

Via email

6th March 2017



Dear Vicki Wootton,

Application No: 60696/OUT
Development: Development of up to 350 dwellings and associated infrastructure (Outline - All Matters Reserved Except Access)
Location: Land to the west of Caverswall Lane, Meir, Stoke on Trent
Grid reference: SJ942424
Area of site: 13.57 hectares

The Wolseley Centre
Wolseley Bridge
Stafford
ST17 0WT
Tel: 01889 880100
Fax: 01889 880101
info@staffs-wildlife.org.uk
www.staffs-wildlife.org.uk

Staffordshire Wildlife Trust (SWT) would like to comment on this application as there are nature conservation issues. We have viewed the following documents:

- Preliminary Ecological Appraisal November 2016 Wardell Armstrong
- Bat Survey Report November 2016 Wardell Armstrong
- Great Crested Newt Survey Report November 2016 Wardell Armstrong
- Barn Owl Survey Report November 2016 Wardell Armstrong (Confidential)
- Illustrative Masterplan undated TPM Landscape

We have not been able to review the information in great depth, but comment on the main issues below.

POLICY and REGULATION

National Planning Policy Framework

Guidance relating to biodiversity within planning and planning decisions 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;

109.

Chairman
Richard Higgs
Chief Executive
Julian Woolford

Registered Charity No. 259558
Limited Company No. 959609
Registered Office: The Wolseley
Centre
Wolseley Bridge, Stafford, ST17 0WT



Working for a Living Landscape

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;
- 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/ not to comply with the NPPF in terms of the likely net impact on biodiversity, as large areas of reasonably diverse grassland will be lost with very little retained as green space.

ECOLOGY

Wider Ecological Network

Biodiversity Strategies

Staffordshire Biodiversity Action Plan

The site is within the Urban Ecosystem Action Plan area, but just on the boundary of the Species-rich Farmland and Central Farmland EAPs.

Agri-environment Schemes

According to <http://www.magic.gov.uk> the site is within an Organic Entry Level plus Higher Level Stewardship scheme which began in 2013. The management within such schemes is designed to benefit wildlife, so it may be expected that the site would support more species than intensively farmed land.

Designated Wildlife Sites

There are no designated wildlife sites in the locality that would be impacted, however habitat on the site has the potential to be of high value, see below.

Potential Local Wildlife Sites (LWS)

Many areas of potentially high value habitat exist that have not yet been assessed for LWS status, either through lack of funding or access restrictions. If potential high value habitats, identified through survey or other data are to be impacted it is important to establish their status before a fully informed decision can be made.

The grassland habitat on site has potential to be of LWS quality and needs to be assessed 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 grasslands contain a number of species that score within the criteria, although, as the habitat survey was carried out in April 2016, not all flora species will have been recorded. All the grasslands should be assessed for LWS status, with full species lists and DAFOR scale abundances recorded in spring and summer. Should an area of the site be designated as a LWS, the appropriate avoidance, mitigation or compensation would need to be applied.

The woodland area adjacent to the main site has not been surveyed - this area is marked on the Illustrative Masterplan as a Potential Housing Development, with a potential road connection through it. The woodland has the potential to be impacted by the development through severance of connections to the current semi-natural habitats, and indirect effects of increased recreation pressure etc. It is therefore important it is surveyed, and assessed against the LWS criteria should it be of sufficient potential value. The design should aim to link up, buffer and expand important habitats within and outside the site.

HABITATS

Semi-improved grassland

There is not sufficient mitigation for the loss of large areas of semi-improved grassland, which would lead to a net loss of biodiversity. Most is proposed to be lost, with only around 3-4 hectares of grassy open space proposed. Much of this would presumably be amenity grassland rather than retaining the original habitat or creating species-rich meadows. Some loss of area could be mitigated by enhancing the diversity of the retained areas, but this would depend on the current diversity of the grassland, and there is a limit to how functional small areas can be. To approach achieving no net loss of biodiversity on the site, a larger proportion of grassland would need to be retained, at least a third of the site, to be able to balance impacts.

Watercourses

It is not clear from the Illustrative Masterplan whether all the small watercourses present will be retained in situ without culverting, as they are not shown on the plan, although areas of green space do correspond with their locations. These water features should be incorporated into the design, avoiding any culverting as far as possible, and enhanced by adding length with new meanders and natural features. Sustainable drainage features are welcomed, but should be 'off-line', i.e. feed into the channels rather than be within them.

Habitat enhancement

We welcome the retention of hedgerows and mature trees as indicated on the Illustrative Masterplan. Recommendations within the Preliminary Ecological Appraisal for enhancing habitats are good, although this will not sufficiently compensate for that lost, in terms of grassland. To enhance or create new wildflower areas we recommend using green hay from a nearby diverse grassland rather than a seed mix. Hedgerow shrubs needing to be removed could be transplanted to achieve faster- establishing hedge/scrub habitat where required.

SPECIES

No date is given for when the data search was carried out in the Preliminary Ecological Appraisal. It does not appear that data from any nearby planning applications has been checked. As not all data is sent to Staffordshire Ecological Record, and there is also a time lag for any that is to be uploaded, recent ecological surveys carried out for other projects may have information relevant to the site.

European protected species (Habitats Regulations 2010)

If a European protected species will be affected and therefore a licence required for the development, the LPA must actively consider the 3 tests within the Habitat Regulations 2010, which is required for the LPA to have due regard to the Habitats Directive. Derivations from the regulations should only be permitted:

1. For the purpose of 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.
2. Where there is no satisfactory alternative.
3. Where the proposed action is not be detrimental to the maintenance of the species concerned at a favourable conservation status in its natural range.

