

Stoke Local Plan Response -Staffordshire Wildlife Trust

Summary

The draft Local Plan should be stronger in its policies, objectives, and content concerning biodiversity and geodiversity. This is not only a requirement under national legislation and guidance, but also essential at a time when the UK faces a biodiversity crisis, with one in six species at risk of extinction and Great Britain among the most nature-depleted countries globally.

We believe development and nature can be aligned. Well-designed and well-placed development, informed by up-to-date surveys and evidence, can deliver for and strengthen the local Nature Recovery Network (NRN) and upcoming Local Nature Recovery Strategy (LNRS). We would recommend that the NRN and LNRS are introduced early in the section on biodiversity and geodiversity and should form the backbone for any planning decisions.

We suggest the inclusion of policies covering the following to ensure compliance with national and local environmental legislation, guidance and priorities:

- Surveys, protected species, mitigation hierarchy and avoiding significant harm to biodiversity, monitoring, complementing and linking to the NRN and anticipated LNRS.
- Hierarchy of designated sites and their protection, appropriate assessments, irreplaceable habitats.
- A general biodiversity policy to cover things not covered elsewhere e.g. planting for pollinators, plants that are of local provenance and native, the provision of trees that bear fruit, swift, other bird and bat boxes or bricks, bug or bee hotels and hedgehog highways. Also aim to reduce practices that harm the environment such as the use of artificial grass.
- Biodiversity Net Gain - minimum 10% net gain – additional to species mitigation, net gain hierarchy, trading rules. Where exempt, a net gain is still required as per National Planning Policy Framework (NPPF).
- Any specific policies relating to key ecological corridors in Stoke e.g. the Trent Corridor and aligning with the Transforming the Trent Headwaters (TTH) project
- Gardens (as per Bristol)

We recommend that several of the paragraphs in the biodiversity and geodiversity section are divided into separate paragraphs as there appears to be some confusion and incorrect information regarding wildlife legislation e.g. national guidance for statutory biodiversity net gain is not set out in the NPPF. As it stands, the text in the draft Local Plan is misleading and could be re-written to be clearer and demonstrate a genuine ambition to provide well-placed, well-designed development that works with nature to allow it to recover and thrive. In addition, there is very little consideration for geodiversity and this should be addressed.

Site allocations should be made taking into account the Nature Recovery Network for Stoke. Policies should ensure that the most valuable ecological assets of a site are protected and enhanced.

There are no strategic objectives for biodiversity and geodiversity – we are concerned by the limited ambition and commitment to our natural environment and would be happy to work with Stoke-on-Trent City Council to strengthen this aspect and prepare meaningful objectives which not only deliver for biodiversity, but also comply with national and local policies, strategies, guidelines and targets.

We welcome the opportunity to work with Stoke-on-Trent City Council on future revisions of this plan, especially with regards to setting appropriate policies and ambitious objectives that deliver for nature whilst allowing appropriately located and designed development.

Comments on the direct content of the Draft Local Plan

The black text is the draft local plan text, Staffordshire Wildlife Trust's comments are in blue.

12 Natural and Active Environments

12.0.1 Stoke-on-Trent has a rich and varied network of green and blue infrastructure. This comprises of nationally and locally designated sites for biodiversity and geodiversity, extensive areas of natural and semi-natural habitats including woodlands, rivers, streams and a rich variety of open green spaces providing public amenity, access, recreation, sport and play provision.

12.0.2 Maintaining and enhancing the city's green and blue infrastructure network will be essential for a wide range of environmental objectives, such as enhancing biodiversity resources, minimising flood risk and mitigating pollution and climate change. It will also be vital for enhancing the quality of life for residents, and supporting health improvements by providing spaces for people to meet, walk and cycle.

Do the 'wide range of environmental objectives' refer to any actual policies or objectives that are being monitored / measured?

12.0.3 Access to high quality open spaces and opportunities for sport and recreation contributes to the health, well-being and cohesion of our communities as well as providing opportunities for active travel. The enhancement of green infrastructure over the plan period to meet local need will be required, whilst ensuring areas deficient in open space are addressed through mitigation from new development in accordance with the planning tests.

12.0.4 These are all essential components of a sustainable city, but it also has the potential to improve the attractiveness of the area as a place to invest. Any costs associated with expanding and enhancing these networks are likely to be more than offset by the additional economic activity that green and blue infrastructure will help to attract to the area with a reduction in the costs associated with issues such as poor

health. Green and blue networks will be central to the image of the area, where people want to live, work, visit and invest, as well as delivering a wide range of environmental and social benefits.

12.1 Green Infrastructure

For consistency, please refer to it as 'green and blue infrastructure', the draft plan fluctuates between 'green infrastructure' and 'green and blue infrastructure'.

