent for an amended scheme layout.. The site boundary for the amended scheme remains the same as the approved red line boundary and will hereafter be referred to as the Site in this report (BRE-PP-TCL-DRG-P001-AG, in Appendix B).

Separately EDF-R has submitted an application to discharge condition no. 14 of consent DC/082085 for the approved scheme layout. EDF-R wishes to discharge the planning conditions on the extant consent at the same time as seeking approval for minor material amendments to give flexibility on consent implementation and to enable the commencement of construction at the earliest opportunity.

The LEMP submitted to support the discharge of condition application and the section 73 application are the same with the exception of the drawings contained in appendix B of both LEMP reports.

The purpose of submitting the LEMP in support of the section 73 application is to seek the council's approval of the LEMP in the event that it has not already been approved with the application to discharge condition 14 on the extant consent. In the case of the section 73 application, the expectation is that the new consent would have an amended condition no. 14 which would change to a compliance condition (i.e. compliance with the approved LEMP)

Planning Condition 14 of planning permission DC/082085 states – “A *Landscape and Ecological Management Plan (LEMP)* shall be submitted to and approved in writing by the LPA prior to the commencement of development.

The content of the LEMP shall include the following:

- a) *Description and evaluation of features to be managed*
- b) *Ecological trends and constraints on site that might influence management*
- c) *Aims and objectives of management*
- d) *Appropriate management options for achieving aims and objectives*
- e) *Prescriptions for management activities*
- f) *Preparation of a work schedule (including annual work plan to be rolled forward for long-term management for a minimum of 30 years)*
- g) *Details of the body or organisation responsible for implementation of the plan*
- h) *Ongoing monitoring and remediation measures*
- i) *The development shall thereafter be carried out in strict accordance with the approved Protected Species Compliance Report.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery identified. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.”



SLR undertook an updated ecological site visit and produced an updated Ecological Appraisal (EclA) in September 2023 (SLR Consulting Ltd., 405.064963.00001 Ecological Appraisal Update Report to support Section 73 Application). This is also submitted with the section 73 application.

This report constitutes a Landscape and Ecological Management Plan (LEMP) identifying the measures to be taken for the implementation and long-term management of all landscape and ecological mitigation and enhancements.

1.1 Background and Previous Ecological Surveys and Assessment

This proposal relates to the proposed construction of a Battery Energy Storage System (BESS) by EDF Renewables alongside the National Grid Bredbury Substation, Stockport, SK6 2BS.

The ecology for the site was previously surveyed in 2021 and EDF-R commissioned an updated ecological survey and assessment to accompany this application for minor material amendments in respect of an amended layout (by seeking to vary the planning conditions attached to planning permission reference DC/082085, under Section 73 of the Town and Country Planning Act 1990).

SLR undertook an updated ecological site visit and produced an updated Ecological Impact Assessment (EclA) in September 2023¹. This followed earlier ecological work undertaken by Tetra Tech (formerly WYG) in January 2021 who completed an update Ecological Appraisal of the Site (known then as Bredbury Substation Battery) in support of the planning application (ref DC/082085) to which planning condition 14 is attached.

The 2021 work found that the Site comprised semi-improved neutral grassland, dense scrub, tall ruderal, scattered trees, bare ground and structures/buildings, and that the habitat had the potential to support the following species of ecological importance, including species of principal importance and legally protected species: reptiles, badgers, nesting birds and hedgehog.

An Ecological Appraisal (EclA) was undertaken in 2019 (WYG, 2019) for a wider survey area comprising the non-operational area of National Grid's landownership (15.2 ha) to identify potential constraints and inform the project location and design.

A Phase 1 Ecological Appraisal (Stockport Metropolitan Borough Council, 2016) was undertaken in 2016 for a proposed cycleway and bridleway (DC/063049). The proposed route comprised three sections with Section 2 running south of the application site / Bredbury Substation. Site access was not permitted at the time and therefore the report uses TEP (2012) survey data to inform the assessment. The scheme was granted permission in March 2017 with a number of Planning Conditions relating to ecology.

