Via email to contactus@communityrelations.co.uk

24 July 2016

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Dear Sirs,

Re: West Midlands Interchange Stage 1 Consultation

Development:	Strategic Rail Freight Interchange (SRFI) with warehousing and other associated development
Location:	Land west of Junction 12 of the M6, South Staffordshire
Grid reference:	SJ920097
Area of site:	250 hectares

Thank you for consulting Staffordshire Wildlife Trust on the above application, received on 15/06/2016. We have viewed the following documents:

- Environmental Report Stage 1 Consultation June 2016, Four Ashes Ltd
- Layout Options Plans

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.
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.....

111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.....

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;
●development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
●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.

It is difficult to know at this early stage whether the proposals will comply with the NPPF in terms of a net gain for wildlife, as the design has not been finalised. It is also not clear as to the value and area of habitats that will be created, versus those on site at present. We request that in the EIA are clearly presented, in a table, the area of each habitat type present currently, and the area of each habitat proposed to be retained, lost and created.

We strongly recommend biodiversity offsetting metrics are used to measure the overall value of habitats pre and post construction, so that this can inform layouts, the proportion of the site developed, and possibly the need for off-site compensation. Given the large proportion of the site to be developed, the remaining green areas will need to be of high biodiversity value. Many are narrow or small and so may have less functionality than the larger blocks of habitat. The use of buildings to incorporate green roofs and walls, and the overall design, use and management of habitats between and around the built areas will be key to achieving a net gain.

ECOLOGY

Wider Ecological Network

Character Areas

The site lies just within the south-east corner of NCA 61 'Shropshire, Cheshire and Staffordshire Plain', with NCA 67 'Cannock Chase and Cank Wood' just to the east. About 1.5 km to the south is NCA 66 'Mid Severn Sandstone Plateau'. The Staffordshire Planning for Landscape Change 1996 - 2011' (2000) SPG maps out Landscape Character Types (LCT) across the county. The site includes two LCT; the land to the east of the canal lies within the 'Settled Heathlands' LCT and to the west of the canal it lies within the 'Ancient Clay Farmlands' LCT. Landscape Character Sub types covering the site are Farmland, but there are areas of Parkland and Estatelands nearby.

Figure 7.1 Landscape Character does not have the site boundary marked on the map.

As the site lies on the boundaries of a number of character areas and types, this would indicates a mixture of habitat types could be appropriate on the site. Farmland is the predominant current landscape on most of the site, however heathland and parkland features would also be appropriate to create or restore. Using these 'themes' could make each part of the site more distinctive and any habitat creation less patchy.

Biodiversity Strategies

South Staffordshire District does not have a district BAP or a Biodiversity Opportunity Map that we know of.

Staffordshire Biodiversity Action Plan:
The site is within the Central Farmland Ecosystem Action Plan (EAP) area, where priority habitats include Hedgerows, Arable Field Margins, Rivers, Ponds Lakes and Canals, Lowland dry acid grassland and Lowland meadow. Species include several farmland birds such as Lapwing and Yellow Wagtail, Brown Hare, Otter, bats and Polecat.

It is bordered on the western side by the Southern Parklands EAP, so the priorities for this area may be appropriate especially in the western side of the site. Parklands (mature trees within species-rich grassland) are very compatible with recreational use, and form a distinctive landscape, so may be useful for public spaces.

The Cannock Chase Heaths EAP is also nearby to the east. Given the sandy soils on much of the site and its former heathland nature indicated by 'Calf Heath' as well as the relic heathland characteristics of the landscape, creation of heathland and acid grassland could be feasible. As opportunities to create new heathland are rare, and operational industrial sites can allow less physically disturbed green areas, heathland habitats should be considered.

The type of habitats appropriate for the scheme ultimately depend on soil conditions in each part of the site, the other uses and character of the landscape required for green areas, and the ecological functionality and size of undeveloped spaces within the development. However the design should refer to the Staffordshire BAP and explain how it will contribute to the habitat and species targets.

We strongly recommend that a site Biodiversity Action Plan is formulated, similar to those used at the Olympic Park in London, and the National Football Centre near Burton in East Staffordshire. This would set out aims for the key habitats and species to be conserved, created or attracted to the site, and how this will be achieved and monitored. It has proven to be a good method to focus activity, solve issues and report successes.