Has the Green Infrastructure Framework been used to inform this plan? They have resources to help embed GI in local plans.

There is inconsistency between calling this 'green and blue infrastructure' and 'green infrastructure'. The glossary only refers to the latter. Ideally this should include the aquatic environments too.

12.1.1 The council, with partners, will develop and adopt a strategic approach to the care, management and enhancement of green infrastructure, many of which will serve multifunctional purposes. This strategic approach will ensure that the wider benefits of the network are maximised, including public health benefits, promotion of active travel, flood management and ecological benefits within the city.

12.1.2 A key focus of these efforts will be on reinforcing and maximising the environmental and socio-economic benefits from existing green infrastructure, whilst also developing and enhancing weaker linkages to improve overall connectivity. Proposals that adhere to 'Building with Nature' standards will be encouraged.

12.1.3 The strategic green network and corridors are of fundamental importance to the natural environment. Policy NA1 outlines a strategic approach for the future care and management of green infrastructure and seeks to conserve assets, as well as protect vital and multifunctional roles these assets perform.

Does 'the strategic green network and corridors' link with the NRN network mapping already carried out and will it link to the LNRS in production?

Policy NA 1

Green Infrastructure

The council will support development proposals which improve, link and maintain green infrastructure networks and corridors.

All developments will be expected to:

- a. increase the functionality of existing, and secure new, green infrastructure which accords with Building with Nature standards, to meet active travel demand, especially in areas with deficiencies and weak links; and
- b. secure sustainable long-term management arrangements for new and enhanced green and infrastructure within sites.

Where development involves the loss of, or negative impact on, green infrastructure functionality, development proposals are expected to demonstrate that the loss is unavoidable and set out mitigation, secured by an appropriate mechanism.

The importance of high-quality GI is already recognised in the government commitment, contained in the Environmental Improvement Plan, that everyone should live within 15 minutes of green and blue space.

Are there aspirations that Stoke will also ensure that everyone lives within 15 minutes of a green space?

Is there an aspiration for a GI strategy, we have found the interim Green Space Strategy dated 2021. The Green Infrastructure Framework has resources to help with this.

12.1.4 The NPPF states that LPAs should set out a strategic approach to maintaining and enhancing networks of habitats and green infrastructure in their local plans, planning positively for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries. The NPPF also indicates that local plans should identify the strategic location of existing and proposed green infrastructure networks.

12.1.5 Green infrastructure is part of a collective network of green spaces and environmental features including, for example parks, semi natural and amenity green space; watercourses, including brooks, canals and the corridors through which they flow; playing fields; amenity space in housing estates; transport corridors and rights of way. Through recognition of the many benefits it can provide for people and for wildlife, green infrastructure is widely recognised as a critical ingredient in creating successful places where people want to live and work.

This has a slightly different nuance to the definition given in the NPPF of '*A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.*'. The NPPF definition mentions both green and blue infrastructure which are both key elements of Green Infrastructure. It also places more emphasis on nature and urban and rural natural features. We feel that this is missing in the Stoke draft Local Plan definition and more emphasis should be placed on the importance of nature. The River Trent runs through Stoke and rivers are not mentioned in this paragraph.

Staffordshire Wildlife Trust are currently leading on the Transforming the Trent Headwaters (TTH) project in which Stoke-on-Trent City Council are a partner. This has big ambitions to improve the green and blue infrastructure through Stoke and any development proposals should have regard for this and how they can align with and provide additional benefits to this corridor.

12.1.6 There is a notable north-south characteristic to the distribution of green space within the authority area with a reasonable degree of connectivity between them. The

east-west distribution is less pronounced in comparison to the north-south distribution of green infrastructure. Some semi-natural green space is concentrated around the periphery of the city, whilst parks and playgrounds tend to be focused in more urban locations. In terms of landscape character, the semi-natural green space is important in maintaining separation of the urban settlement and retaining local character and distinctiveness. Green corridors, rivers and canals are, for historical reasons, a legacy landscape but are also considered a signature landscape that can be used to distinguish the city from other places.

Picture 27 Bird's eye view of Cauldon Park and Stoke-on-Trent College

12.1.7 The strategic green infrastructure network and corridors across the Local Plan area are of fundamental importance to the natural environment and as such the spatial strategy seeks to reinforce this. In order to protect the functions that green infrastructure performs, proposals for development will be assessed against the role that the site plays as part of the existing and potential green and blue infrastructure network of recreational footpaths and cycleways, its landscape and/or nature conservation value, and its value as a visual amenity or townscape feature in contributing to the character or appearance. This approach is seen as crucial in maximising the opportunity to meet local social, economic and environmental potential.