An Ecological Assessment (TEP, 2013: Chapter 6) was undertaken in 2013 as part of the Bredbury Substation Planning Statement and Environmental Report, associated with a planning application for a replacement substation (DC/054135).

A Phase 1 Habitat assessment (TEP, 2012: Appendix 6C Habitat Form) was undertaken in 2012 as part of the Bredbury Substation Planning Statement and Environmental Report, associated with a planning application for a new substation (DC/050733).

¹ SLR Consulting Ltd. 405.064963.00001 Ecological Appraisal Update Report to support Section 73 Application



1.2 Site Description

The Site extends to 2.10 ha and is located off Stockport Road West, Bredbury, Stockport, Greater Manchester, SK6 2BP (centroid National Grid reference (NGR): SJ 91181 90968). It is located to the east of the Town of Stockport, 580m south of the major roadway M60 and currently comprises an electricity substation with associated access infrastructure and areas of land managed as habitat. The surrounding area is a mix of former industrial buildings now used as retail outlets to the west, residential areas to the north and east, and the River Goyt and Woodbank Park to the south.

1.3 Details of the Proposed Amended Scheme

The proposals remain for a BESS scheme with the same red line boundary as the consented BESS scheme. The amended scheme is shown in the site layout plan (BRE-PP-TCL-DRG-P001-AG, in Appendix A).

The amended scheme would involve the construction of:

- A battery compound comprising of 84 energy blocks with associated cooling systems; 7 transformers; 14 inverters; spares container; 33kV switchgear kiosk; control room kiosk; National Grid incomer substation; earthing and auxiliary transformers; and LV board. All units set on concrete slab foundations.
- 4m acoustic fencing.
- 2.4m security fencing and 2.4m double leaf site security gate.
- Point of connection cable corridor.
- Private wire cable corridor.
- Landscape planting and perimeter hedge planting.
- Six CCTV cameras and masts.
- Access track from National Grid service road and permeable stone site surfacing around site track and concrete slab foundations.

Four small parcels of grassland to the south are included within the red line boundary. These have been identified to provide screening from the footpath to the south. They also provide on-site biodiversity compensation for the Biodiversity Net Gain (BNG) approach and were agreed when planning permission was granted for Bredbury BESS (Ref: DC/082085). The BNG off-site contribution for this consent was included in a Section 106 agreement and payment in full has been made by EDF-R to the Council.

1.4 Purpose of this Report

The broad objectives of the LEMP are to satisfy Condition 14 on the extant consent, and to set out the implementation and long-term management of all landscape and ecological mitigation and enhancements. The report seeks to:

- identify ecological trends and constraints on site that might influence management and detail prescriptions for management activities;
- identify the aims and objectives of management;
- describe and evaluate the features to be managed;
- detail the management activities for achieving aims and objectives;
- provision of a work schedule (including annual work plan to be rolled forward for long-term management for a minimum of 30 years);



- detail ongoing monitoring and remediation measures; and
- identify the body or organisation responsible for implementation of the plan.

1.5 Evidence of Technical Competence and Experience

The Phase 1 survey was undertaken in early September 2023 by Mark Nelson BSc (Hons) MSc, an Associate Ecologist with SLR. Mark is a Member of CIEEM. He has over ten years' professional experience within ecological consultancy during which time he has worked on many development projects, conducted several Ecological Impact Assessments, and led numerous surveys. This report has been written by Mark Nelson. The report has been subject to technical review by Andy Law BSc (Hons) MCIEEM CEcol, Principal Ecologist at SLR. Andy is an ecologist with over 18 years' experience in consultancy and more than 30 years overall in ecology. He specialises in ecological impact assessment, biodiversity net gain and protected species mitigation.

1.6 Relevant Legislation and Policy

Relevant national legislation² and local policy can be found summarized in Appendix 1.

1.7 Baseline Data Collection

The baseline habitats which would be affected by the works are fully described in the 2021 Bredbury Battery Substation Ecological Appraisal and the B028688 Bredbury Biodiversity Net Gain Assessment Rev2, both submitted with planning application DC/082085.

Existing habitats where landscape works are to be undertaken are restricted to neutral semi-improved neutral grassland and dense scrub. Part of this (where the hedgerows are to be planted) is on formerly bare ground (now vegetated).

