

Via email

20 January 2017



Dear Eiryl McCook,

Application No: 16/25450/OUT
Development: Outline planning application for mixed-use development, comprising of the demolition of existing buildings and structures, the erection of up to 2,000 dwellings (Use Class C3), 2 no. Local Centres to provide up to 4,500 sqm of GIA (Use Class A1- up to 1,100 sqm, Use Classes A2/A3/A5 - up to 2,800 sqm and Use Class A4- up to 600 sqm), 1 no. Health Centre (Use Class D1- up to 600 sqm), 1 no. (up to 60 bed) elderly Living Facility (Use Class C2), a two form entry Primary School (Use Class D1), a five form entry Secondary School (Use Class D1), together with supporting infrastructure including: green infrastructure, highways and associated works. All matters are reserved with the exception of principal means of access on to existing highway
Location: Land North of Beaconside; Stafford, Staffordshire
Grid reference: SJ928266
Area of site: 143 hectares

Thank you for consulting Staffordshire Wildlife Trust (SWT) on the above application, received on 22/12/2016.

POLICY and REGULATION

National Planning Policy Framework

Relevant guidance relating to biodiversity at this site includes the following paragraphs:

9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):.....
- moving from a net loss of bio-diversity to achieving net gains for nature;

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Working for a Living Landscape

109.

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.....

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm 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;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have 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;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

This application would appear to comply broadly with the NPPF, in that the EIA concludes that there will be an overall significant net biodiversity gain. However, there are several residual minor adverse impacts that we feel could be better addressed through site design and possible off-site compensation.

ECOLOGY

Ecological Surveys

The ecology surveys and impact assessments have been carried out very thoroughly. There are some minor issues that would benefit from being corrected.

Phase 1 Habitat Plan Figure 2

There are some omissions and inconsistencies between the report text and the habitat plan - these should be amended, as it is important to have an accurate initial baseline for the site as the plans progress.

- Hedge 26 is listed as species-rich in the text, but is shown on the plan as species-poor.

- Five hedges, including one that is important, are described in the text and listed as outside of the application site, but are not labelled on the habitat map. It is usual to show all areas that have been mapped on a plan, including the site surroundings outside the red line, and all features mentioned in the text. This helps with clarity, and interpreting the site within the wider ecological network. These hedges and any other information on the surrounding area should be marked on the habitat plan.
- The ditch associated with hedge 49 is marked as a dry ditch, while the ditch at hedge 48 is marked running water - in the text these are described as the opposite way around.
- Not all mature trees have been marked- only those with bat roost potential.
- There is no symbol in the key showing the scattered scrub marked around TN7.

Wider Ecological Network

Biodiversity Strategies

Staffordshire Biodiversity Action Plan

The site is within the Central Farmland Ecosystem Action Plan area, with the Cannock Chase Heaths EAP just on the edge of the site to the east. As well as encouraging priority habitats and species of farmland, some heathy/ acid grassland type habitats may be possible within the proposed GI areas.

Green Infrastructure

'A Green Infrastructure Strategy for Stafford' November 2009 makes specific recommendations for Stafford Common and Astonfields Balancing Lakes and linking areas. It promotes the formation of a Community Park, to better serve local residents with poor levels of health and deprivation, improve flood management, and reduce the user-pressure on Doxey and Tillington Marshes SSSI. It also suggests the park could be extended to the north of the Beaconside road. It is not clear how this is to be delivered through the local plan, as much of the eastern 'arm' of the proposed park has now been given permission for development. The recommended enhancements to this area however would appear to tackle many of the issues raised in the EIA, and there are opportunities for this development to contribute to the area in line with the strategy, alongside other upcoming developments.

Living Landscape Projects

The site is partly within the Mosses and Meres Living Landscape Project area - the very western side. This supports the need to conserve wetland habitats and peat deposits present in this area.

The site also has an influence on drainage which flows into the River Sow, and is near to the Staffordshire Rivers and Staffordshire Trent Valley Catchment Partnership project areas. Drainage, wetlands, watercourses and ponds are therefore key elements to consider on the site. Further information:

<http://www.staffs-wildlife.org.uk/what-we-do/protecting-wildlife-and-wild-places/living-landscapes/staffordshire-rivers-living-landsca>
Nick Mott, Senior Wetlands Officer nmott@staffs-wildlife.org.uk

Agri-environment Schemes

According to <http://www.magic.gov.uk> the site does not have any areas within an Environmental Stewardship or Woodland Grant scheme.

High Speed Rail Phase 2a

The boundary of the land required for construction of the rail route, as presented in the most recent consultation documents, overlaps with the site boundary on the eastern edge. The proposed Sandon road diversion cuts through the site where balancing ponds and some houses are proposed - the final layout will need to be amended and features re-positioned. Proposals for wooded habitat screening the railway are suitable. There may be opportunities to increase habitats on the site to contribute to HS2 Ltd's need for habitat mitigation.