12.3 Biodiversity and Geodiversity

12.3.1 Biodiversity and geodiversity are a vital part of the environment and provide a wide range of benefits. A core principle of the NPPF is that planning should help in conserving and enhancing the natural environment, minimising impacts on biodiversity and preventing the loss or deterioration of irreplaceable habitats such as ancient woodland.

There is no mention of the baseline situation – we are in a biodiversity crisis and the fact the Great Britain is one of the most nature- depleted countries in the world with 1 in 6 species at risk of extinction. This should be acknowledged and this plan should have aims to try to reverse this so that nature can thrive alongside well planned and appropriately located development.

12.3.2 This policy seeks to ensure that development will safeguard and enhance biodiversity and geodiversity, and will aspire to achieve improved and well-linked networks of habitats, which support a range of species and provide access for wildlife and communities, are resilient to climate change and improve ecosystem function.

Policy NA 3

Biodiversity and Geodiversity

The council will protect designated areas and species of international, national and local importance, [local and national priority](#) and irreplaceable habitats (including ancient trees, ancient woodland and veteran trees) in line with national policy, affording the highest level of protection. Development will be expected to deliver a net gain in biodiversity, using the statutory biodiversity metric [a minimum of 10%](#) and be in accordance with the mitigation hierarchy so that proposals:

- a. avoid harm; if not possible
- b. mitigate harm; and, as a last resort
- c. compensate to offset residual harm.

Development that results in harm to, or loss of biodiversity, wildlife or geology (including Local Wildlife Sites, Local Nature Reserves or geological sites) will not be permitted unless the scheme:

- i. demonstrates that the benefits clearly outweigh the harm to the site, species or features to be lost;
- ii. restores or enhances biodiversity, provides appropriate buffers and links to the wider ecological network as shown in long term management plans; and
- iii. incorporates features to support priority or threatened species (such as swift bricks, bat boxes, hedgehog highway schemes or similar).

For clarification the mitigation hierarchy is detailed in the NPPF, for BNG there is the additional net gain hierarchy. These should not be confused.

We are disappointed that there is only one policy dedicated to protecting biodiversity and geodiversity. Other local plans have more. We suggest policies covering the following to ensure compliance with national and local environmental legislation, guidance and priorities:

- Surveys, protected species, mitigation hierarchy and avoiding significant harm to biodiversity, monitoring, complementing and linking to the NRN and anticipated LNRS.
- Hierarchy of designated sites and their protection, appropriate assessments, irreplaceable habitats.
- A general biodiversity policy to cover things not covered elsewhere e.g. planting for pollinators, plants that are of local provenance and native, the provision of trees that bear fruit, swift, other bird and bat boxes or bricks, bug or bee hotels and hedgehog highways. Also trying to reduce practices that harm the environment such as the use of artificial grass.
- Biodiversity Net Gain - minimum 10% net gain – additional to species mitigation, net gain hierarchy, trading rules. Where exempt, a net gain is still required as per NPPF.
- Any specific policies relating to key ecological corridors in Stoke e.g. the Trent Corridor and aligning with the Transforming the Trent Headwaters (TTTH) project
- Gardens (as per Bristol) – gardens make a large contribution to wildlife in our cities.

These policies ensure that the plan is compliant with the principles of the National Planning Policy Framework (NPPF), the Biodiversity Duty as set out in the updated section 40 of the NERC Act 2006, the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981, the Environment Act 2021 and government planning practice guidance on the natural environment as well as the Nature Recovery Network mapping and the emerging Local Nature Recovery Strategy (LNRS).

We suggest that several of the paragraphs in this section are separated into separate paragraphs as there appears to be some confusion regarding wildlife legislation e.g. national guidance for statutory biodiversity net gain is not set out in the NPPF. As it stands, the text in the draft Local Plan is misleading and could be re-written to be clearer and demonstrate a genuine ambition to provide well-placed, well-designed development that works with nature to allow it to recover and thrive.

12.3.3 The city area has a unique and distinct natural environment, the urban area is dominated by landscapes shaped through the industrial legacy of the area, with many unique brownfield sites rich in wildlife such as Chatterley Valley and numerous parks such as Park Hall Country Park and Berryhill Fields. The council will seek to promote positive improvements to the quality and quantity of the natural environment through securing measurable net gains for biodiversity, which are proportionate to the size, scale and impact of the development proposed.

As suggested elsewhere, it would be good to open with the NRN / LNRS, ecological networks. Then this could discuss the breadth of habitats within Stoke.

12.3.4 It is noted that some of the proposed development sites, including H58 at Packmoor and BL9 at Chatterley Whitfield, include areas which have biodiversity designations such as Local Wildlife Sites. Development of these sites will need to be considered against the above policy and the masterplanning of the sites must consider the protection given to these areas.