The current neutral semi-improved grassland was characterised as:

Large areas of grassland with no obvious recent management. Grasses dominant and including perennial rye grass *Lolium perenne*, cocksfoot *Dactylis glomerata*, Yorkshire fog *Holcus lanatus* and false oat-grass *Arrhenatherum elatius*. Forbs present included creeping thistle *Cirsium arvense*, creeping buttercup *Ranunculus repens*, nettle *Urtica dioica*, bramble *Rubus fruticosus* agg., Michaelmas daisy *Aster amellus*, broad-leaved dock *Rumex obtusifolius*, ragwort *Senecio jacobaea*, red clover *Trifolium pratense*, selfheal *Prunella vulgaris*, greater plantain *Plantago major*, spear thistle *C. Vulgare* and greater burdock *Arctium lappa*. Saplings of sycamore *Acer pseudoplatanus* and butterfly bush *Buddleja davidii* were scattered in places suggesting lack of recent cutting.

The dense / scattered scrub was characterised as:

Patches dominated by bramble *Rubus fruticosus* with some tall herb including nettle and broadleaved dock. This habitat has extended as patches have expanded of previously scattered scrub has coalesced.

If left unmanaged it is likely the Site will scrub over in time initially with bramble before sycamore and butterfly bush along with other colonising scrub and trees begin to dominate.

Rabbit *Oryctolagus cuniculus* are recorded as present on site although the current grazing impact from this species appears light with limited impact on sapling growth, however, this may increase as the population size fluctuates.

² SLR is not a legal practice, and the summary is provided as a reference only to directly relevant legislation that informed the scope of the ecological appraisal.



Himalayan balsam *Impatiens glandulifera* was present along the south of the Site and is likely to spread further; preventing the spread of this species from land within the control of the applicant on a localised scale is considered impractical, and its presence on land outside the control of the applicant will lead to seed spread into the red line boundary regardless of management activities.

The habitats to be retained on Site include scattered trees within cable corridors and forming small woodland copses. Retained trees will be protected during construction work, in accordance with BS5837: 2012 Trees in relation to Design, Demolition and Construction (BSI, 2012).

To facilitate development, some of the following habitats will be lost:

- semi-improved neutral grassland; and
- dense bramble scrub.

Created habitats and new ecological features include (see Appendix B):

- newly planted native scrub (with trees);
- newly planted native hedgerow surrounding the battery unit; and
- creation of hardstanding to facilitate access for the battery storage facility.

1.8 Management Prescriptions

Potential impacts related to protected species and habitats are identified in the updated EclA (SLR Consulting Ltd., 405.064963.00001 Ecological Appraisal Update Report which has been prepared to support the Section 73 Application). The EclA identifies badgers, nesting birds, reptiles, hedgehogs and Himalayan balsam as potential constraints.

Management prescriptions for protected species are detailed in a separate Protected Species Compliance Report submitted to support the section 73 application (SLR Consulting Ltd., 405.064963.00001 Bredbury Protected Species Compliance S73). The prescriptions detailed therein have been implemented as part of the management activities detailed below.

Himalayan balsam is prevalent in the area of the works and it is considered that due to its wider presence there is little that the client can do to remove this species from the locality. It is considered that actions undertaken as part of the management plan detailed below will be sufficient to keep this species in check within the areas that are under the control of the client. These include mulching, pulling and cutting prior to seeding and the establishment of habitats in moderate condition thereby ensuring that the bare ground conditions for germination are absent or reduced. No specific measures for this species are considered necessary within the context of this LEMP.

2.0 Management Plan

2.1 Aims and objectives

The broad objectives of the LEMP are to satisfy the requirements of Condition 14 attached to the extant consent, and to set out the implementation and long-term management of all landscape and ecological mitigation and enhancements.

The LEMP has the following specific objectives:

- to protect features of ecological value which are to be retained within the site, including trees in accordance with BS5837: 2012 Trees in relation to design, demolition and construction (BSI, 2012);



- to plant and manage new native scrub (with trees);
- to plant and manage new native hedgerow as a habitat corridor across and within the site to maintain and improve connectivity;
- to provide a variety of nesting features to increase the opportunities for nesting birds on site (within new planting);
- to comply with relevant wildlife legislation; and
- to enhance the ecological value of the site, including non-target species.