Designated Wildlife Sites

Statutory Wildlife Sites

- Cannock Chase SAC

Impacts to the SAC from increased visitor pressure have been recognised in the assessments, and proposed contributions to compensate this are welcomed.

- Doxey and Tillington Marshes SSSI

The EIA recognises that when operational, the development will increase the population of the area by around 4560 people, and is likely to result in a moderate increase in annual visitor footfall is anticipated, which may result in permanently increased levels of disturbance, poaching of fragile soils, dog fouling and littering. Although the proposed site GI will provide alternative areas for recreation and help minimise the potential effects of increased visitors on the SSSI, there would still be a residual impact of minor significance on a site of National level value. No specific mitigation is proposed to neutralise this impact, and we would welcome discussions as to how this could be addressed.

- Astonfields Balancing Lakes LNR (and LWS)

The potential for impacts to this site through pollution events has been well recognised in the Ecological Appraisal and EIA, and through good drainage design and construction methods should be avoided. Designing well-functioning flood balancing features is therefore important. However, the potential impact on the Marston Brook corridor that links the Astonfield balancing lakes to other wetland habitats and the wider countryside has not been highlighted. The development should avoid impacts to the brook corridor, by retaining habitat and avoiding development in floodplain areas. This will preserve and enhance the brook corridor

where it passes through the site. The EIA concludes that there will be a residual minor negative impact to the site through increased visitor pressure. Ways to neutralise this, through possible off-site contributions, should be sought.

Local Wildlife Sites (LWS)

- Stafford Common LWS

This is the closest local wildlife site to the proposal site. The northern part of the LWS is currently linked to the wider countryside and other possibly diverse grasslands to the north, however the large amount of development proposed all around this area threatens to cut off these links. The EIA has not considered the impact of severing connectivity and reducing habitat links around the LWS. The aim for all development should be to protect and where possible enhance Local Wildlife Sites, through extending, buffering (retaining/ creating sympathetic habitat around them), linking them to other high quality habitats. This helps strengthen a site's function and ability to support wildlife, as well as the wider ecological network. This development has the opportunity to retain and create some high quality grassland and wetland habitats in the western part of the site very near to the LWS. The Indicative masterplan already shows some positive features here, but proposed housing will also impact most of the existing marshy grassland, floodplain areas and the southern parts of the Marston brook in this western corner. The layout could be improved by re-locating some housing, to maximise the habitat, hydrological and recreational links here.

The EIA concludes that there will be a residual minor negative impact to the site through increased visitor pressure. Ways to neutralise this, through possible off-site contributions, should be sought.

Potential LWSs

Many areas of high value habitat exist in the borough that have not yet been assessed for LWS status. As LWS are a material consideration, if potentially high value habitats, identified through survey or other data, are to be impacted it is important to establish their status.

A number of habitats on the site have potential to be of LWS quality. These are: the marshy and semi-improved grassland at the south-western edge, the Important hedgerow H26 and possibly other higher quality hedgerows, Pond 1, and the orchard adjacent to New Buildings Farm. The western grasslands particularly contain up to 15 LWS 'scoring' flora species, and share many species with Stafford Common LWS, to which the area was linked before the Beaconside road was built. These features need to be assessed at the appropriate time of year using the Guidelines for the Selection of Sites of County Biological Importance in Staffordshire Version 4.03.02 (April 2015) available here http://www.staffs-ecology.org.uk/html2015/index.php?title=Site_Monitoring

The currently proposed Illustrative Masterplan appears to show most of the marshy grassland and orchard to be lost. Unless it is confirmed that these can be retained in the final design, the LWS assessments should be carried out before determination.

Geological Sites

There are no recorded geological features on the site, however there are several in the surrounding area, particularly sandstone outcrops in Hopton. Depending on the underlying geology of the site, there may be opportunities to create new geological exposures during construction, and this could be included in any landscape design.

Irreplaceable Habitats

There is no ancient woodland or veteran trees recorded on the site. However, the orchard adjacent New Buildings Farm is of some age, being marked on the 1881 ordinance survey map, and could be considered irreplaceable if the soil has been undisturbed for many years. Fruit trees also display 'veteran' features more quickly than other trees and can support scarce insects and fungi.

Priority Habitats (Habitats of Principal Importance for Conservation in England (NERC Act 2006) and Staffordshire LBAP Habitats)

The following Habitats of Principal Importance (HPI) are present, or potentially present, on the site:

Traditional orchard- The orchard at New Buildings Farm is recorded on MAGIC as a traditional orchard. This HPI has not been recognised by the assessments. It should be retained in situ, and could perhaps be extended as part of the proposed community greenspace proposed on the indicative masterplan. It could also be used as an educational resource for the primary school.