If the scheme is to go ahead, we would expect it be an exemplar for sustainability, including ecology. There are a number of good practice sites within Staffordshire that demonstrate wildlife gains alongside large-scale development, and we would be pleased to help arrange visits to these if that would help guide the design of this project.

Living Landscape Projects

The site is within the Mosses and Meres Living Landscape Project. This is an area selected by SWT and other partners as a potential project area- it is covered partly by the Meres and Mosses project based in Cheshire, but is not an active project at the moment. Large water bodies are a feature in the landscape here however, and so the inclusion of several water features in the layout options is welcomed.

Agri-environment Schemes

Areas of land to the west of the rail line running through the Site, and to the south-west of Woodside Farm are managed within an agri-environmental scheme - Entry Level Environmental Stewardship. Some areas are also under Woodland Grant Schemes 1 and 2. The EIA should consider the conservation aims of these schemes and provide mitigation for any habitat gains that will be lost.

Designated Sites

Although designated sites are described in section 5 of the report, it would be helpful to show a map of these in relation to the site.

Statutory Wildlife Sites

The proposed approach to assessment of potential impacts upon the two European Sites within 10 km (Mottey Meadows and Cannock Chase SACs) is welcomed.

The nearby Four Ashes Pit Site of Special Scientific Interest (SSSI) would not appear to be affected, and there are no other SSSIs near or on the site. However, the EIA must investigate any areas with potential to be included in a statutory site. This could include Gailey Reservoirs, as we understand the area was at one time a SSSI, and supports a large heronry which has been present for at least 200 years

and has been well studied (personal communication from a local bird expert). The site should be fully investigated and its potential regional or national importance considered.

Local Wildlife Sites (LWS)

Gailey Reservoirs Site of Biological Importance 91/30/53 has not been surveyed in detail and there is no detailed citiation or species list for Calf Heath Reservoir which is nearest the proposal site. The whole reservoir complex was surveyed in 2011 but not in great detail. Calf Heath Reservoir should be re-surveyed for appropriate species including flora, amphibian and bird species and re-assessed against the Guidelines for the Selection of Sites of County Biological Importance in Staffordshire, available at http://www.staffs-ecology.org.uk/html2015/index.php?title=Site_Monitoring

LWS survey and designation is not comprehensive and many areas of high value habitat exist in 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 by assessing them using the current LWS selectin criteria. There are a number of semi-natural habitats on the site that could LWS- worthy, such as species-rich hedgerows, the canal, ditches, ponds, semi-improved grassland and woodlands. As the Phase 1 habitat surveys were carried out at a sub-optimal time of year, the most promising habitats should be re-surveyed in spring or summer as appropriate to establish their value and potential to be LWS. Hedgerows in particular need to be surveyed using the HEGS methodology, and the Staffordshire LWS criteria; ponds also have a specific survey methodology for LWS assessment.

The proposal site sites within a network of Local Wildlife Sites, and should aim to strengthen the network. The scheme should look to do this via the 'More, Bigger, Better, Joined' principles outlined in the Making Space for Nature - The Lawton Report (2010)(England). This involves extending, restoring and linking up existing sites as well as creating more new LWS.

The proposal should aim to include the following:

1. Create at least one block of new or enhanced habitat that will attain Local Wildlife Site status.
2. Extend habitats around Calf Heath Reservoir with complimentary habitats
3. Contribute to enhancement of nearby LWS offsite
4. Provide corridors and stepping stones within the site to link existing LWS

Geological Sites

There are no known geological sites that will be impacted, but the currently operational Calf Heath Quarry may result in potential new features, which should be considered. The design of the site should consider how new permanent geological exposures could be created as part of the new landscape.

HABITATS

Habitat surveys were carried out in November 2015 and February 2016. This is a sub-optimal season for gaining accurate species data for potentially more diverse areas such as semi-improved grasslands, ponds, woodlands and hedgerows. In order to make an accurate evaluation of these, areas of potentially higher value need to be re-surveyed in spring (woodlands, hedges) and summer (grasslands, ponds).

The Phase 1 Habitat Plan (Figure 5.1) is missing from Technical Appendix 5.1.