2.2 Protection of Retained Habitats

Habitats that at risk from being inadvertently impacted during clearance or construction works include the adjacent trees located within the cable corridor extending west. Prior to any works on site commencing, the development footprint (and root protection areas) will be fenced off in order to demarcate it from adjacent habitats. This will minimise the risk of site staff accessing habitats off site, or from vehicles or other equipment entering these areas.

A safe system for the correct storage of materials and chemicals on site will be implemented to make sure that materials are stored in a suitable manner to avoid potential impacts on retained vegetation. Liquids and chemicals will not be stored near vegetated areas and will be stored on an impermeable base. Spillage kits will also be made available on site.

Appropriate cleaning or maintenance of machinery and tools on site will be undertaken within a designated area(s) and at a sufficient distance from vegetated areas. Failure to do so may result in contaminated water entering the soil and changing soil pH and increasing contaminant levels. It is anticipated that an appropriate pollution prevention control plan will be implemented during the construction phase of the development.

Although the presence of construction waste on site is unavoidable, waste will be stored safely within a designated area(s) on site and removed at the earliest opportunity to avoid contamination of ground, degradation of soil quality and possible disturbance to wildlife.

Trees within the cable corridor extending west (which are being retained) need to be protected from damage during the construction phase by demarcating root protection areas. These areas will be fenced (e.g. using Heras fencing) to prevent heavy machinery compressing the root stock or causing inadvertent damage during demolition and construction. In the British Standard 5837, root protection area is generally calculated by multiplying the diameter of the tree at breast height in metres by 12, up to a maximum of 15m from the trunk.

2.3 Planting Plan

2.3.1 Native scrub and trees

Four areas have been identified for native tree and shrub planting.

Initial ground clearance

- If vegetation removal works are to be undertaken between November and February then the relevant areas should be inspected for hedgehogs by an Ecological Clerk of Works (ECoW). If planting is not commenced immediately, the vegetation must be kept short (less than 10cm) during the intervening period to encourage hedgehog to avoid the area.
- Cutting of dense vegetation outside of November to February would be undertaken with a two-stage cut by brush cutter / hand strimmer. A first cut to a minimum of



500mm. ECoW then to check for bird nests, reptiles or hedgehogs before cutting to ground level. If planting is not commenced immediately, the vegetation must be kept short (less than 10cm) during the intervening period to encourage birds, reptiles and hedgehogs to avoid the area.

- If a nest is identified, a buffer is to be placed around it (distance to be advised by an ecologist) and the nest cannot be disturbed until all chicks are fledged.

Planting

- All plants will be saplings of between 40 and 60cm in height. Species to be planted are as follows:
 - 16 Guelder rose *Viburnum opulus*
 - 31 Elder *Sambucus nigra*
 - 16 Dog rose *Rosa canina*
 - 46 Blackthorn *Prunus spinosa*
 - 16 Wild privet *Ligustrum vulgare*
 - 16 Holly *Ilex aquifolium*
 - 46 Hawthorn *Crataegus monogyna*
 - 92 Hazel *Corylus avellana*
 - 31 Dogwood *Cornus sanguinea*
- The numbers of each species to be planted in each section are detailed in the Planting Plan (Appendix B 231108_08525_0004_29_Planting Proposals Section 73_HD).
- Saplings are to be planted between November and March avoiding periods of frost or heavy rain. These will be planted with species mixed at approximately 3 saplings per m², avoiding planting in regular patterns.
- Saplings are to be planted by pit planting. A hole is to be dug deep enough to ensure all roots are below ground level. The sapling is then to be placed in the hole and pushed to one side of it. Soil is filled back in around the sapling and the heeled into firm it up. A cane will then be inserted to one side of the sapling avoiding the roots.
- Protective tree guards will be fitted to prevent damage from rabbit or deer.
- The area around the saplings to be mulched to a depth of approximately 10cm to restrict weed and grass growth while the saplings become established.

