



Staffordshire
Wildlife Trust

21/35159/OUT Former Meaford Power Station



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Former Meaford Power Station, Meaford Road Meaford Stone ST15 0UU

Outline planning application for the creation of development platforms and phased development comprising up to 99,255sqm of employment floorspace (Use Classes E(g)(iii)/B2/B8) and up to 2 hectares of battery storage (Use Class Sui Generis), ancillary office space, new internal site roads and the use of existing accesses (including western access onto Meaford Road for emergency access), parking, ecology and biodiversity enhancements, landscaping, drainage, ancillary works and associated infrastructure, involving demolition, site clearance and remediation (All Matters Reserved except access, in part).

47.13 hectares

Staffordshire Wildlife Trust wishes to comment on this application, due to the significant ecological interest and potential impacts to the site.

SUMMARY

Objection -further information/ amendments required.

The site is of at least county importance for wildlife, meeting Local Wildlife Site criteria for habitats, amphibians and invertebrates, and potentially birds. It would be significantly impacted by the proposals, with most compensation being proposed off-site, in areas that already have high wildlife value and have been inadequately surveyed for species. There is as yet no evidence supplied that a measurable net gain for biodiversity can be achieved.

Updated and further information is required to adequately judge the value of all sites and impacts. The mitigation hierarchy must be properly applied, and ensure any scheme is designed to avoid impacts in the first instance, and maximise ecological value overall.

Required prior to determination:

1. Updated invertebrate survey
2. Local Wildlife Site assessments of habitats and species assemblages against current criteria
3. Biodiversity Net Gain metric to show that measurable net gain is achievable, and appropriate following the application of the mitigation hierarchy.
4. Greater habitat retention and enhancement in situ as part of site design, particularly for great crested newt and invertebrates.

5. Further information on proposed impacts to existing Local Wildlife Sites
6. Further species survey of blue line land areas proposed for compensatory measures.

NATURE NETWORKS

The site is within several habitat connectivity opportunity areas within the Nature Recovery Network (NRN) mapping for Stafford Borough. Woodland, grassland and wetland are all priorities, with the site playing a particularly key role in grassland and wetland corridors. The EIA does not appear to reference the NRN evidence base.

The site sits alongside the River Trent and the Trent and Mersey canal, both important linear habitat corridors. As well as including two Local Wildlife sites within its boundaries, the proposals link to adjacent Local Wildlife Sites and other semi-natural habitats.

DESIGNATED WILDLIFE SITES

Local Wildlife Sites (LWS)

Meaford Sludge Beds Local Wildlife Site and Trent and Mersey Canal (Meaford) Biological Alert Site lie adjacent to the proposal site. The former is, however, within Blue Line site 7, and proposed for GCN mitigation. Part of the latter appears to be within blue line land to the south of the proposal site.

It is not clear how these LWS will be impacted overall by the proposals, and whether interventions in these areas will be appropriate.

Potential Local Wildlife Sites

Many areas of potentially high value habitat exist across the county that have not yet been assessed for LWS status, either through lack of funding or access restrictions. If potential high value habitats are to be impacted, it is important to establish their status in order to apply current policy.

The Plan for Stafford Borough 2011-2031 states:

Development likely to have an adverse effect (either directly or indirectly) on:

- A Site of Biological Importance or a Biodiversity Alert Site...will not be permitted unless:

(a) It can be clearly demonstrated that there are reasons for the proposal that outweigh the need to safeguard the special ecological / geological interest of the site

(b) It has been demonstrated, where development would result in significant harm, that it can not be reasonably located on an alternative site that would result in less or no harm

(c) harm can be prevented, minimised, adequately mitigated or compensated for.

The site itself, and areas within the blue line landholding, appear to meet the criteria for Local Wildlife Site of county importance, due to the type of habitats and species assemblages present. The sites requires assessment in consultation with the Staffordshire LWS Partnership using the Guidelines for the Selection of Local Wildlife Sites in Staffordshire Version 6 (December 2017) available here http://www.staffs-ecology.org.uk/html2015/index.php?title=Site_Monitoring

While the EIA has valued individual habitats and species, it has not valued the site overall to local criteria- this is contrary to CIEEM EcIA guidance.

If areas meet LWS criteria, then the above policy points must be addressed. Therefore it is essential to determine which areas to be impacted are of LWS value.

Development site

Several priority habitats are present- OMHPDL, acid grassland, swamp, wet woodland, hedgerow, and ponds.

The site has been assessed has having county importance for invertebrates – 11 notable species were present in 2014, including RDB/ nationally scarce bees and wasps, dingy skipper and small heath butterflies. The site is one of only two known sites supporting Grizzled Skipper in Staffordshire. It also supports 10 species of Odonata (dragon and damselfies). It therefore meets a number of the invertebrate LWS criteria.

All 5 amphibian species present, which meets amphibian LWS criteria.

The EIA states the site is of district importance for birds. It is unclear how the site would score against current criteria, and this needs to be further assessed. However, district importance would imply at least a designation of Biodiversity Alert Site.

