

Via email

2<sup>nd</sup> February 2018



Dear Rachel Killeen,

**Application No:** 17/01024/FUL  
**Development:** Demolition of existing buildings, erection of 97 houses access, parking and amenity space (Revised Proposal)  
**Location:** Land Off Meadow Way Baldwins Gate Newcastle Under Lyme ST5 5LS  
**Grid reference:** SJ798401  
**Area of site:** 4.62 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](http://www.staffs-wildlife.org.uk)

Thank you for consulting Staffordshire Wildlife Trust (SWT) on the above application, received on 05/01/2018. We have viewed the following documents:

- Ecological Assessment report 7076.EcoAss.vf3 dated December 2017 by Ecology Solutions
- Planning Layout BG-PL-01H Rev H dated 13 Dec 17 by Bellway Homes
- Detailed Soft Landscape Proposals (1 of 2) Rev K dated 15 Dec 17 by Pegasus
- Detailed Soft Landscape Proposals (2 of 2) Rev K dated 15 Dec 17 by Pegasus
- Flood Risk Assessment and Drainage Strategy Rev A dated 12 Dec. 17 by Travis Baker
- Review of Relict Mosses and their Suitability for Restoration Management Site Dossier: Chorlton Moss, Staffordshire (P252) Penny Anderson Associates for Natural England June 2008

Please also refer to our previous comments on 16/01101/FUL, namely our letters of 13 February 2017 and 24th May 2017 which remain relevant to this application.

### National Planning Policy Framework

This application would appear not to comply with the NPPF, as it would cause a net loss of biodiversity due to the loss of diverse habitats within the site, and would also result in further deterioration of an irreplaceable habitat.

**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**

## **Staffordshire Biodiversity Action Plan**

The site is mostly within the Meres and Mosses Ecosystem Action Plan (EAP) area, and on the edge of the Wooded Quarter EAP. Priority habitats and species include in these areas are available here: <http://www.sbap.org.uk/actionplan/index.php>

## **Newcastle-under-Lyme Biodiversity Opportunity Mapping report March 2014**

This report, funded by Natural England and produced in partnership with Newcastle-under-Lyme Borough Council and other bodies builds on the SBAP and identifies more detailed objectives for the borough. It states:

*'The biodiversity opportunity map for the Borough of Newcastle under Lyme will form an essential component of a planning officer's checklist in establishing how a planning proposal can contribute appropriate maintenance, enhancement or restoration for local biodiversity. In addition, the map can inform the targeting of agri-environment schemes, the compilation of Neighbourhood Development Plans, development of landscape-scale initiatives and acting as part of a local plan evidence base.'*

*'Any prospective planning application should be viewed in conjunction with the biodiversity opportunity zones, as well as the Staffordshire Biodiversity Action Plan.'*

Chorlton Moss is specifically identified as one of the Meres and Mosses opportunity zones. The report states:

*'These important sites occur as isolated parcels within the Borough, and due to their geographic spread the surrounding environments are variable. However, most are associated with a wetland complex beyond the lowland raised bog and eutrophic standing waters and are an integral part of a larger catchment area.'*

The primary objective for this habitat type within the borough is *'maintenance, restoration and expansion of wetland complexes, with particular emphasis on the mosses resources.'* Further objectives are to increase connectivity of semi-natural habitats around sites and encourage appropriate management of wetland catchments to increase sustainability, resilience and water quality. Issues posing a threat to meres and mosses include fragmentation of semi-natural habitats through further loss due to land use change, and hydrological changes particularly lower water tables as a result of artificial drainage. Both of these are relevant at this site.

A specific target is *'Restoration and improvement of existing biodiversity interest at Chorlton Moss to ensure more favourable conditions and improve resilience to environmental change.'*

The current proposal threatens the current and future integrity of Chorlton Moss, by impinging on the Functioning Ecological Unit and undermining any future restoration of water levels. It would destroy part of the wetland complex beyond the lowland raised bog, reduce connectivity and would not achieve restoration and expansion of the wetland

complex. It would not contribute to the target to restore biodiversity interest at Chorlton Moss, ensure more favourable conditions or improve resilience to environmental change.

### **Designated Wildlife Sites**

#### Chorlton Moss Local Wildlife Site, reference number 73/99/98

At the Local Wildlife Sites grading committee meeting on the 25th January, the data provided by Ecology Solutions on the habitats within the application site was considered. It was agreed that the boundary of the Chorlton Moss LWS should be extended to incorporate the marshy grassland habitats surveyed, and that whole management units (field boundaries) would be included where the majority of the area met the criteria. The new boundary is shown in the map attached. The boundary and site information will take some time to be updated within the systems of Staffordshire Ecological Record, as a number of other sites across the county also need to be processed. However the updated site information has been provided to Newcastle-under-Lyme Borough Council.

The majority of the grassland habitats within the application site boundary will be lost or in some way disrupted. No figures are provided in the application documents as to the areas to be retained, lost and created, and we request these are provided. Around 1.55 ha of the LWS would be lost (if we assume that all areas will be re-modelled). This includes around 0.58 ha of wet grassland, as mapped from the Ecological Assessment habitat plan. Measuring areas from Plan ECO5: Key Ecological Mitigation and Enhancement Measures within the Ecological Assessment report it would appear around 0.36 ha of new wet grassland is proposed to be created. The created habitats would be smaller in extent, take some time to establish, and as they would be part of public open space, would experience much greater disturbance. If created from a seed mix, they would not be of the same local character as the existing grassland. It is therefore doubtful that they would attain the same value or functionality as the current habitat. This is not sufficient to compensate for the wet grassland lost, or the overall loss of grassland habitat from the whole application site.