2.3.2 Native hedgerow

Four strips have been identified for native hedgerow planting.

Initial ground clearance

- If vegetation removal works to be undertaken between November and February areas should be inspected for hedgehogs by an Ecological Clerk of Works (ECoW). If planting is not commenced immediately, the vegetation must be kept short (less than 10cm) during the intervening period to encourage hedgehog to avoid the area.
- If vegetation clearance cannot avoid the nesting period (March to August inclusive) checks are to be undertaken for nesting birds a maximum of 48 hours prior to any vegetation removal by a suitably experienced ecologist.



- If a nest is identified, a buffer is to be placed around it (distance to be advised by an ecologist) and the nest cannot be disturbed until all chicks are fledged.
- The cutting of grass during vegetation removal outside of November to February is to be undertaken with a two-stage cut by brush cutter / hand strimmer. A first cut to a minimum of 15cm and arisings removed. A second cut to ground level and arisings removed 24 hours later to allow any reptiles time to leave the area and to aid visual searches. If construction is not commenced immediately, the vegetation must be kept short (less than 10cm) during the intervening period to encourage reptiles to avoid the area.
- In the event of reptiles being found during hand searches they will be placed in a receptacle lined with moss and leaf litter and relocated to a suitable place of safety nearby.

Planting

- All plants will be saplings of between 40 and 60cm in height. Species to be planted are as follows:
 - 41 Guelder rose *Viburnum opulus*
 - 81 Elder *Sambucus nigra*
 - 41 Dog rose *Rosa canina*
 - 122 Blackthorn *Prunus spinosa*
 - 41 Wild privet *Ligustrum vulgare*
 - 41 Holly *Ilex aquifolium*
 - 324 Hawthorn *Crataegus monogyna*
 - 122 Hazel *Corylus avellana*
- The numbers of each species to be planted in each section of hedgerow are detailed in the Planting Plan (Appendix B 231108_08525_0004_29_Planting Proposals Section 73_HD).
- Saplings are to be planted between November and March avoiding periods of frost or heavy rain. These will be planted with species mixed in double rows approximately 0.45m apart with planting staggered to form a zig zag pattern.
- Saplings to be planted by pit planting. A hole is to be dug deep enough to ensure all roots are below ground level. The sapling then to be placed in the hole and pushed to one side of it. Soil is filled back in around the sapling and the heeled into firm it up. A cane will then be inserted to one side of the sapling avoiding the roots.
- Protective tree guards will be fitted to prevent damage from rabbit or deer.
- The area around the saplings to be mulched to a depth of approximately 10cm to restrict weed and grass growth while the saplings become established.

2.3.3 Monitoring and Maintenance

Ongoing monitoring and maintenance will be required to ensure habitats are developing as planned and aims and objectives are being met.

Year 2

- August: Clearance of weeds (including any growth of Himalayan balsam) and bramble around scrub and hedgerows.



Year 3

- August: Clearance of weeds (including any growth of Himalayan balsam) and bramble around scrub and hedgerows.
- August: Check for any losses of saplings (expected loss rate 15%) in scrub and hedgerows.
- Replace lost saplings in scrub and hedgerows following above planting methods between November and March of the next planting season.

Year 4

- August: Check for any losses of saplings (expected loss rate 15%) in scrub and hedgerows.
- October: Cut ground vegetation at base of hedgerow using brush cutter / hand strimmer to minimum height of 15cm, leave arisings in situ.
- Replace lost saplings in scrub and hedgerows following above planting methods between November and March of the next planting season.

Year 5

- June: survey of scrub and hedgerows by a qualified ecologist to ensure these are developing as expected and have achieved the desired condition of Moderate as detailed in the Biodiversity Net Gain assessment (Tetra Tech B028688 Bredbury_Biodiversity Net Gain_Rev2). If these have not achieved Moderate condition, a review of the LEMP will be required to identify remedial action necessary to achieve this condition and adjustments to the ongoing management plan made.
- August: Remove tree guards.
- August: Check for any losses of saplings (expected loss rate 15%) in scrub and hedgerows.
- September: Trim hedgerow height to 1.5m tall and width to 1.5m if it exceeds this.
- September: Cut back scrub to keep within the areas within control of the applicant.
- October: Cut ground vegetation at base of hedgerow using brush cutter / hand strimmer to minimum height of 15cm, leave arisings in situ.
- Replace lost saplings in scrub and hedgerows following above planting methods between November and March of the next planting season. Do not use tree guards.

