

11 March 2016



Dear Mr. Alford,

Application No: 16/23583/FUL
Development: Construction of access road, car parks, clubhouse, 3 senior rugby pitches, 1 artificial grass pitch, 3 mini rugby pitches, floodlights, fencing and landscape works. Change of use from grazing to sports pitches
Location: Land at Blackberry Lane, Stafford ST16 2TR
Grid reference: SJ911237
Area of site: 8.9 hectares

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Thank you for consulting Staffordshire Wildlife Trust on the above application, received on 1 February 2016. We have viewed the following documents:

- Ecological Assessment 3996.004 Vers. 6.0 January 2016 by TEP – including Drawings and Appendices
- EIA Screening Opinion response letter/ assessment record 22 January 2016 by Stafford Borough Council
- EIA screening flow chart completed 22 January 2016
- Site Plan as Proposed 852-009 Rev CC 8 August 2015
- Landscape Masterplan D3996.001 Rev F 18Jan16

Environmental Impact Assessment (EIA) Screening

As the development is Schedule 2 development and partly within a sensitive area, the main consideration is to judge whether the likely effects on the environment will be significant. There are some elements of the screening that we feel need further consideration and in some cases, more information. We feel the screening should be revisited, taking account of the points below.

It would also be desirable for the LPA to use the example checklist provided on the Planning Portal, as this more clearly sets out the questions to be considered.

<http://planningguidance.communities.gov.uk/blog/guidance/environmental-impact-assessment/screening-schedule-2-projects/>

We also note that the flow-chart completed for the EIA screening is missing some boxes compared to the chart provided on the Planning Practice Guidance webpage; it would be

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clearer if this were updated.

<http://planningguidance.communities.gov.uk/blog/guidance/environmental-impact-assessment/screening-schedule-2-projects/establishing-whether-a-proposed-development-requires-an-environmental-impact-assessment/>

Characteristics of the development

(a) the size of the development;

It is stated in the EIA Screening Opinion assessment record that ‘only about 30% of the site’ would be covered by buildings, hard surfaces and an all-weather pitch. However, this does not reflect the actual extent of habitat loss. Although ‘green’, the grass pitches and other amenity grass will also be of negligible value for wildlife compared to the current habitat, due to the type and management of the turf, its enclosed nature and the regular use by people; therefore it should not be considered wildlife habitat. From the figures given in the Ecological Appraisal Table 6.1, of the current habitat present:

2.07 ha (23%) would be permanently lost to buildings/ hardstanding

3.91 ha (43%) would be reduced in value

0.28 ha (3%) would be retained as marshy grassland

5.98 ha (66%) in total would therefore be lost/ degraded

2.84 ha (31%) would be enhanced for wildlife.

There are some inconsistencies with the figures which need to be clarified (see comments on habitat loss/ gain below), but the proportions appear roughly accurate. This means that one third of the site would need to deliver compensation for the reduced value of the other two thirds, which is unlikely unless it is enhanced to very much higher value than before. On top of this the wetland bird compensation areas is also intended to mitigate any increased disturbance to birds from the development. There is no information on when the landscaping/ habitat creation would begin and be completed. Even after completion, there would be a time-lag of several years before some of the habitats, especially hedgerows, would reach maturity and therefore effectiveness/ high wildlife value, while the habitat loss and disturbance impacts would be immediate. The full effect of mitigation/ compensation would therefore not take effect for a number of years, meaning initial impacts will be higher.

We feel that, unless biodiversity offsetting calculations can show otherwise, there would still be a long-term overall net loss of biodiversity within the proposal site as a whole, and therefore this will also reduce the area’s function as a buffer to the SSSI and its role as part of the surrounding habitat. To fully compensate for the impacts, and achieve a net biodiversity gain, additional enhancements would be needed off-site. As impacts to habitats and bird disturbance would be highest during construction and in the first few years while new habitats are establishing, compensation to enhance an off-site area should be provided that will counteract this effect; ideally beginning in advance of construction.

(b) the cumulation with other development;

The Ecological Appraisal makes an assessment of potential cumulative impacts in Table 7.2 on page 44, but states that no information was able to be obtained for two of the proposals, so they have been omitted. The information for both is actually on the Staffordshire County Council website. Land between A34 Foregate Street and Martin

Drive (Stafford Western Access road, Staffordshire County Council application S.15/06) was approved on 24 December 2015, and the EIA documents have been online since June 2015. Extensions and alterations to Doxey Primary School (application S.14/15) were approved on 31 March 2015 and application documents are available.

