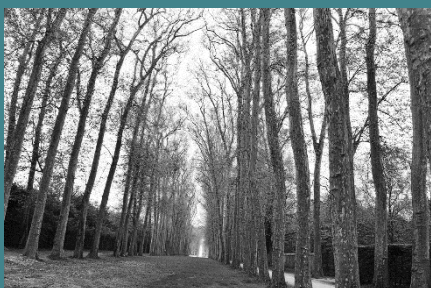


FPCR | environment
& design



Statement of Common Ground (SoCG) Ecology & Nature Conservation

Between Hallam Land & Ribble Valley Borough Council

APPEAL REF: 6006485
LPA REF: 3/2025/0196

Client

Hallam Land

Project

Land South of Longsight Road, Langho

Date

March 2026

CONTENTS

1.0 INTRODUCTION & SCOPE 1

2.0 AGREED COMMON GROUND 1

3.0 MATTERS OF DISAGREEMENT 5

4.0 DECLARATION 6

Rev	Issue Status	Prepared/Date	Approved/Date
-	Final		KG / DR 20.03.26

1.0 INTRODUCTION & SCOPE

1.1 This Statement of Common Ground (SoCG) has been jointly prepared between the main parties Hallam Land ("the Appellant") and Ribble Valley Borough Council for matters relating to ecology and nature conservation regarding an Outline Planning Application (OPA).

1.2 The OPA was registered on 31 March 2025. This application was submitted to provide up to 300 dwellings and associated infrastructure, a railway station car park, green infrastructure (GI) and a sustainable drainage system.

1.3 Two of the Reasons for Refusal (RfR) (RfR 4 and 5) on the decision notice dated 27 June 2025 relate to ecology and nature conservation.

1.4 RfR4 states:

'The application fails to carry out appropriate assessments to fully assess the impacts of the development upon habitat within and adjacent to the site including whether appropriate protection and enhancement can be provided for protected species and their habitat. This is contrary to the Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy and the National Planning Policy Framework.'

1.5 RFR5 states:

'The proposed development would result in the loss of existing habitat, hedgerow and watercourse units, with insufficient details being submitted to demonstrate an appropriate strategy for achieving the statutory requirement for Biodiversity Net Gain contrary to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).'

1.6 Following the refusal of the planning application, to narrow matters between the main parties, the Appellant submitted an updated Ecological Impact Assessment (EclA) (Dated: November, 2025) and an updated Biodiversity Net Gain Assessment (Dated: November, 2025). These documents were submitted to the council on 5 December 2025. To provide the council with further clarity on matters relating to Biodiversity Net Gain (BNG), the Appellant also provided the council with a non-technical summary on 20 February 2026.

2.0 AGREED COMMON GROUND

Statutory and Non-Statutory Designated Sites

2.1 No statutory or non-statutory designated sites of nature conservation interest are present within the Appeal Site or the relevant 'Zones of Influence' (Zoi) surrounding the Appeal Site.

2.2 The Lancashire Local Nature Recovery Strategy (hereafter referred to as 'the LNRS') was adopted on 16th January 2026. Whilst the adoption of the LNRS is a statutory requirement of the Environment Act, LNRS's are intended to be used as a spatial planning tool to identify where the most important biodiversity resources are, and where there is the greatest opportunity for restoring or creating new places for biodiversity, and for enhancing biodiversity where this might provide wider environmental benefits.

2.3 The LNRS is not intended to be a delivery plan; instead, the strategy is an 'enabling mechanism' that targets where action can best happen to aid nature recovery. The adoption of an LNRS does not provide the council with statutory powers to enforce habitat management or habitat enhancements on private land.

- 2.4 The adoption of the LNRS and updates to the Ancient Woodland Inventory, includes Green Nook Woodland which was formally acknowledged as an Ancient Woodland in October 2025. Following identification, Green Nook Woodland was mapped as an 'Area of Particular Importance' in the adopted LNRS. This mapping is limited to a discrete area to the northeast of the Appeal Site. The identification of Ancient Woodland does not increase the level of statutory protection to the woodland, such as is afforded to SSSI or other statutory designated sites, but Ancient Woodland is listed as an Irreplaceable Habitat in The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024.
- 2.5 Paragraph 193 (c) states that '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';
- 2.6 The presence of an Ancient Woodland is a material consideration when determining a planning application. Natural England and the Forestry Commission provide advice for decision makers when assessing potential effects to Ancient Woodland 'Guidance. Ancient Woodland, Ancient Trees and Veteran Trees: Advice for Making Planning Decisions (<https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>). This guidance is relevant to this appeal.
- 2.7 Since the adoption of the LNRS, the remaining areas of the Appeal Site have been identified as 'Areas that could become of Particular Importance' and a number of 'potential measures' are listed. These potential measures are 'practical actions' that could contribute to the agreed priorities to deliver wider gains for the environment. The provision of these measures are again not a statutory requirement.