We acknowledge that both H58 and BL9 include or are adjacent to areas with biodiversity designations, including Local Wildlife Sites (LWS). These designations are material planning considerations and must be fully integrated into the development process from the outset.

All development proposals should be guided by the principles of the National Planning Policy Framework (NPPF) and the emerging Local Nature Recovery Strategy (LNRS) as well as their legal considerations. We have suggested additional policies to be included in the Local Plan to ensure that legal requirements are met. A collaborative approach with local and national stakeholder should be used at the early stages of planning developments at these sites to ensure that the ecological value is properly understood and protected – more detail is given in our comments on 12.3.6.

We conducted site walkovers at both H58 (Packmoor) and BL9 (Chatterley Whitfield) within the available timeframe. While extensive ecological surveys were not feasible during this period, our observations indicate that:

- Existing Local Wildlife Sites appear to retain significant ecological value and may benefit from revised or enhanced management regimes.
- Several additional areas within or adjacent to the sites exhibit characteristics consistent with LWS status and merit further investigation through formal habitat and species surveys.

Please see our suggestions after 12.3.6 for survey requirements. We also suggest separate paragraphs explaining the net gain condition. Our suggested policies should also ensure that national environmental policy and guidance is adhered to.

12.3.5 All development proposals **unless exempt** must comply with mandatory legislative requirements of Achieving a **minimum of 10%** biodiversity net gain, ~~when it is required~~, as part of proposals. National guidance for biodiversity net gain, as set out in the NPPF, which sets out the mitigation hierarchy, is also a material consideration. These measures should ensure that the most valuable ecological features and habitats of a site are protected and enhanced, whilst minimising harm to biodiversity. In order to properly inform applications, surveys will be required in line with the latest British Standard (BS 42020:2013 or its subsequent replacement) and national guidelines, as produced by CIEEM and Natural England et al.

Clarification – there appears to be some confusion between 10% BNG, NPPF and the two relevant hierarchies (mitigation and net gain). The biodiversity gain condition requirements are set out in the Environment Act (2021) and there is primary and secondary legislation setting out legal drivers for application of the net gain condition. Details of how this should be applied are in the biodiversity net gain planning practice guidance not the NPPF – we are happy to provide further detail if required. The NPPF is separate and requires a net gain in biodiversity (so relevant to developments exempt from the net gain condition) and it is in the NPPF where the mitigation hierarchy is explained. The mitigation hierarchy, which although should be considered when considering BNG, is a separate requirement and applicable to all developments not just those subject to the net gain condition. The biodiversity gain hierarchy is something that net gain plans need to consider and adhere to and these need to be provided to deliver the net gain condition. This wording is confusing as it appears to merge two distinct principles.

We would rephrase the sentence relating to the British Standard (BS 42020: 2013) differently as BNG surveys and guidance should follow UK Habitat Classification survey methodology, the metric user guides and the latest government Planning Practice Guidance so, as it stands, this paragraph does not point readers towards the relevant guidance and methodology for the Net Gain Condition (where a minimum of 10% BNG is required). We have discussed the British Standard later in this response as this is still relevant.

In addition to this, some valuable ecological features of a site may be related to specific species or taxa and these are not considered in the net gain calculations, so these measures do not *‘ensure that the most valuable ecological features and habitats of a site are protected and enhanced, whilst minimising harm to biodiversity’*.

This should be separated into three paragraphs. One for BNG (both the net gain condition and the NPPF). The biodiversity Gain Condition should explain the need for a minimum of 10% biodiversity net gain, this can mention guidelines metrics / trading rules and the net gain hierarchy, plus BNG standards etc. It should encourage developers to plan for BNG from the outset. This could perhaps also mention that the

planned net gain should be capable of being delivered e.g. soil conditions should be suitable for species rich grassland if this is planned. This should also make it clear that any protected species mitigation can contribute towards no net loss but cannot count towards the minimum 10% BNG required. In addition, it could mention that S106s and planning conditions should be used to secure any significant on-site BNG – we are unsure about whether the council intends to secure blue-line boundary BNG with S106s but it may be appropriate to mention this here too. If sites are exempt from the net gain condition, they should still provide a net gain in biodiversity (as per NPPF). This should be demonstrated, usually by the completion of the statutory or small sites biodiversity metric calculation tools / site plans before and after development etc. BNG schemes (regardless of whether they are related to the net gain condition) should consider long standing BNG guidance and standards including the latest version of the British Standard for BNG and CIEEM good practice principles and their guidance.

A second paragraph which is perhaps within the surveys section discussing the mitigation hierarchy and ensuring a site's most valuable assets are protected and enhanced – suggested wording for this below.