Native Hedgerows - the Ecological Appraisal confirms all the hedges on site are over 80% native species and therefore meet the HPI definition. Species-rich hedges, of which there is one reported (H26) are a local BAP priority habitat. Most of the hedges are proposed to be retained. Where this is not possible, suitable hedge shrubs can be translocated to form new features that will establish faster than newly planted hedges. New hedge planting, and enhancement of retained hedges with locally native plants, standard trees and flora should be included to ensure no net loss of this habitat.

Ponds - The only pond on the site, Pond 1, may qualify as a HPI if of sufficient quality, and is also a LBAP habitat. The GCN report found it to be of good habitat suitability for GCN although none were found during surveys. The pond is proposed to be retained and enhanced which is welcomed, as are proposed new water bodies.

Lowland mixed deciduous woodland - the small area along the access road to Newbuildings farm is a HPI and LBAP habitat. This does not appear to be retained as part of the proposed destination park, which may be an option. However the new areas of proposed woodland would provide a net gain for this habitat, if soil, planting mixes and ground flora specifications are well designed.

Marston Brook - The watercourse is a HPI and LBAP habitat. There are opportunities to enhance the brook with some tree thinning to allow more channel

vegetation to grow, and creation of more wetland and grassland habitats adjacent. The masterplan indicates this will occur to some extent, but some sections of the brook are proposed to be developed around, leading to some adverse effect. This should be avoided.

Floodplain grazing marsh - The marshy grassland on the site would qualify as this HPI, which has not been highlighted in the assessments. These areas are currently shown to be mostly lost to housing- they are small but possibly the most diverse part of the site, and should be retained. New marshy grassland habitats are proposed, which is positive, but the enhancements could be further maximised. This western area is a key link to Stafford Common LWS, and the Marston brook corridor. Sympathetic habitats should be concentrated in this location to strengthen the ecological network, and not deplete it.

This western part of the site is also recognised as a key area for managing drainage of the site. The focus here therefore would ideally be to avoid additional impacts and potential engineering issues, and maximise the area's water balancing function and biodiversity value. The Baseline Hydrology Plan 09-0473-50B shows distinct areas that are prone to flooding, which neatly coincide with peat deposits. As well as lending itself to drainage management, this geology should enable the creation of some valuable wetland habitats. It is also important to maintain peat deposits in situ, avoiding drying or excavation as this can release the stored carbon within them. We therefore recommend that the floodplain areas and peat deposits as far as possible are kept free of development. The Indicative Masterplan already includes a flood balancing feature and school playing fields here, and it would appear that some slight adjustments to the layout should be possible to further minimise impacts. Parts of housing blocks R32 and R27 could be re-located to less sensitive areas.

The site also presents potential for creation of new priority habitats, including reedbeds, lowland meadows and possibly dry acid grassland, and further lowland mixed deciduous woodland which, depending on ground conditions, could contain some heathland species and character. To achieve a net gain for wildlife, we recommend that all new semi-natural habitats are designed to reach a quality that will contribute to local BAP targets. Soil handling will be key- topsoil should be used on gardens, parks and allotments, leaving poorer soils for creation of diverse habitats.

Landscape Features of Major Importance for Wild Flora and Fauna (Article 10 Habitats Directive (92/43/EEC))

[Article 10 asks member states to:

"endeavour, where necessary, in their land use planning and development policies, and with a view to improving the ecological coherence of the Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora."

It then goes on to mention some specific features which can contribute to that coherence:

"Such features are those which, by virtue of their linear and continuous structure or their function as stepping stones .are essential for the migration, dispersal and genetic exchange of wild species."]

Paragraph: 009 Reference ID: 8-009-20140306 of the Planning Practice Guidance states that:

'Relevant evidence in identifying and mapping local ecological networks includes: main landscape features which, due to their linear or continuous nature, are important for the migration, dispersal and genetic exchanges of plants and animals, including any potential for new habitat corridors to link any isolated sites that hold nature conservation value, and therefore improve species dispersal.'

The watercourses, hedges, small woodlands, pond, orchard and marshy grassland are all corridors or potential stepping stones. These will be largely retained, and enhanced with new habitats that will strengthen some links. However, more could be done to preserve some features, and enhance the links to Stafford Common and the Marston Brook corridor.

European protected species (Habitats Regulations 2010)

Bats (all)

The approach to bat conservation is welcomed. Further thought should be given to including specific dark commuting corridors for the known roosts on site.

Great crested newt (GCN) (Also UK protected, NERC S41, Staffs BAP)

The approach to GCN conservation and mitigation is suitable, and should result in a net positive outcome. Further survey work on un-surveyed ponds near to the site is required, to finalise the mitigation plans and potentially site layout.