These proposals need to be included in the potential cumulative impact assessment. The western access road particularly is a large scheme and will impact more than one area of the SSSI, probably at different times. As well as the section of road that clips the SSSI on the current car park, there is a Flood Compensation Area within the SSSI, and a section affecting Doxey Road just over the railway very near to the SSSI off the southern corner of the Blackberry Lane site. Works on/near the SSSI will have temporary negative impacts before the proposed positive effects occur. If these occurred at the same time as impacts from the Blackberry Lane proposals, it could have significant impact in combination.

Location of development

(b)the relative abundance, quality and regenerative capacity of natural resources in the area;

This could include green infrastructure, which the majority of the development site is defined as in the Stafford Policies Map within the current local plan. The loss of part of this GI to built development and impacts to the accessibility and visibility of the rest of the green space should be considered, including the need for compensation locally.

(c)the absorption capacity of the natural environment, paying particular attention to the following areas—

(i)wetlands;

the absorption capacity of the habitats is not actually known, and as stated above, we feel the mitigation and compensation provided will not negate the impacts.

(iv)nature reserves and parks;

While the SWT owned nature reserve part of the SSSI is not adjacent to the site, it is 36m away at the nearest point. The proposals will have a visual and noise impact on the nature reserve, in addition to the impacts already felt by the motorway and rail line. The capacity of the reserve to receive further pressure on its tranquillity, naturalness and visual appeal should be considered. Provision of photo montages from important viewpoints would assist this.

(vi)areas in which the environmental quality standards laid down in EU legislation have already been exceeded;

There is no information on whether any environmental quality standards have been exceeded in the area. One likely aspect would be air pollution and nitrogen deposition.

(viii)landscapes of historical, cultural or archaeological significance.

Landscape issues have not been considered in the EIA screening, and there is a general lack of information in the submission documents as to landscape impacts.

Characteristics of the potential impact

(c)the magnitude and complexity of the impact;

(e)the duration, frequency and reversibility of the impact.

There is a lack of information on the impacts of both construction and operation on the SSSI and its features of interest.

Construction impacts:

The screening opinion suggests that during the construction period there would be significant 'noise, odour or potential pollution'. However, there is very little information in the Ecological Assessment about the construction impacts, such as duration or time of year that work would be carried out. It is barely mentioned in the assessment, and the severity or significance of this impact is not stated. There are recommendations that earth works in the wetland bird compensation area should avoid the period November to March, but no information is given on the actual timing, duration or severity of noise and visual disturbance that would be caused by works in this area, or on the rest of the site. Without this information therefore we feel it is not possible to judge the likely significance of the construction impact. The reversibility of the impacts has also not been considered.

Operational impacts - year-round site use:

The Ecological Appraisal concludes at 5.24 that without mitigation there would be some limited intermittent operational disturbance impacts on birds within the SSSI during September to April. The significance level of the predicted impacts is not stated.

This is inconsistent with other parts of the report which state the site will be used all year round; for rugby from mid-August to early April, with Pitch B used for football until the end of May (5.13), and that there will be 'year round use of the sports facility footprint' with the site being used in 'the spring and summer months'(6.17).

It is assumed that the club will want to use the facilities as much as possible for the benefit of the community and to gain most payback for their investment, so it would be expected the site would be used year-round. No mention is made of the buildings' use for events in the evenings, when lights and noise could be more disturbing to roosting wetland birds. The conclusions need to be revised and the assessment of disturbance impact must reflect the frequency, timing and types of usage of the site.

Valuation and Impact assessment of ecological receptors within the SSSI:

Although each ecological feature has been valued as per Ecological Impact Assessment methods, the report has not gone on to assess impacts clearly by summarising the magnitude, duration, probability etc. and giving a level of significance to the impact such as site, local or county level. Mitigation should then be applied and the residual impact stated. The SSSI is valued at National level, although individual components have been valued at Local level. It is not clear exactly where the Zone of Influence for the proposals extends to - this would be different for construction impacts and operational impacts. We request a table be presented with valuation, impacts and mitigation for each receptor so it is clearer what the significance of each impact is, and how each will be mitigated/ compensated.