In addition, species protection measures for priority and protected species and appropriate mitigation should be mentioned elsewhere.

12.3.6 All development proposals where impacts on features of biodiversity interest are possible (i.e. those affecting designated sites, wildlife corridors, priority habitats, EU Protected and/or UK priority species and habitats) must be accompanied by up-to-date information that is proportionate to the nature conservation value to be assessed. *This includes features near to the site that may be impacted by the proposed development.* This includes site surveys *which include data searches* carried out by suitably qualified ecologists, following best practice guidance, at an appropriate time of the year to determine the presence, extent and density of these species or habitats, as well as identifying features of nature and geological conservation importance. Assessments of the likely impacts of the development proposals for the protection and management of features identified for retention consistent with the Local Wildlife Site selection criteria will be required, as well as an assessment of whether the proposed benefits arising from the development clearly outweigh the nature conservation value of the site, area or species.

The reference to Local Wildlife Site selection criteria is confusing and does not seem to fit with the contents of this paragraph. We have guessed you mean that if a site meets the selection criteria for a LWS, it should be considered as such in planning decisions.

Suggested wording

All development proposals where impacts on features of biodiversity interest are possible (i.e. those affecting designated statutory and non-statutory sites, wildlife corridors, EU Protected and/or UK and local priority species and habitats) must be accompanied by up-to-date information that is proportionate to the nature conservation value to be assessed. This includes features near to the site that may be impacted by the proposed development. This would include ecological surveys and their reports. The

scope of the surveys will vary depending on the size of the development and species and habitats likely to be present. As a minimum a Preliminary Ecological Appraisal (PEA) following up to date CIEEM guidance should be carried out and this will inform the need for further surveys. If a site meets the selection criteria for a LWS, it should be considered as such in planning decisions, so LWS criteria should be considered as part of site surveys. Please note BNG is discussed elsewhere and BNG assessments can be carried out alongside site surveys. If developments are large-scale and meet the criteria set out in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, an Ecological Impact Assessment (EclA) will be required. EclA may form part of a wider Environmental Impact Assessment (EIA). EclAs should follow the most up to date version of Chartered Institute of Ecology and Environmental Management's (CIEEM's) Guidelines for Ecological Impact Assessment (EclA).

Site surveys should include data searches and should be carried out by suitably qualified ecologists, following best practice guidance, at an appropriate time of the year in suitable weather conditions and in compliance with BS 42020:2013 or any subsequent updates. Survey data should be used to inform the design and layout of a development and ensure that wildlife corridors and features are retained, enhanced or created. Assessments of the likely impacts of the development proposals should be made and recommendations for appropriate mitigation. The recommendations should apply the mitigation hierarchy -avoid, mitigate compensate and consider and enhance the NRN and comply with the LNRS. Surveys should be up-to-date as per CIEEM recommendations. Geology should also be considered and features of geological importance conserved. There should also be an assessment of whether the proposed benefits arising from the development clearly outweigh the nature conservation value of the site, area or species.

We strongly recommend that developers and planners that are considering sites with considerable wildlife interest such as H58 at Packmoor and BL9 at Chatterley Whitfield must engage with relevant ecological stakeholders — such as local Wildlife Trusts, Natural England, and local authority ecologists — at the earliest stages of site planning to plan for wildlife in consultation. This will hopefully enable plans to:

- Consider the NRN and upcoming LNRS
- Support existing wildlife populations by retaining and enhancing high-value habitats.
- Plan for required BNG at the earliest stage to enable more cost-effective and ecologically meaningful BNG delivery.
- Facilitate on-site net gain and mitigation where feasible, reducing reliance on off-site compensation for both species and habitats, ultimately resulting in an uplift in the quality of the habitats within any development complex.

In addition, pre-application ecological advice should be sought to ensure planning for wildlife is done at the earliest stages of development.

12.3.7 Appropriate assessment is required for development likely to have a significant effect on designated European sites in accordance with The Conservation of Habitats and Species Regulations 2017.

This should be moved to the section on the hierarchy of designated sites.

12.3.8 Site specific biodiversity improvements, in addition to 10% biodiversity net gain, are often necessary such as the inclusion of swift bricks, bat boxes and hedgehog highway schemes. Supporting threatened or priority species in this way is in line with paragraph 187(d) of the NPPF.

This also complies with requirements of section 40 of the NERC Act; the Biodiversity Duty, and government planning practice guidance on the natural environment.

In addition to mitigation for protected species, development should also make provisions to support threatened or priority species this may be through planting for pollinators, plants that are of local provenance and native, the provision of trees that bear fruit, swift, other bird and bat boxes or bricks, bug or bee hotels and hedgehog highways. Items such as bat boxes should be made from materials such as woodcrete that ensure their longevity. In addition, all enhancements should be placed in appropriate locations e.g. avoid overheating or predation.