UK protected species (Wildlife and Countryside Act 1981 as amended, Protection of Badgers Act 1992)

All wild nesting birds, Schedule 1 Birds

The proposed approach is satisfactory.

Badger (Protection of Badgers Act 1992)

The proposed approach is generally satisfactory, but there remains a residual minor adverse effect on this species – this could be reduced through further improvements to the layout design.

Priority Species - Species of Principal Importance for Conservation in England (NERC Act 2006 Section 41) and Staffordshire Biodiversity Action Plan Species

Local authorities have a duty to consider species listed on the NERC S41 list, Staffordshire BAP and any local BAP, and they can be a material consideration.

Several legally protected species are also priority species therefore we deal here with any species not already mentioned above.

Birds

The EIA concludes there will be minor adverse residual effects on some priority farmland birds, namely lapwing and skylark (breeding and wintering), linnet and yellowhammer (breeding). The report states it is impossible to mitigate within the development site as it will no longer be suitable for these species; however, off-site compensation would be possible.

Residual effects on a range of other bird species would be either negligible, or moderately beneficial. This would to some degree offset the impacts to the farmland specialist birds.

Mammals

- Brown Hare

The EIA concludes that this species will 'likely be lost from the North of Stafford allocated site due to the development of the Application Site and of the neighbouring development sites, resulting in a minor negative effect at a local to District level.' Far from being impossible to mitigate, off-site improvements for this species could be secured.

- Hedgehog and Polecat

Both species have been recorded on the edge of the site, and could use habitats within the site. They do not appear in the data search results presented in the Ecological Appraisal. This is probably due to the records having been added after the data search was carried out. Potential impacts need to be assessed, and suitable habitat provisions made in the design. Permeable boundaries for gardens are particularly important for hedgehogs and should be specified in the detailed design.

Amphibians

- Common Toad

This species is not mentioned in the assessments, other than it appearing in the data search. No toads were reported in the GCN survey report; surprising given that 19 ponds are included in the report, and 7 contained smooth newts. It is likely that this species is present on the site. The proposed mitigation for GCN should also effectively conserve other amphibians on site – this needs to be considered within the final mitigation strategy.

HYDROLOGY

As previously mentioned, we strongly recommend avoiding built development in the modelled floodplain areas of the site and over peat deposits. Culverting should be avoided or minimised – avoiding crossings where possible and using bridges would be preferable. Sustainable Drainage Systems (SuDS) should not simply rely

on balancing ponds, but use source control methods. Rainwater butts on all buildings, and rainwater harvesting within large buildings such as the schools, would assist with water management as well as reducing potable water usage and running costs.

ACCESS AND COMMUNITY ISSUES

The Indicative Masterplan includes two potential allotment sites, on the outskirts of the development. This would appear to require most residents to drive to them; it also would urbanise some of the 'wilder' habitats on the edges of the site, which would be better kept as natural areas to give users a more 'open countryside' experience. We suggest the allotments would be better placed more centrally in the development, perhaps on three sites, to give better access to residents on foot, and to contribute to the urban greenspace resource. Allotments adjacent the existing orchard would be especially appropriate, as would enabling the new schools to use them as a resource.

Natural England's Accessible Natural Greenspace Standards should be met, and consideration given in the detailed design for natural play and shared space for children and young people.

How the site links and contributes to the GI features in the wider area should be further considered.

SUMMARY

Staffordshire Wildlife Trust recognises the generally positive design of the outline proposals for wildlife, but feels that there are some issues that need to be clarified and addressed before the application can be determined- therefore we submit a holding objection at this time, pending further information and amendments, after which we would hope to be able to revise our comments.

We advise the following are sought:

Before determination –

Information:

- Amend and clarify Phase 1 Habitat Plan
- Assess higher value habitats against the Staffordshire Local Wildlife Site criteria, or guarantee their retention in situ where proposed to be lost.

Changes:

- Amend the layout to retain the traditional orchard at New Buildings Farm, and avoid development of the modelled floodplain areas, peat deposits, marshy grassland and Marston Brook corridor in the western tip of the site.

Secured through conditions should permission be given in future –

- Detailed plans for habitat creation, soils, flood management, and species mitigation strategies.

- Ecological Management Plan to include measures to protect, replace, enhance, manage and monitor important habitats and species.

Secured on land off-site through a S106 agreement should permission be given –

- Off-site compensation for the predicted residual minor negative effects to Doxey Marshes SSSI, Astonfields Balancing Lakes LNR/ LWS, non-statutory wildlife sites, lapwing, skylark, linnet, yellowhammer and brown hare. It may be possible to address all these effects together via some simple measures.

Staffordshire Wildlife Trust would like to be kept informed of progress with this application, and receive details of the final permission/ refusal. The Trust would be pleased to assist in formulating any conditions or biodiversity advice on site. Please contact me if you have any queries regarding this response.

Regards,

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