Blue Line Areas

Much of the land proposed for compensatory habitats appears to have high value already and some habitats would appear to have potential to meet LWS criteria, particularly Blue Line sites 4 and 8. These support habitats including: diverse semi-natural woodland with ancient woodland indicators such as wood anemone; wet woodland; diverse marshy grassland with orchids and sedges; and a number of waterbodies.

All areas potentially impacted by any proposals need to be assessed for LWS status.

HABITATS

Biodiversity Net Gain (BNG)

The Plan for Stafford Borough 2011-2031 contains a number of policies supporting biodiversity enhancement. The Biodiversity & Development Supplementary Planning Development Document 2020 further requires that development provides a measureable net gain for biodiversity, and that the mitigation hierarchy must be followed.

The documents state that 10% BNG will be achieved, but no figures or a metric has been supplied. While detailed design is proposed to be left until Reserved matters, at this stage the LPA needs to be sure that the outline mitigation scheme will deliver BNG and that this is possible, practical, and appropriate for the site.

Although compensation measures have been outlined, it is not clear whether the proposal would achieve a net gain. In order to properly quantify this, a Biodiversity Impact assessment using Defra metric 3.0 or above is required.

While BNG can be achieved in many situations, it does not negate the need to apply the mitigation hierarchy correctly, before designing compensatory measures. This means that avoidance and retention in situ must be the first consideration, and then minimisation of impacts through mitigation within the design. Only then should off-site compensation be considered for any unavoidable impacts.

The current proposals rely on the majority of compensation being provided off-site, replacing existing habitats within the blue lined land areas. There is no evidence that this would provide BNG, as the current habitats have existing value. It may not be appropriate to drastically alter all of the blue line land areas, given that one is already a county Local Wildlife Site and other areas support priority habitats already. There may not be enough capacity for enhancement of the type required.

We feel that, given the outline nature of the application, that much more of the existing ecology can be retained and incorporated into the site itself, which would reduce risks and ultimately be easier, more successful and less costly than wholesale destruction and 'recreation' of habitats.

Unless the design of future development platforms/ individual plots can be secured with confidence, these areas should be presumed to contribute no units, as the habitat value they could deliver is currently unknown and cannot be

easily guaranteed in future. However, green roofs could well serve to complement the types of habitat required on the site.

Landscaping

The landscaping design needs to be tailored to the needs of the important species on site, rather than favouring tree planting as indicated by the illustrative masterplan. The aim should be to retain, enhance and compliment the current habitat mosaic, while designing this in an aesthetically appropriate way. Retaining more of the existing site may also reduce the amount of remediation necessary regarding potential contamination.

Policy N1 Design of the Local Plan supports retention of significant biodiversity features:

f. Retention of significant biodiversity, landscaping features, and creation of new biodiversity areas that take into account relevant local information and evidence;

A mixture of wooded glades, scrub edges, grassland, bare ground and ponds, with mounded features and varied topography to provide a variety of aspects is recommended. This could be designed as a natural parkland/ nature reserve setting, with more ornamental but naturalistic design around buildings. Drought-tolerant Mediterranean-style gravel gardens, sculptural earth features, rain gardens for water control, and green roofs could all create a unique, modern and sustainable character for the site.

Low-nutrient substrates are key to creating good wildlife habitats, so re-use of materials such as crushed concrete and other aggregates on the site would be a great opportunity to create landscape and wildlife features.

Communal spaces, circular walking routes and links to nearby footpaths are also important. This would maximise the amenity and recreational value to future employees, as well as the local community.

A Landscape Strategy should be submitted, via condition once principles have been agreed, for the main supporting infrastructure. This should include guidance for individual plot design to complement the overall landscape aims.

Drainage

Given the site's location in the River Trent corridor, with several ponds on the site itself supporting an amphibian population of county significance, surface water management is a key issue as well as opportunity on the site.

The best and most functional sustainable drainage design integrates water within the landscape, to minimise overload and long-term management, and maximise amenity and ecological value. Natural road and drainage design is also more amphibian friendly; a key factor where protected species are present.

Source control should allow as far as possible water to be infiltrated or stored nearest to where it falls. Green roofs, rainwater harvesting and permeable surfaces such as parking areas (consider use of reinforced grass on less-used areas) should all be a consideration. These bring other benefits such as cooling, reduced potable water use and visual amenity.

Designing the landscaping to infiltrate and store water in attractive and easy-to-manage surface features is also multifunctional. Avoiding pipes and over-engineered structures reduces costs and maintenance, while maximising water quality and visibility. Rain gardens, roadside swales, wetlands and water features add to the character of a site and help keep planting watered in hot weather.

Given the potential contamination challenges and the presence of a Secondary A Aquifer under the site, SuDs will need to be designed with this in mind and water storage, rather than infiltration, may need to be a focus.