12.3.9 Development proposals will be required to be designed to promote the conservation, restoration and enhancement of biodiversity and geodiversity (including soils). This includes conservation interests as well as conserving on-site biodiversity, together with corridors and networks and the protection and recovery of priority species. Developments should also take opportunities, where practicable, to enhance biodiversity corridors and networks beyond the boundary of the site through the Local Nature Recovery Strategy. They should provide full compensatory provision, consistent with the ecological and geological value of the site. In the first instance this should be through on-site mitigation to be agreed with the local planning authority. Off-site mitigation will only be secured where on-site mitigation is shown not to be possible. Where off-site mitigation is permitted, the council will use planning obligations or conservation covenants to ensure the protection and enhancement of the site's nature conservation interest to provide appropriate compensatory measures.

This should link with the completed Nature Recovery Network mapping done for Stoke and link in with the LNRS when it is finalised. Again, this paragraph is a bit confusing as it first talks about ecological networks and then talks about the mitigation hierarchy but this could also be talking about biodiversity net gain, this is unclear. We feel that these should be in two or three separate paragraphs – LNRS / NRN and ecological networks; surveys and the mitigation hierarchy (suggested wording for this above) and minimum 10% statutory BNG. The LNRS / NRN should be a strong influence on any planning decisions and guide decisions about where development should or shouldn't be happening and the most appropriate mitigation or habitat types for each development. We believe this should be the lading paragraph of this section and should underpin any strategic decisions.

The council can use S106 or planning conditions to secure protection and enhancement of ecological features, but it is not a responsible body so cannot use conservation covenants. This is a fundamental misunderstanding. For information S106s and planning conditions are also used to secure any significant on-site BNG.

12.3.10 Development proposals may affect land surrounding, or neighbouring, locally designated sites in addition to impacting them directly. Appropriate buffers should be provided around local sites to ensure that the features of interest for which a site is designated are not lost. Planning obligations may be used to help to bring a greater number of local sites into good management and secure their long-term sustainability. This is important, as it will not only preserve the extent of the ecological network but also improve the quality of the habitats present.

Protected species that may be impacted should also be fully considered. It is not mentioned here, but appropriate assessments can be triggered by anything that is likely to have a significant impact on a Special Protection Area (SPA), Special Area of Conservation (SAC) or Ramsar site.

Picture 30 Westport Lake

12.3.11 Designated sites are not only important on an individual basis but collectively can form an important part of an ecological network. Ecological networks provide the opportunity for habitat patches of a particular species to be connected by movement corridors. This can be important to maintain biodiversity and can prevent damage and habitat fragmentation to give appropriate support for wider duties such as the Water Framework Directive. Protecting and maintaining a functioning ecological network which includes Local Wildlife Sites, enables the natural environment to effectively adapt to pressures such as climate change and development. Enhancing, buffering and connecting Local Wildlife Sites will contribute to the council's 'Nature Recovery Network'. Sites and areas that make up the local wildlife rich habitats and wider ecological network and are set out on the Policies Map.

This should link with the LNRS. This could be worded in a clearer way– we suggest detailing the hierarchy of designated sites including LWS, national and local priority habitats and existing corridors and how together they make a network. More detail could be given regarding the Council's Nature Recovery Network (NRN), what this work stream involved and how it may be and has been used.

12.3.12 A partnership approach is applied across Staffordshire to collectively assess the network of existing and potential future sites. This partnership approach involves Staffordshire Wildlife Trust, Staffordshire Wildlife Partnership, individual council's including Staffordshire County Council, Natural England and the Environment Agency. The committee regularly meet to discuss the existing network, whilst also considering potential future sites which are recorded as Biodiversity Alert Sites. The sites are surveyed, scored and graded according to a set of guidelines developed by the Wildlife Partnership with reference to Defra guidance. If the committee recognise a site

for its importance a Biodiversity ~~Alter~~^{ert} Site may be reclassified and therefore become a Local Wildlife Site.

This is the Local Wildlife Sites partnership but does not explicitly say this. They do not meet regularly, so this is misleading. It is good that LWS are recognised but these should perhaps be in a section on the hierarchy of protected sites / habitats and then details of this included as a spatial objective. It is unclear why this is here.

12.4 Trees and Woodland

12.4.1 Trees, hedgerows and woodlands are a vital part of the urban environment and provide a wide range of benefits. They contribute to the character of an area and function as wildlife habitat, provide shelter, carbon storage, cleaner air, flood alleviation and urban cooling as well as increasing the desirability of the area. Furthermore, there are many recorded health benefits such as, cleaner air, reduction in asthma and improvements to mental health. Therefore, trees and woodlands are an important part of the local landscape, and it is important for them to be managed accordingly.