- Habitats within the SSSI

Of the habitats on the proposal site evaluated in table 4.6, the semi-improved grassland, the majority of the marshy grassland and some poor semi-improved grassland are within the SSSI. Therefore we feel their value should be at least Local; the marshy and semi-improved grassland do support notable plant species, and some mentioned in the SSSI citation.

The flowing water/ditches are within the SSSI and not inside the proposal site, so shouldn't be included in the table. They support several notable species mentioned in the citation, so in their own right they would probably be of Local value – of if taken as part of the SSSI, National value.

- Birds within the SSSI

From the information provided so far, there are a number of inconsistencies and areas that need clarification.

As the last bird surveys by TEP were in 2014, the data is nearing 2 years old. It does not appear that an updated data search has been carried out, or that any SWT bird monitoring data from 2014 or 2015 has been used. This should be obtained.

The Ecological Appraisal report is somewhat confusing as to how certain areas and bird groups are dealt with. In table 4.6, the breeding and wintering birds on the proposal site are valued as per two distinct areas - the proposed sports facility area, and the wetland bird compensation area. However, there has been no evaluation of the birds in the wider affected 'zone' of the SSSI. Snipe are also discussed separately, and 'SSSI birds' are also discussed – defined as those mentioned in the SSSI citation.

Firstly, we need to know what is meant by 'SSSI birds'. Snipe is the only bird species that is a notified feature of the SSSI. However, the citation specifically describes a number of other species that use the site. It also states that the marshes 'are particularly important as a habitat for breeding and wintering birds' and that '80 or more species are present in most winters'. This indicates that the overall bird assemblage is important, and not just the named species. The SSSI citation has also not been updated since 1989 so is unlikely to now accurately reflect the current interest of the site; for example there is no longer a martin and swallow roost on the SSSI, and several new scarce birds such as bittern have been recorded on the site in recent years. Given the very old citation, we feel that a robust approach would be to consider snipe as a separate ecological receptor/feature, and then 'notable breeding birds' and 'notable wintering birds' - including any bird species that are: named in the citation; legally protected; or listed in the NERC section 41 list (Species of principal importance), Staffordshire BAP or BoCC red list. The red list has recently been updated, whereas the NERC Act section 41 list and the Staffordshire BAP have not.

Secondly, we need to know what area of the SSSI would be likely to experience disturbance, in addition to the part which is proposed to be remodelled and enhanced. In 5.12 it is discussed that most wading birds do not respond to visual disturbance further than 250m from the source of disturbance. Therefore we can assume that birds within 250m will be at risk of disturbance, where there is not screening vegetation. This

includes all of compartment 6, and parts of several other compartments. Paragraph 5.17 describes the height of the pitches relative to the SSSI, but does not include the spectator stand. There is also no information on what area of the SSSI would be subject to visual disturbance after installation of fences and screening vegetation; therefore it is hard to get an accurate picture of the residual impact of operational use. However 5.25 states that 'Effectuated areas during construction and operational phases of the development would include the marshland between the sports facility and the River Sow 100m to the north east and the main railway line immediately to the south.' We are not sure why a distance of around 100m has been taken; it is also the distance from the site up to which bird surveys were carried out. It is not clear whether the disturbance area means a 100m zone around the site, or up to the railway and river; the river is only 35m away at its nearest point.

We feel it should be taken that birds within the whole development site, and within 250m of the site boundary where there are no barriers/ screening, would be disturbed by construction work. Birds within 250m of the completed sports facility boundary would be disturbed by operational use. Disturbance would vary on a gradient of high to lower over that distance.

Thirdly, we need to know how the disturbed area is used by important birds, and, along with accurate information on the duration, timing and severity of the noise and visual disturbance, the likely significance of this impact. The report is inconsistent in its description and conclusions as to the use and importance of this area to birds. Here are some excerpts:

4.15 Snipe were recorded in all eight compartments assessed and a peak count of 47 birds was recorded in compartment 6 in October 2013. Due to the extent of compartment 6 it is not possible to determine accurately where the snipe were recorded although it is very likely that the flock was within 250 m of the proposed sports facility but outside the application area since there is currently no suitable habitat for this species in the application area. 115 snipe were recorded on the far side of the River Sow in compartment 4a in November 2013. 87 snipe were recorded in compartment 4d north west of Doxey Pool in September 2013. Therefore the SWT monthly monitoring data for 2013 provides evidence to confirm that the part of the Doxey Marshes SSSI is not the only part of the SSSI known to support large numbers of snipe.