On-site ecology

Ecological Survey Methods

- 2.8 It is common ground between the main parties that the ecological survey method employed over the relevant survey periods were appropriate to determine the level of use of the site by the various ecological receptors and inform the impact assessment and mitigation.
- 2.9 At the time of writing, all these surveys are less than two years old. Given that the conditions of the habitats within the site have not changed since completion of the surveys, it is common ground between the main parties that the data gathered is still valid in accordance with best practice.

Flora

- 2.10 The following provides an overview of the ecological baseline position agreed between the main parties.
- 2.11 As set out above, Green Nook Woodland has been identified as an Ancient Woodland. The completed ecological and arboricultural survey work has only recorded one Veteran tree within the Appeal Site recorded within the curtilage of Green Nook Woodland. The Ancient Woodland and the Veteran tree are 'irreplaceable habitats' but the Ancient Woodland has been recorded as being in 'poor condition'. No additional areas of Ancient Woodland or Veteran Trees have been identified in the Appeal Site.
- 2.12 The central and western areas of lowland mixed deciduous woodland are not an Ancient Woodland. These woodland areas are not classified as an 'irreplaceable habitat', and neither area of woodlands meet the criteria to be selected as a BHS. These areas of woodland do meet the criteria to be classified as 'priority habitats' as defined in the NERC Act.
- 2.13 The dominant habitat across the Site is 'other neutral grassland' (ONG). The condition of the grassland varies. To the west of the Appeal Site, the ONG is dominant in the west of the Appeal Site. Moderate and good quality grassland is present in the northern and eastern areas of the Appeal Site. None of these areas

of grassland are irreplaceable habitat, meet the criteria to be classified as a Biological Heritage Site (BHS) or meet the criteria to be classified as a 'priority habitat type'.

- 2.14 An area of poor-quality lowland meadow has been identified at the southern aspect of the central watercourse. Whilst defined as a 'high' distinctiveness habitat in terms of biodiversity net gain, the grassland is not an irreplaceable habitat or meets the criteria to be classified as a BHS. The applicants' own ecology surveys conclude that *'On the basis of the habitat meeting the pre-requisite habitat classification of MG5 and passing the lowland meadow criteria outlined in UKHab, the classification of g3a Lowland Meadow was made. NVC community MG5 is a constituent habitat of Lowland Meadows, a Habitat of Principal Importance under the NERC Act (2006).'*
- 2.15 Two watercourses are present within the Site. These have been mapped as 'non-priority streams'. The majority of the length of these watercourses are in 'fairly poor' condition and does not meet the criteria to be selected as a BHS.
- 2.16 Six ponds are present in the Appeal Site. These ponds did not retain water over the course of the year and the community present in the ponds represented ONG. No aquatic or marginal species were recorded. The ponds were assessed as being in 'moderate' condition but were not identified as features that would be classified as BHS.
- 2.17 The boundary hedgerows were all classified as native species hedgerows. Hedgerows H3 and H5 were identified as species-rich hedgerows. Given this all of the hedgerow met the criteria to be classified as priority habitat. None of the hedgerows meet the criteria to be classified as Important under the hedgerow regulations.
- 2.18 Other habitats within the Site were not assessed as IEF and include poor condition other neutral grassland, modified grassland, tall forbs, hawthorn and blackthorn scrub and a single wet ditch.

Fauna

- 2.19 A series of species-specific surveys to record protected and notable species has been completed across the Appeal Site. It is common ground between the main parties that the level of the completed protected species surveys has been undertaken following industry best practise and is adequate to assess the potential effects on protected and notable species.
- 2.20 It is common ground that the presence of badger, great crested newts, water vole and otters has not been identified. These species are therefore not a statutory constraint to the appeal proposals.
- 2.21 The breeding and overwinter bird surveys did not identify a significant assemblage of birds using the Appeal Site. The assemblage of bird species recorded using the Appeal Site would not trigger classification as a BHS. The proposals have retained the majority of the habitat for these species and mitigation for the recorded assemblage has been provided in the overall strategy.
- 2.22 No bat roosts have been recorded within the Appeal Site. Whilst T67 was not subject to detailed survey work, this tree is retained and unaffected by the proposal.
- 2.23 The completed bat activity surveys only recorded a common and widespread assemblage using the Appeal Site. No Annex II species were recorded, but low numbers of *Nathusius pipistrelle* were identified. Common pipistrelle was the dominant species recorded using the Appeal Site. Over the surveys, the highest level of activity was recorded associated with the Ancient Woodland and the northern boundary hedgerow (H1).
- 2.24 Other areas of activity recorded included the linear feature comprising the hedgerows, woodland and watercourse.

2.25 Given the level of ecological survey work and mitigation provided for protected and notable species within the appeal site, the main parties agree that the appeal proposals provide an adequate and proportionate level of mitigation for these receptors. Therefore, matters relating to protected and notable species highlighted in RfR4 have now been fully addressed and these elements of RfR4 are not a matter for further discussion at the appeal.