Policy NA 4

Trees and Woodlands

The council will expect there to be no net loss of trees, woodland or hedgerows within new development unless clearly justified. Proposals should avoid, minimise, mitigate and offset impacts for the benefit of biodiversity, landscape, and visual amenity. Any trees or hedgerows should be replaced on a 1:1 basis to retain and enhance levels of canopy coverage, to increase shading and on-site biodiversity and help manage risks of overheating and drought from climate change.

Where the loss of trees, woodland or hedgerows are unavoidable and clearly justified, an off-site contribution, secured by an ~~S106 or planning condition?~~^{appropriate agreement} may be required. The council will support development, where:

- a. the proposals show acceptable impacts on trees, woodland and/or hedgerows, showing root protection areas, informed by an arboricultural or hedgerow assessment;
- b. native species ~~preferably of local provenance~~ are integral to the design, incorporating tree-lined streets; and
- c. adequate tree protection measures, before and during construction, with long-term maintenance of management proposals are demonstrated.

How long is long-term management? What are acceptable impacts – is there a definition or standard to use? A 1:1 basis for replacement is poor, we would recommend either 3 for every 1 lost or using Bristol's tree compensation standard pasted below:

Trunk diameter of tree lost to development (cm measured at 1.5 m)	Number of replacement trees ⁴
7 – 19.9	1
20 – 29.9	2
30 – 39.9	3
40 – 49.9	4
50 – 59.9	5
60 – 69.9	6
70 – 79.9	7
80+	8

⁴See also Biodiversity Net Gain requirements, which may require a higher level of provision.

The council will not support development involving the total loss of, or damage, to irreplaceable habitats including ancient trees, ancient woodland and veteran trees. The council will support works to trees protected under Tree Preservation Orders and/or trees located in conservation areas, where:

- i. proposed works and/or pruning are in accordance with good arboricultural practice;
- ii. proposals for felling are properly justified through detailed arboricultural evidence; and
- iii. adequate 1:1 replacement planting is proposed, where trees are proposed to be felled.

12.4.2 Trees, whether appearing as individuals, groups or as woodlands, have a very significant effect on our quality of life by providing direct and indirect benefits. To be in line with the Environmental Targets (Woodlands and Trees Outside Woodland) (England) Regulations 2023, the council requires that there should be no net loss of trees, woodland or hedgerows within new development. Any trees or hedgerows should be replaced on a greater than 1:1 basis to retain and enhance levels of canopy coverage to increase shading, unless convincing reasons not to do so are clearly evidenced. This should be in line with the mitigation hierarchy.

Picture 31 Tunstall Park

12.4.3 The NPPF states clearly that trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Developments should therefore seek to maintain and protect existing trees and seek to plant new trees in new developments.

12.4.4 Trees, woodlands and hedgerows are extremely important components of the city's green infrastructure network, fulfilling a wide range of functions including enhancing biodiversity, providing access to nature, managing water, air, soil and noise pollution, reducing flood risk, stabilising land, reducing soil erosion, strengthening

landscape character, and storing of carbon as well as providing shade and a cooling effect which could further mitigate the impacts of the urban heat island and climate change.

12.4.5 An arboricultural survey and impact assessment will be required with all planning applications, including at outline, where trees, hedgerows or woodlands are either present on the proposal site or are in close proximity to it and are likely to influence or be affected by the development. This will in turn aid the assessment of their impacts. A hedgerow assessment will be required where hedgerow removal is proposed. When assessing the impact upon trees from a development scheme, the use of CAVAT (Capital Asset Value for Amenity Trees) should be considered to demonstrate the impact and its mitigation.

Glossary

[We have comments on some of the definitions in the glossary](#)

Ancient Woodland

[Ancient Woodland](#) - the current definition in the draft local plan is *'An area that has been wooded continuously since at least 1600 AD.'* This should be updated as per the [Woodland Trust definition](#) and [gov.uk definitions](#) detail that 'this includes both ancient semi-natural woodland and plantations on ancient woodland (PAWS)'. The definition as it may lead to confusion and exclude PAWS sites which *'although damaged, they all still have the complex soil of ancient woodland, and all are considered to contain remnants of the woodland specialist species which occurred before.'*

Ecological Networks

[Ecological Networks](#) are defined in the draft local plan as *'Sites and corridors of biodiversity importance that are linked together.'* This does not allow for opportunity areas to be included which are important components of the LNRS and essential to provide corridors or links between sites of ecological importance some of which may be isolated / fragmented and therefore do not have the resilience to future change that already linked habitats may already have. This definition does not link back to the Lawton Review (2010) which stated that sites should be bigger, better, more and joined. Improving connectivity of sites will allow species to move through the landscape in response to disruption of their habitat which may be caused by pollution events or climate change. This definition does not allow for this to occur and provide functioning, resilient networks that allow nature to recover and thrive. Potential suggested rewording *'Ecological networks are the basic, joined up infrastructure of existing and future habitat needed to allow populations of species and habitats to survive in fluctuating conditions.'*