4.23 'In summary, it is apparent that Doxey Pool is regularly used by small to moderate numbers of various wildfowl species including wigeon and gadwall as well as the SSSI species teal and tufted duck. Compartment 6 appears to be regularly used by SSSI species snipe, lapwing and teal. Compartment 4 on the far side of the River Sow also supports important numbers of SSSI birds including snipe notably.

4.45 'marshy grassland adjacent to the site within the SSSI is assessed as having good potential to support breeding snipe.'

5.25 Effectuated areas during construction and operational phases of the development would include the marshland between the sports facility and the River Sow 100m to the north east and the main railway line immediately to the south. TEP survey findings demonstrate that these areas are not regularly used by SSSI species including wildfowl species (teal, wigeon, shoveler and tufted duck) or wader species (lapwing, snipe and golden plover). The Doxey Pool is sufficiently distant from the sports facility site for there to be no significant effect on this important ecological feature.

8.3 Desktop and TEP winter and breeding bird surveys confirm that the sports facility component of the development site is of negligible importance for SSSI bird species supporting only a limited range of BoCC species. SSSI land immediately to the north and south of the sports facility site is also of low importance for SSSI species. Greater ornithological interest is associated with Doxey Pool and the marshland immediately southwest of the Pool, adjacent to the proposed Wetland Bird Compensation Area.

Overall the areas being discussed are not always consistent, and the bird use/importance of areas near to the proposal site varies from adjacent compartments being 'regularly used' by some SSSI species and supporting 'important numbers of' SSSI birds' to some SSSI land adjacent to the site being 'of low importance for SSSI species'.

We feel that the valuation and impact assessment on birds within the SSSI lacks consistency and clarity, and with the lack of information on the severity of the likely disturbance, means an accurate conclusion on the impacts to birds in the SSSI is not possible at this time. We request that this be re-examined. A map showing the areas being assessed in terms of disturbance should be produced.

Other Impacts to Doxey and Tillington Marshes Site of Special Scientific Interest (SSSI)

Status of the application site in terms of SSSI boundary review

There has still appears to have been no confirmation with Natural England as to whether the SSSI has been reviewed under the current programme (Natural England Designations Strategy July 2012, and Sites of Special Scientific Interest (SSSI): a notification strategy for England November 2008), and whether the citation or boundary of the SSSI should be changed. This is essential to clarify, in order to judge the potential significance of impacts.

In order to better contribute to the aims of Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Natural England is reviewing various designations including SSSIs, to ensure the right sites are designated for the right reasons, and contribute to a coherent ecological network for England. For SSSIs some of the aims are to fill existing gaps in coverage and ensure that SSSIs are dynamic and resilient to the effects of climate change.

The current boundary and citation for Doxey Marshes SSSI is over 25 years old. We feel that the proposed development site is part of the wider habitat network and management unit and has a buffering and connecting role. The proposal site was once part of the SSSI, and the proposals would effectively remove the possibility of this area being added in the future, therefore potentially having a significant impact on the effective function of the SSSI and broader impacts on the national network of Sites of Special Scientific Interest.

Therefore the site's status needs to be clarified - if it has been assessed by Natural England then this needs to be confirmed; if this has not been assessed then it needs to be done by the ecological consultant. Natural England has not commented on this aspect

but this should not be taken as an answer- discussions need to be had with the officers who are reviewing SSSIs to confirm whether or not the site has been assessed.

The Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition. CIEEM (2016) advise that any undesignated areas with potential to be designated (or de-designated) at any level need to be considered in the assessment:

Box 9: Ecological considerations for establishing the zone(s) of influence

• *Does the project affect any sites, directly or indirectly, that are designated or likely to be designated in the foreseeable future? What are the reasons for designation?*

4.15. Conversely, there may be occasions when an undesignated site is considered to meet published selection criteria for statutory or non-statutory site designation, or have substantive potential to meet them. This should be used to guide the assessment of importance and discussions should be held with the potential designating authority to agree how the site should be treated.