Irreplaceable Habitats

Paragraph 118 of the NPPF states:
'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;'

Paragraph: 009 Reference ID: 8-009-20140306 of the Planning Practice Guidance states that:
'Relevant evidence in identifying and mapping local ecological networks includes:
Areas of irreplaceable natural habitat such as ancient woodland or limestone pavement, the significance of which may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation;'

Ancient Woodland, Veteran Trees and Ancient Hedgerows could all be present on the site. Most ancient woodlands under 2 hectares are not on the national inventory, so any areas that have potential to be ancient should be assessed with the appropriate methodology. Ancient hedgerows need to be identified via historical records. Any veteran trees should be mapped. Any loss of irreplaceable habitats would not be acceptable and the design would need to take these into account.

Priority Habitats (UK Habitats of Principal Importance for Conservation (NERC Act 2006) and Staffordshire BAP Habitats)

The following habitats are present or are potentially present on the site, and should be assessed against the priority habitat definitions:

Arable field margins - particularly the 5m wide areas in fields to the east of the canal
Traditional orchards – MAGIC shows a traditional orchard present at Woodside Farm House
Hedgerows – most intact hedges on site would be priority habitat.
Ponds – the higher quality ponds should be assessed.
Lowland meadows – Semi –improved grassland may meet the definition
Lowland mixed deciduous woodland – may meet definition
Lakes and Canals – Staffordshire BAP habitats but also could meet UK priority habitat definitions.

Calf Heath Quarry is currently of low value, but has an approved restoration plan that includes some habitat creation. As this area would be developed by the scheme instead of being restored, the EIA needs to consider the loss of any planned habitats to be created as part of the future baseline and compensate for the these.

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

Features acting as corridors or stepping stones for wildlife between important sites; e.g. watercourses, railway lines, hedges, ponds, areas of rough grassland/ scrub etc.

[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;'

Existing corridors on the site should be mapped, and the retention and creation of new corridors/ stepping stones incorporated into the design.

SPECIES

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)
Surveys proposed are good. Flight lines and foraging areas need to be maintained or replaced. New bat roosting features should be included.

Great crested newt (GCN) (Also UK protected, NERC S41, Staffs BAP)
Surveys are ongoing, with 5 ponds so far testing positive for GCN DNA. A mitigation programme for GCN and other amphibians on site will be required.

Otter (Also UK protected, NERC S41, Staffs BAP)
No surveys have been proposed- these need to be included. Opportunities for otter holts and refuge areas along the canal and proposed lakes should be included.

Dormouse
Concur are unlikely to be present.

Floating-leaved water Plantain *Luronium natans* (Also NERC S41, Staffs BAP)
Checks for this species should be made as it has been recorded in Staffordshire.

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

All wild nesting birds
All wild native birds are protected from killing, injuring, damage/ destruction of active nests and eggs. This has been covered in the report.

Schedule 1 Birds
Birds listed on Schedule 1 of the Wildlife and Countryside Act have additional protection for adults and young from *disturbance* while nesting. Depending on the species, habitats and the nature of construction work, this could affect birds some distance from the site. The following could be present due to past records and the presence of water and disturbed ground on the site:
Barn owl (also Staffs BAP), Brambling, Fieldfare, Redwing, Kingfisher, Little ringed plover

Watervole (Also NERC S41, Staffs BAP)
Proposed surveys welcomed.

Reptiles (all) (Also NERC S41)
The proposed surveys are welcomed.

Invertebrates
Surveys welcomed. New habitats especially bare sandy exposures, new ponds and dead wood piles should be incorporated into the scheme to encourage this group.

Badger
Approach proposed is satisfactory.

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
Breeding and wintering surveys are required. Birds recorded should have their status shown in the report, including schedule 1, NERC s41 listed, Staffordshire BAP and Red/Amber/ green listing. A number of priority bird species have been found to use the site, and the permanent (much of the open fields) and temporary (woodland and hedgerows) loss of habitat to many must be fully compensated with alternative habitats on the site. Green roofs may be the only way to compensate ground nesting birds such as skylark and lapwing. Off-site compensation may also be needed.