The proposed SuDS basin is located within the revised boundary of the LWS. It would impact existing important wet grassland habitat. SuDS should not be located in already diverse habitat, but seek to enhance poor habitat. Any excavations within the FEU and so close to the moss would risk impacting the local hydrology and water flow to the moss. The basin would also be within an area at risk of pluvial flooding. SuDS should be outside of flood risk areas to be effective at storing water additional to areas that already flood. Otherwise, at times of high rainfall, there is a risk that floodwater could overtop the basin and take pollutants out of the site.

We object to any development within the LWS that does not enhance the habitats therein.

The Functioning Ecological Unit (FEU) of the lowland raised bog is the basin within which an active peat-forming bog habitat and associated fringing wetland habitats could be

expected to be restored if appropriate water levels and management were to be put in place. The wider peat deposit covers a much larger area, including under much of the Baldwin's Gate settlement.

As well as being an Annex 1 habitat, the lowland raised bog is an irreplaceable habitat. The proposals still threaten this habitat, which is contrary to the NPPF, by impinging on the FEU, removing associated wetland habitats, potentially altering the surrounding hydrology by treating the peat layer and by changing surface water flow patterns and storage.

We object to any development within, or indirectly affecting the FEU, and that a suitable buffer of complimentary habitat is retained beyond the FEU boundary. We advise that this buffer should follow the 'Probable extent of hydrological effects' as shown in the Natural England Management Site Dossier for Chorlton Moss. Avoiding this area would avoid compromising future restoration potential of the moss. It would also avoid the areas of the site at risk of pluvial flooding.

Ecology Solutions are incorrect in stating that the current likelihood of restoration must be considered. This is irrelevant to the site's value, and does not need to be considered in decision making. The raised bog is irreplaceable, is 'capable of restoration' and is therefore an Annex 1 habitat and requires protection. Whether restoration may or may not happen in the next ten years or next 100 years, is not predictable in the long-term, and is not a factor in valuating the resource. What is certain, is that if damaging development is allowed within sensitive areas, the future prospects of restoration will be jeopardised, probably irreversibly.

The proposed management of part of the moss to restore acid grassland would be beneficial, but will not restore active peat bog, as water levels would need to be raised across the area. It is unlikely that ditch blocking in this area would re-wet this area, as the ditches proposed for blocking do not contain water and are not the main drainage channels affecting the moss. As the location of proposed development would impact the moss's FEU and seriously hamper any future restoration of water levels, the proposed restoration work would not mitigate for the overall long-term effects of the development.

### Potential Local Wildlife Sites

As Ecology Solutions point out in their report, the grassland to the south of the application site is similar to that in Field 2, and is likely to be MG10 (or M23). Aerial photographs also show this grassland to be similar in appearance, if not wetter, than the wet grassland within application site. It is therefore highly likely to be of LWS quality. As there is no survey information available, despite previous request to survey this area, this cannot as yet be designated. However given the strong evidence, these and other wetlands surrounding the LWS should be considered as potential LWS habitats. Any development adjacent to these areas would fragment the currently connected wetland habitats, and also potentially alter their hydrology, causing further impacts outside of the application site.

## **Other Key Habitats**

### Watercourses

Culverting of the ditches within the development and the open space would lead to the net loss of around 185m of watercourse. Avoiding development within the LWS would avoid this impact. There should be no net loss of watercourse channel length.

### Hedgerows

Hedges 2,4 and 5 would appear to be entirely lost within the current layout; a total of 128m of defunct hedge and 27m of intact hedge. Although the Plan ECO5 mentions new tree and hedgerow planting, none is shown on this plan, and neither plan for Detailed Soft Landscaping Proposals shows any native hedgerow planting. We object to the net loss of native hedgerow. Avoiding the LWS would help to avoid these impacts; other hedges could be retained. Any hedge removal should be replaced with double the length of new native hedge, to offset the years to establish the same structure and habitat value.

## **SUMMARY**

Staffordshire Wildlife Trust submits an objection to the proposals, due to impacts to a Local Wildlife Site with insufficient mitigation, indirect impacts to an irreplaceable habitat, indirect impacts to potential LWS areas, net loss of watercourses and native hedgerows, and overall net loss of biodiversity.

We advise that the application be refused, unless the following amendments can be made:

- Avoid damaging development within the Local Wildlife Site, and Probable extent of hydrological effects as shown in the Management Site Dossier: Chorlton Moss
- Avoid locating SuDS within existing diverse habitats.
- Avoid net loss of ditches and native hedgerows.
- Avoid overall loss of biodiversity, and contribute to the aims of the Meres and Mosses biodiversity opportunity zone.

Staffordshire Wildlife Trust would like to be kept informed of progress with this application, and receive details of the final permission/ refusal. Please contact me if you have any queries regarding this response.

Regards,

Kate Dewey BSc (Hons) MCIEEM

**Senior Planning Officer**

Direct dial 01889 880122

E-mail [k.dewey@staffs-wildlife.org.uk](mailto:k.dewey@staffs-wildlife.org.uk)