Mitigation Package

2.26 The Appeal proposal include a range of ecological mitigation, enhancement and compensation measures. These include:

- Retention and buffering of the Ancient Woodland by a minimum of 15m;
- Retention and appropriate buffering of Veteran trees;
- Retention, appropriate buffering and enhancement of other woodland area outside the Ancient Woodland;
- Retention and enhancement of the watercourses within the Appeal Site;
- The retention of existing mature trees and the provision of new tree planting across the appeal site;
- The retention of the majority of the hedgerow network and the provision of new hedgerow planting;
- The translocation of lowland meadow within the appeal site;
- The retention of areas of ONG and enhancement of the grassland;
- The creation of a wetland features in the appeal proposal's attenuation facilities;
- The retention of suitable bat roost and the implementation of a range of new roost features;
- The implementation of a sensitive lighting scheme where required across the appeal site;
- The implementation of an appropriate bird box scheme across the appeal site.

2.27 Where relevant, all of the above measures will be subject to appropriate long-term management controlled by relevant planning conditions.

2.28 Despite the implementation of these measures, further off-site compensation measures are required to compensate for the loss of ONG within the Appeal Site.

Biodiversity Net Gain (BNG)

2.29 A biodiversity net gain assessment has been submitted to the council. This net gain assessment confirms that the minimum requirement of 10% net gain to biodiversity can be achieved through the habitat provisions within the site and the purchase of off-site habitat credits.

2.30 It is common ground that the Appellant has sourced the relevant habitat units from a strategic-level habitat site, the 'Moreton Habitat Bank'. This habitat bank is in an opportunity area as identified in the LNRS. A combination of onsite habitat retention / enhancement, mitigation and compensation, and the provision of the offsite credits secured, it is common ground that the Appellant has demonstrated that the 'net gain objective' can be met.

2.31 The submitted biodiversity net gain assessment (Dated: November, 2025) has been accepted by the council and there is no principal objections from the council to the assessment methodology or the condition assessment contained within the submitted assessment.

- 2.32 No irreplaceable habitats are affected by the proposal which also retains the 'Area of Particular Importance' identified in the adopted LNRS.
- 2.33 An assessment of the proposals without the provision of offsite habitat credits, shows the appeal proposals would result in the loss -34.35 habitat units (a net loss of -23,61%). The appeal proposals do result in net gains of 0.96 hedgerow units (a net gain of 24.37%) and 0.85 watercourse units (a net gain of 13.30%).
- 2.34 To accommodate the Site's infrastructure, the illustrative proposals require the translocation of the 'lowland meadow'.
- 2.35 The majority of the habitat loss generated by the appeal proposal is the loss of ONG. Compensation for this loss is provided through the purchase of offsite credits.

3.0 MATTERS OF DISAGREEMENT

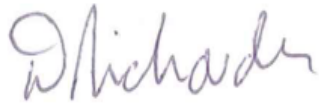
- 3.1 The outstanding matters of disagreement between the main parties are outlined below.
- 3.2 RfR4 relates to the potential effects of the appeal proposals to habitats and protected species. Since refusal, matters between the main parties are outlined below:
- 1 - whether the inherent mitigation proposals shown on the illustrative proposals are adequate to mitigate the overall effects of the development on notable habitats in terms of fragmentation, isolation and disturbance. The latest correspondence from the council does not allege that inadequate survey work or that an inadequate assessment of the potential effects of the scheme was submitted through the updated EclA (Dated: November 2025) and these matters are considered to be agreed.
 - 2 – the effects of the proposals on the Ancient Woodland known to the northeast of the appeal site;
 - 3 – alternative designs should be applied to avoid the requirement to translocate the area of lowland meadow;
 - 4 – with specific reference to the 'lowland meadow', the mitigation hierarchy as outlined at Paragraph 193(a) of the NPPF has not been followed.
 - 5- whether the development will compromise the creation of a local nature recovery network
- 3.3 Matters relating to RfR5 have evolved since the application of RfR5. Whilst there is some crossover between the RfR, the main matters of dispute between the parties are outlined below:
- 1 – the net gain hierarchy as outlined at Paragraph 008 of the Biodiversity Net Gain PPG has not been followed.
 - 2 – the appeal proposals do not follow the requirements of the adopted LNRS (January 2026), as the proposals affect areas which are identified in the LNRS as areas that **could** become of particular importance for nature conservation.
 - 3- the appeal proposals will affect an irreplaceable habitat.
- 3.4 Despite the provision of an additional non-technical summary, the council's latest correspondence indicates they are unclear about the split of what is being provided onsite and offsite. The appellant will seek to resolve this matter with the council's ecologist prior to the exchange of evidence.

4.0 DECLARATION

4.1 This SoCG is jointly agreed by:

A handwritten signature in black ink, appearing to read 'K Goodman', with a long horizontal line extending to the left.

Mr Kurt Goodman. Senior Director of Ecology.
FPCR Environment & Design Ltd. (on behalf of the Appellant).
Date: 20.03.2026

A handwritten signature in blue ink, appearing to read 'D Richardson'.

Mr Derek Richardson. Principal Ecologist.
Planning & Transportation Place. Tameside MBC (on behalf of Ribble Valley Borough Council)
Date: 20.03.2026