Mammals
Harvest Mouse- checks for nests should be undertaken.
Hedgehog, Brown Hare, Polecat – checks before clearance of any suitable habitat should be made. New habitats suited to these species should be created.

Plants
A range of priority plants may be present and should be searched for at the appropriate season. Native Black Poplar (*Populus nigra var. betulifolia*) has been recorded on the site- these should be located and if not present, replaced within the planting scheme.

Fungi, lichens, mosses
Not considered in the report- areas where these may be present should be surveyed in Autumn.

HYDROLOGY

We understand that a former chemical works at Four Ashes caused pollution of local aquifers and that remediation of this may be ongoing. This aspect needs to be included in the EIA.

Sustainable Drainage Systems (SuDS) indicated on the layout options are welcomed. Green roofs and rainwater harvesting should also be considered.

ACCESS AND COMMUNITY ISSUES

Access to and provision of natural greenspace for local residents, as well as footpaths and cycle paths should be incorporated.

SUSTAINABILITY

The proposals should meet with the latest best practice for sustainable construction, renewable energy generation and adaptation to climate change.

SUMMARY

Staffordshire Wildlife Trust feels there are a number of issues to be addressed in the course of impact assessment, and until further results and designs are forthcoming, cannot judge whether the proposals will provide a net gain or otherwise to wildlife. Comprehensive development of the site is proposed and it will be a challenge to achieve a net gain. However, with a good evidence base, impact assessment and site design, there are opportunities to create a sustainable scheme incorporating valuable new habitats. We look forward to the points we have raised being addressed. Our main points are summarised below.

1. We would expect, if the scheme were to go ahead, that it would be an exemplar for ecology and achieve a net gain for biodiversity. This may require off-site compensation if a balance cannot be achieved onsite. If the scheme were to show a likely net loss of biodiversity value, we would object to the proposals.

2. We request that in the EIA presents clearly, in a table, the area of each habitat type present currently, and the area of each habitat proposed to be retained, lost and created. We strongly recommend biodiversity offsetting metrics are used to measure the overall value of habitats to be lost and created, to guide design and show whether net biodiversity gain will be achieved. Lichfield District Council have a workable method which is regularly used for developments.

3. The design should refer to the Staffordshire BAP and explain how it will contribute to the habitat and species targets. Farmland is the predominant landscape on most of the site and the surrounding area, and priorities within the Central Farmland Ecosystem Action Plan should be a focus. However, heathland and parkland type habitats would also be appropriate to create in this area.

4. We strongly recommend that a Biodiversity Action Plan is formulated for the site.

5. The Gailey Reservoirs complex should be assessed for its potential regional or national importance.

6. Calf Heath Reservoir should be re-surveyed and assessed against the Guidelines for the Selection of Sites of County Biological Importance in Staffordshire (Local Wildlife Sites criteria).

7. Areas of higher value habitat within the site should be re-surveyed within the optimum season for each habitat and assessed for Local Wildlife Site (LWS) status. This would include the more diverse hedgerows, semi-natural

woodlands, ponds, canal margins, ditches, semi-improved grassland and orchard at Woodside Farm House.

8. The proposal should enhance the local network of LWS by creating new LWS-quality habitats and extending, restoring and linking up existing sites nearby.
9. Opportunities to create new permanent geological exposures should be considered.
10. Any potential irreplaceable habitat including ancient woodland, ancient hedgerows and veteran trees should be assessed, mapped and protected.
11. Priority habitats on the site meeting relevant definitions should be identified and shown on a map.
12. Existing corridors and stepping stones for wildlife on the site, between sites of nature conservation value, should be mapped, and the retention and creation of such features incorporated into the design.
13. Additional surveys for a number of protected and priority species are recommended.
14. Due to the large buildings proposed, the need to compensate for habitat loss to open farmland priority bird species, the need for sustainable drainage measures and for visual/ landscape mitigation, we recommend that green roofs are considered.
15. Historic pollution of aquifers in the area should be investigated within the EIA. Indicative sustainable drainage systems are welcomed.
16. New public green space and access routes should be incorporated.
17. Best practice in terms of sustainable construction and operation should be used.

Staffordshire Wildlife Trust would like to be kept informed of progress with this project. Please contact me if you have any queries regarding this response.

Regards,

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