4.17. There may be cases where important habitat types are affected but they are currently in a degraded or unfavourable condition. Whilst the current baseline condition of a habitat may be sub-optimal, its potential value should be considered, including its possible contribution to conservation objectives. It is essential not to under-estimate the importance of habitats in sub-optimal condition where there is potential for restoration.

We request the status of the area is confirmed. If no assessment had been carried out by Natural England then assessment of the site against current designation criteria, and liaison with Natural England regarding its designation status must be carried out.

Alternative Sites

There is no further information on potential alternative sites i.e. a comprehensive and clear assessment of each site's relevant attributes and constraints.

Paragraph 118 of the NPPF states:

'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;'

This indicates that alternative sites should be considered *before* mitigation, then as a last resort, compensation. Without mitigation the proposals could, we feel, cause significant harm to the SSSI; and it has still not been shown clearly that this would not be the case.

We request clear and comparable information on each site in terms of its suitability. For example, one site was deemed 'too windy'; however the current site is also windy. There is no quantitative data to prove the qualities of each site. In order to properly compare sites one would need to know what the maximum wind speeds and frequency of wind would be acceptable for the intended uses, and how windy each site is. Likewise with other factors such as size, topography, proximity to population, road access, environmental constraints, cost etc. If these are not quantified, then how is it possible to

verify the information and the methods used? We request to see a table with the various factors laid out for each site, and a map showing where they are located.

Paragraph 118 of the NPPF also states:

‘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.’

This only specifies ‘an adverse effect’ – not a significant adverse effect, so this means any adverse effect on the site’s notified special interest features. Snipe are one of the SSSI’s notified features, and are likely to be adversely affected. Therefore the question is, do the benefits of the development, at this site, clearly outweigh the impacts to the SSSI’s features and the broader SSSI network? It appears that the main benefits of this particular site are the low cost and central location; however it has several down-sides, namely the topography, the small size, probable high winds and flooding, as well as affecting a SSSI. We would argue that the same benefits for the rugby club and sports facilities could still be gained at another less sensitive site, and there is not enough evidence to show that an alternative location would be so detrimental as to not provide those benefits; in fact another location could provide a larger, flatter and less flood-prone site. Without comprehensive quantitative information it is impossible to assess which is truly the best option, weighing up all factors.

An alternative site for the club was not allocated in the Local Plan, despite the current facility being allocated for housing. This would seem to indicate there is not a recognised, or at least significant, need for the facilities. There is obviously a need from the point of view of the club, but as this has not been planned for at a strategic level, it is hard to see how the development would be of town-wide importance or a regional focus as claimed. It may well become so, and there is no objection to a successful venture of this kind, but it is our view that the benefits of such a development, *at this site*, would not clearly outweigh the need to protect a SSSI.

We have repeatedly suggested that the allocated land north of Stafford has not been considered as an alternative site - a large area of green space has been allocated as part of this area in the local plan, and the land is relatively flat, not in the flood plain and readily accessible. We request this area be considered as part of an alternative site assessment.

Habitat creation details

Currently, the proposed habitat creation specifications are not adequate to create high quality habitats suitable to enhance the SSSI, achieve priority habitat types and compensate for impacts. Any habitat creation within and adjoining the SSSI needs to be using local origin material. Green hay strewing from a local diverse meadow on similar soils must be used and not seed mixes. We would want to see NVC habitat types specified as the final habitats to be aimed for, as well as their structure (e.g. height of

grassland, height and density of hedges) so their value can be predicted and also monitored.

Carpinus betulus, Common Hornbeam, is not locally occurring and should be removed from the hedge planting mix. We suggest Dogwood *Cornus sanguinea* as an appropriate shrub, especially for damp areas. Willows within the structure planting would also grow quickly to provide screening, and can be coppiced/ pollarded to maintain the desired height.

Translocation of some original hedge shrubs should be included in the new hedgerow to speed up establishment along with new planting. Neat dead hedges of brash from removed hedgerows should be created along the fenceline to provide instant shelter and screening as well as dense habitat for birds while the new plantings establish nesting structure.

There should be no shrub planting in the grassland area outside the fence nearest to the railway. Also the southern fenceline should be brought inwards to the edge of the overspill car park and shrub planting outside of this removed, to retain the marshy grassland currently in this area.