Therefore, actions to minimise impacts and avoid the need for a licence are preferable in the first instance. If impacts will occur, adequate information for the LPA to determine the above 3 points is required.

Bats (all)

Activity transects were carried out in May, July and September 2016, and not a great deal of bat activity recorded. Five mature trees within the site have suitable features to support roosting bats - these should be retained and linked with suitable habitat, to avoid the need for further surveys or mitigation. The recommendations in the bat report should be secured.

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

Eight ponds were identified by Wardell Armstrong within 500m of the site, and three of these were deemed appropriate to survey. However, two ponds are shown on the current OS map to the west of the site that have been missed from the assessment. A pond on the Crescent Primary School at SJ 9408 4256 is 110m from the site, and a relatively newly constructed pond is present 380m from the site at SJ 9380 4260 off Pipers View. There does not appear from the report to have been any attempt to find ponds in domestic gardens that could be relevant to the site.

Waterbody 3, at Caverswall Park, was not surveyed because the landowner stated that GCN presence/absence surveys had been undertaken on the pond within the last two years by another environmental consultancy (Solum Environmental) and no GCN had been recorded. The data, or report containing this survey data, has not been provided, therefore it is not possible to judge whether these surveys were conducted, or if they were a sufficient standard. This data must be provided in order to rule out this pond.

UK protected species (Wildlife and Countryside Act 1981 as amended, Protection of Badgers Act 1992) and Priority Species - Species of Principal Importance for Conservation in England (NERC Act 2006 Section 41) and Staffordshire Biodiversity Action Plan Species

Badger (Protection of Badgers Act 1992)

A pre-construction badger check would be needed.

Birds

The site is large enough, with suitable habitat, for a number of priority bird species to use for breeding and wintering, particularly ground nesting species that require large open fields. Since the data search was made, a number of species sightings have been reported from the site including Barn owl, European Golden Plover (both Schedule 1 listed) Skylark, Lapwing, Curlew and Common Snipe. A large number of other priority birds have also been recorded within the 1km grid square that the site is in, most of which would be likely to use the site. Because the land is in organic stewardship, and is adjacent to other semi-natural areas, it is more likely to support priority bird species. Given that four species of owl were recorded during the barn owl survey, this gives some indication of the quality of habitat in the area.

While birds of hedgerows and gardens could persist post development, most farmland species would be lost if the majority of the site is developed as indicated, as they need large open fields or wetlands. So, compensatory habitat would need to be provided on, or ideally off-site. This would mean drastically changing the layout to retain a sizeable area of grassland that could be enhanced, or by providing a compensation area off-site.

For the size and type of site, we would expect breeding and wintering bird surveys to have been conducted. It is important that the presence and numbers of protected and priority birds are known, so that appropriate mitigation or compensation can be included, and we request these surveys are conducted.

Barn Owl is a priority species in the Staffordshire Biodiversity Action Plan, and is therefore a consideration in terms of maintaining their conservation status. Barn owls were not found to be breeding on the site itself, but a breeding pair were using the site as part of their foraging territory to support a nest off-site. T1, T4, T5 have potential to support barn owl nesting/ roosting in future. T5 was confirmed as an occasional roost. The report makes a number of recommendations, including retaining mature trees and semi-improved grassland, incorporating commuting routes into the layout design and installing a pole box on the northern boundary of the site. All of the report recommendations should be enacted. The Illustrative Masterplan currently shows that around 20% of the green areas will be retained, which would greatly reduce barn owl hunting habitat on the site. Barn owls favour rough grassland that has built up a layer of dead grass, as this supports a lot of small mammals. Therefore, amenity grassland is not a good resource, but areas of grass that are left for 2-3 years between cutting would provide good quality habitat. These can be in strips, as long as they are at least 6m wide. This would need to be incorporated into the site design.

Mammals

The many records of Hedgehog in the area were highlighted in the PEA report- as well as good habitat within landscaped areas, it would be important to include boundaries that are permeable to small mammals within the site between gardens, to allow access to as much habitat as possible.

Brown Hare has been recorded on the site in 2016. Adequate habitat needs to be retained for this species in order to avoid any impacts

Reptiles and Amphibians

A method statement for site clearance should be secured, and a specific safe area/ areas selected to transfer any reptiles found. Common toad was recorded in Waterbody 1 and 2. Protective measures have been recommended.

SUMMARY

Staffordshire Wildlife Trust submits a holding objection to the proposals, due to lack of information on potential Local Wildlife Site areas, great crested newts, and protected/ priority birds, along with proposed loss of large areas of habitat without mitigation, leading to a likely net loss of biodiversity. Should sufficient information be provided and a design that achieves no net loss/ net gain for wildlife, we would revise our comments.

We advise the following are sought:

Before determination –

Information:

- A. Assessment of grassland on site against the Staffordshire Local Wildlife Sites criteria

- B. Survey of adjacent woodland and assessment for LWS status if appropriate.
- C. Great crested newt survey information for Waterbody 3
- D. Assessment of missed ponds and any garden ponds near to the site, for great crested newt potential and/or presence.
- E. Breeding and wintering bird surveys

Changes:

- F. Amended illustrative layout to incorporate necessary habitat retention and mitigation for grasslands, watercourses, priority farmland birds and barn owl.

Secured through conditions should permission be given in future –

- A. Ecological Management Plan to include measures to protect, replace, enhance, manage and monitor important habitats and species, incorporating any recommended actions provided within the current reports or additional assessments.

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

- B. Any off-site compensation that cannot reasonably be provided on site.

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,

Kate Dewey BSc (Hons) MCIEEM

Planning and Conservation Officer

Direct dial 01889 880122

E-mail k.dewey@staffs-wildlife.org.uk