The illustrative layout does not show sufficient surface water balancing features to deal with the likely volume of water that would be generated by hard surfaces; unless some run-off is designed to infiltrate directly into landscaped areas or soakaways.

It is not clear where water may outfall to a nearby watercourse, the outfall design or the potential impact to existing habitats. Natural inlets and channels should be employed, avoiding over-engineered structures.

SPECIES

We are not able to comment in detail on all species at present, but some key issues are apparent.

Most species mitigation is proposed to be delivered on blue line land- it is not clear that these areas have been sufficiently surveyed for species as a baseline, to determine whether proposed mitigation will be suitable or feasible. GCN is an exception with areas outside the site having been surveyed.

Phasing of any construction will be important- replacement habitat will need to be in place before impacts are caused, to ensure that species populations, especially more vulnerable species, can be shown to have colonised successfully and that their long-term survival is viable.

Amphibians

All 5 UK native amphibian species are present on the site.

GCN have been recorded in 5 ponds onsite (P2, P4, P7, P8 and P13) and three ponds within Blue Line land. Only ponds P1, P14 and P15 will be retained within the development, meaning that **all** the current GCN ponds would be lost. It is proposed to move all GCN from the site to a receptor area within Meaford Sludge Beds LWS.

GCN are compatible with development and can live alongside and within the built environment, if provided with adequate habitat and management. This is especially true of industrial/ low density uses, and where extensive landscaping is possible. Given that the application is outline, with all matters reserved apart from access, we see no reason why the layout could not be designed to retain most GCN ponds in situ, and retain the population on the site.

For European protected species, the LPA must consider the 3 tests under Habitat Regulations-

- *the activity must be for a certain purpose - for example, for scientific research or in the case of development, 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'*
- *there must be no satisfactory alternative that will cause less harm to the species*
- *the activity must not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

We consider at present that the proposals do not meet any of the 3 tests. Natural England is not likely to permit a licence where the tests are not met and where better alternatives are possible.

Palmate newts were also recorded in many of the ponds. This species is the least common native amphibian species found in Staffordshire, as it has a distinct preference for shallow ponds on acid-rich soils. The site could be a potentially important stronghold for the species in the county.

At present we do not agree that the proposed mitigation measures are appropriate for the site, and that the landscaping and layout should be designed to retain amphibians in situ, potentially providing new ponds on the edges of the site.

Birds

43 species were recorded in total, 4 Schedule 1 protected species use the site, 2 for breeding, with 5 priority species also present, including lapwing breeding.

Birds of woodland, scrub and wetland areas may persist on site, but ground nesting species including Little Ringed Plover and Lapwing would be excluded.

The Outline Ecological Mitigation Strategy proposes creating alternative ground nesting bird habitat within the Blue Line areas. 'This would comprise the removal of any vegetation that could obstruct views of ground nesting birds and the placement of crushed aggregate to form a suitable substrate upon which these species are likely to nest.'

Surveys appear to have covered the development site only, and not any blue line areas. Therefore, existing bird populations or other species/ habitat constraints are not known or considered in terms of use of these areas for compensation.

Overall habitat losses on the site would also reduce habitats for other priority birds. It is not clear that off-site areas could be sufficiently enhanced to compensate and maintain population levels, given they will have value for birds already.

We are not confident that appropriate off-site compensation is viable, given these unknowns – further survey is required and a more robust mitigation plan.

Invertebrates

Surveys carried out in 2014 found the site to be of county value for invertebrates, particularly 10 important species of bees and wasps, butterflies, flies and a beetle. In addition, 10 species of Odonata (dragon and damselflies) were recorded. The site is one of only two known sites supporting Grizzled Skipper in Staffordshire.

This survey is now 8 years old. Given the nature of the site and invertebrate populations, an updated survey is required.

The Invertebrate mitigation scheme for Meaford Energy Centre (MEC) site 2016 by Rachel Hacking Ecology Limited does not cover the proposals site, only a small area that was part of a previous application,

Outline Ecological Mitigation Strategy Sep 2021 proposes that OMHPDL is to be recreated off-site within the blue line land. There is no evidence that this is appropriate, or practically achievable. It is not clear that invertebrates would be able to move, or that it would be appropriate to replace the existing habitats offsite, which already have some value. Due to the small and vulnerable nature of some of the species populations, habitats would also need to be created ahead of time, so that they are established and proven to be suitable, so that species can be translocated or find the areas of their own accord before the original habitat is impacted.

Scarce species require specialist habitats that are not always easy to recreate, and some species do not migrate readily. Therefore, the approach to their conservation needs to focus on maintaining the population in-situ, and providing corridors and stepping stones to aid their long-term survival. Grizzled

Skipper in particular is not a strong migrator, and may struggle to colonise new areas.

The impact and proposed mitigation for invertebrate populations is unacceptable, and the proposals should be re-designed to better avoid, and mitigate impacts on site.

SWT would be pleased to discuss the proposals further in order to find sustainable solutions and achieve a biodiverse design. Should the above issues be addressed we will revise our comments.