Year 6 and annually thereafter

- August: Remove tree guards.
- August: Check for any losses of saplings (expected loss rate 15%) in scrub and hedgerows.
- September: Trim hedgerow height to 1.5m tall and width to 1.5m if it exceeds this.
- September: Cut back scrub to keep within the areas within control of the applicant.
- October: Cut ground vegetation at base of hedgerow using brush cutter / hand strimmer to minimum height of 15cm, leave arisings in situ.



Year 10

- June: survey of scrub and hedgerows by a qualified ecologist to ensure these are developing as expected and have achieved the desired condition of Moderate as detailed in the Biodiversity Net Gain assessment (Tetra Tech B028688 Bredbury_Biodiversity Net Gain_Rev2). If these have not achieved Moderate condition, a review of the LEMP will be required to identify remedial action necessary to achieve this condition and adjustments to the ongoing management plan made.

2.4 Management body(ies) responsible for delivery

EDF-R confirms that the EDF Renewables Asset Protection team will be responsible for the long-term maintenance of the site throughout the anticipated lifetime of development. The maintenance schedule for habitats will form part of the larger site maintenance plan. Records of maintenance will be kept for the site demonstrating compliance.

Elements of maintenance such as condition and functionality inspections, debris removal and vegetation cutting will be undertaken by EDF Renewables Asset Protection team.

3.0 Summary

A LEMP scheme has been produced to support this section 73 application for an amended BESS scheme at Bredbury substation. The LEMP has been produced to satisfy the requirements of condition no. 14 attached to the extant planning permission for the site. It has been duplicated to submit with the section 73 application for approval in the event that it has not already been approved with the separate discharge of condition application. EDF-R requests condition 14 on the section 73 consent be changed from a pre-commencement condition to compliance condition (i.e. compliance with the approved LEMP)..



4.0 References

- CIEEM, (2018), Guidelines for Ecological Impact Assessment, CIEEM: Winchester.
- JNCC, (2010), Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit, JNCC: Peterborough.
- Stace, C., (2019), New Flora of the British Isles, 4th Edition, C&M Floristics Middlewood Green, Suffolk.
- Stockport Metropolitan Borough Council, (2016), Eastern Cycling Links – Phase 1 Ecology Appraisal, Ref: 606.
- TEP, (2012), Bredbury Substation Planning Statement and Environmental Report Appendices, Ref: 3309.026.
- TEP, (2013), Bredbury Substation Planning Statement and Environmental Report, Ref: 3309.018045.
- TetraTech (2021). Bredbury Substation Battery Ecological Appraisal, Ref: 784-B028688.
- The National Archives, (2018a), Wildlife and Countryside Act 1981: Schedule 9, [online] Available at <https://www.legislation.gov.uk/ukpga/1981/69/schedule/9>, Accessed January 2021.
- The National Archives, (2018b), Wildlife and Countryside Act 1981: Schedule 1, [online] Available at <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>, Accessed January 2021.
- WYG, (2019) Ecological Appraisal: Bredbury Substation. Report on behalf of Pivot Power, Project number: A109353.





Appendix A Relevant Legislation and Planning Policy

Relevant Legislation and Planning Policy

Legislation

A summary of legislation relevant to (onshore) biodiversity in England and Wales is provided below. Note that the summary provided here is intended for general guidance only and the original legislation should be consulted for definitive information.

Environment Act (2021)

The Environment Act has wide ranging provisions including those around:

- Environmental governance;
- Environmental regulation;
- Waste and resource efficiency;
- Air quality and environmental recall;
- Water;
- Nature and biodiversity;
- Conservation covenants.