Green Infrastructure

The current definition is *'A network of multi-functional green space which is capable of delivering a wide range of environmental benefits and quality of life benefits for local communities.'* The draft local plan refers to both 'green infrastructure' and 'green and blue infrastructure'. Ideally aquatic environments should be included within this

consideration and either the terminology updated to 'green and blue infrastructure' or the glossary definition updated to incorporate aquatic environments as well. The National Planning Policy Framework defines green infrastructure as:

"A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity." We believe this is more appropriate.

Site of Special Scientific Interest (SSSI)

The current definition in the draft local plan is '*Sites designated by Natural England under the Wildlife and Countryside Act 1981*'. This definition is limited and does not indicate that these are the UK's very best wildlife and geological sites covering a range of habitats. Someone with no prior knowledge would have no idea on the reasoning for designation upon reading the current definition. Suggested wording '*SSSIs are sites designated for their wildlife, geology or landform. They are examples of some of the UK's best sites for wildlife and geology and as such are afforded legal protection under the Wildlife and Countryside Act, 1981*'.

Local Wildlife Site (LWS)

We suggest adding the italic text to the current definition. Also, there is a typo on the spelling of designated

'Local Wildlife Site (LWS): Areas identified and selected at the local level for their significant wildlife value that are not formally designated. They are recognised for supporting diverse habitats and species, contributing to a wider ecological network. *Some Local Wildlife Sites are known as Sites of Biological Importance (SBI) and some as Biodiversity Alert Sites (BAS).*'

Self-Build and Custom-Build Housing

The current definition in the draft local plan is '*Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing*'.

With the increase in self-build developments in response to BNG, it may be appropriate to point people towards the legislation that the definition is derived from. This is [Section 1 \(A1\) of the Self Build and Custom House Building Act \(2015\)](#).

Brownfield Land

See 'previously developed land'.

Previously Developed Land

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste

disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Brownfield land can be a very important habitat for wildlife, especially invertebrates and specialist invertebrate surveys may be needed to assess a brownfield site's importance for wildlife. The definitions listed do not acknowledge this and it is not acknowledged elsewhere in the plan.

Site Allocations

We do not have the resources to visit and comment on every site in this list. We have made visits to H58 at Packmoor and BL9 at Chatterley Whitfield and our comments are detailed above. We feel that section 12 of the Local Plan should include policies that ensure that, not only are environmental legislation and guidance adhered to, but that planning for developments fully considers the NRN and upcoming LNRS and ensures that nature can recover and thrive alongside well placed, well designed development that considers nature from the outset.

Monitoring Framework

Spatial Objective 8: Natural and Active Environments - Protecting and improving a network of high quality, well connected natural and active environments.

Key Policies

Policy NA1 Green and Blue infrastructure

Policy NA2 Open Space, Sport and Recreation

Policy NA4 Trees and Woodland

Comment: This does not mention Policy NA3 Biodiversity and Geodiversity. We are disappointed about this omission as we feel that, in a biodiversity crisis, this is unjustifiable. We do not feel that spatial objective 8 can be met through ignoring biodiversity and geodiversity.

Indicators

Indicator 1: Monitor the provision of new open space, playing fields and green infrastructure provided (in square metres) in major developments.

Indicator 2: Monitor the amount of green space and playing fields lost and or replaced (including AGPs) and/ or Section 106 contributions.

Comment: There are no indicators for biodiversity or geodiversity which is concerning in a biodiversity crisis. As well as provisions for species, this could link to the NRN and

LNRS – presumably these are some of the ‘networks’ that the objective is referring to?
We would be happy to discuss this.

Potential Risks to Delivery

National policy changes to be less protective of green infrastructure or open space assets.

Housing needs significantly increases. More undeveloped land required.

Unplanned development growth.

Comment: There are no risks for biodiversity or geodiversity because biodiversity has not been considered in this section. We would be happy to discuss ways to rectify this.

Action

Review of the planning policy.

Be more proactive in liaising with landowners and developers.

Bring forward other sites allocated within the plan sooner than envisaged.

Stimulate demand for new development opportunities through active promotion and call for sites processes.

Work more closely with local groups and statutory consultees such as Natural England.

Comment: There are no actions for biodiversity or geodiversity - this is a missed opportunity. We strongly believe development should and can happen in a way that works with nature. We would be happy to discuss this.