Of particular relevance is Part 6 of the Act which introduces “biodiversity gain in planning” and will apply in England to planning applications under the Town & Countryside Act and the Planning Act. Schedule 14 now requires that biodiversity gain be a condition of planning permission in England. These changes will be enacted through subsequent secondary legislation or regulations. This part of the Act also changes the responsibilities that Government or public bodies have by strengthening the existing NERC Act biodiversity duty. Public authorities are now required to seek to conserve and enhance biodiversity in the exercise of their functions.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. Under the Habitats Regulations it is an offence to deliberately capture, kill or disturb wild animals listed under Schedule 2 of the Regulations as well as damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time). European Sites, including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), are also protected under the Habitat Regulations, and any proposal that could affect them will require an Habitats Regulations Assessment (HRA).

The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

Part 3 of the regulations provide for the protection of areas of habitats or species where maintenance of the status of water is an important factor. Under the regulations additional consideration may need to be given to sites in the form of a Water Framework Directive (WFD) assessment where a project lies in proximity to a water body or to linked water bodies which could be affected. This includes consideration of whether water bodies are WFD receptors in particular those of high status or have high status morphology.

Natural Environment & Rural Communities (NERC) Act 2006

Section 40 of the NERC Act 2006 places a duty on public authorities to have regard to the purpose of conserving biodiversity in the exercise of their functions. Public authorities include government departments, local authorities and statutory undertakers.

Section 41 of the Act (Section 42 in Wales) requires the publication of a list of habitats and species publish which are of principal importance for the purpose of conserving biodiversity. The Section 41 list is used to guide authorities in implementing their duty to have regard to the conservation of biodiversity.

Note that Sections 40 and 42 were superseded in Wales by the Environment (Wales) Act 2016 (see below).

Protection of Badgers Act 1992

The Protection of Badgers Act 1992 makes it illegal to kill, injure or take a badger or to intentionally or recklessly interfere with a badger sett. Sett interference includes disturbing badgers whilst they are occupying a sett or obstructing access to it.

Wildlife & Countryside Act 1981

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way (CRoW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting;

- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act;
- intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act;
- intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;
- Pick or uproot any wild plant listed under Schedule 8 of the Act; or
- Plant or cause to grow in the wild any plant species listed under Schedule 9 of the Act.

Planning Policy

A summary of national planning policy relevant to (onshore) biodiversity in England and Wales is provided below. Note that the summary provided here is intended for general guidance only and the original policy documents should be consulted for definitive information. For local planning policy relevant to biodiversity the relevant local plans should be consulted.

National Planning Policy (England)

The National Planning Policy Framework (NPPF) sets out guidance for local planning authorities and decision-makers in how to apply planning policies when drawing up plans and making decisions about planning applications. Along with Government Circular 06/052, the broad policy objectives in relation to the protection of biodiversity and geological

conservation in England through the planning system are set out. Specific policies relating to habitats and biodiversity are set out in paragraphs 174 and 179-182 of the NPPF.

Paragraph 174 states that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

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

Paragraph 179 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

Paragraph 180 states that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the

features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

Paragraphs 181-182 relate to European sites (referred to as habitats sites) and state:

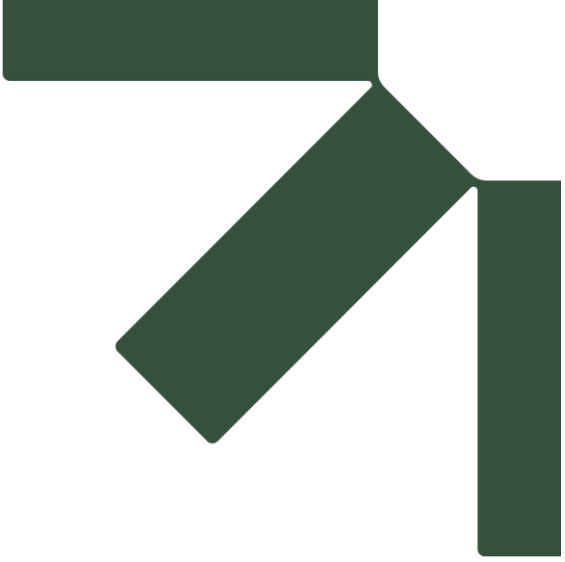
“The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites; and

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

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”



Appendix B Drawings