Long-term management

Paragraph 6.10 provides the only information on future management, including some positive aspects, and that a Management Plan would be enacted. An outline of such a plan should be provided at this stage. The management needs to be secured for the life of the development. We suggest the initial plan should cover 10 years with a review at years 5 and 10, and renewed thereafter at 10 year periods. It should be informed by appropriate monitoring of key habitats and species.

Monitoring

No-where in the Ecological Assessment is any monitoring proposed. The habitat creation and other measures are proposed to compensate for habitat loss, prevent and mitigate for disturbance and encourage key species such as the 1 pair of lapwing and 1-2 pairs of snipe predicted to breed in the new wetland bird area. Therefore monitoring of birds on and off-site, as well as the success of habitat establishment, is essential to show whether measures have worked, and more importantly that contingency measures can be enacted if impacts are detected.

A monitoring programme needs to be designed to compare bird usage of the SSSI near the development, of the wetland bird compensation area, and of the rest of the site before, during and after construction. We suggest that monitoring post construction is carried out for at least 3 years, then at year 5 and 10 when habitats will be more established. This will then be able to inform the long-term management plan.

Monitoring of habitat establishment and structure should determine whether the specified NVC habitat types and habitat structural qualities have been achieved, using appropriate methods such as fixed quadrats and a species list with DAFOR abundance scores.

Impacts to Biodiversity on the Non-SSSI parts of the Site

Phase 1 Habitat Survey Blackberry Lane Access Track Jan 2016 by TEP

The habitat plan is shown on the proposed layout map, with the road already in place, rather than the OSbase map used for the original habitat plan. Also the symbols for various features do not seem to be correctly reproduced. the badger sett found in the scrub on the opposite side of the ditch is not shown. It would be good to have a corrected version of this plan.

It would also be desirable to have an updated version of the wholesite habitat plan, with the access road area added, for ease and clarity.

Habitat Loss and Gain figures

The figures shown in Table 5.1: Summary of habitat loss as a result of the development and Table 6.1: Habitat loss/gain calculations for application site conflict, and there are a number of issues that need clarification/ correction. With the revised access track, the total area of the application site is now around 9 ha instead of 8.9 ha. It would be clearer if Table 6.1 were to show all the figures in one place and include Baseline, Retained, Lost, Proposed and Net Effect so it is easy to see the changes.

Species-poor semi-improved grassland - 4.55 ha plus 0.1 ha on the access track equals 4.65 ha, not 4.56 ha.

Semi-improved neutral grassland- This small area is to be translocated into the new 'meadow grassland' area, so will not be lost? This could be shown as 0.06 ha being retained (translocated). The area of new meadow grassland would need to be reduced accordingly.

Hedgerows- The figures for hedge loss and gain do not add up- if the baseline totals 778m and 582m will be lost, this leaves 196m not 31m retained. Does the length removed include that on the access track? The new hedges will not be mature or species poor, so should be described on a separate row as new/young species rich hedgerow.

Marshy grassland - It appears from the figures that the marshy grassland would remain unchanged, but Table 5.1 states a 0.18 ha loss. The Landscape Masterplan shows that some new marshy grassland is proposed in the wetland bird compensation area, existing areas along the southern ditch would be retained (although compared to the habitat plan, part of this seems to be lost to meadow grassland), and some patches at the southern end of the site appear to be lost. No marshy grassland within the SSSI should be lost. Any other marshy grassland on the edges of the site should also be retained - it is present in the lowest areas anyway so should not be subject to re-modelling. The figures and the Landscape Masterplan need clarifying.

Hard standing- This is the same area as for the previous application- does it include the new access road, which will be replacing the extra 0.1 ha of species-poor grassland to be lost?

While habitats lost are recognised Phase 1 habitat types, those proposed are not. 'Wetland scrapes', 'wetland meadow grassland', 'meadow grassland' and 'structure planting' are not recognised phase 1, priority or NVC habitats. It is usual to describe created habitats differently as they will not be mature examples of naturally occurring habitats. However, as these need to be high quality to perform their function and to allow accurate valuation compared to habitats lost, they would be better described as the NVC habitat type that they are intended to reach.

The new habitats should also be ascribed a predicted ecological value. This will be different at creation and maturity, so values could be given, say at creation, and after 10 years.

Bats

Bat activity surveys were carried out in 4.81 states: 'Pipistrelle, soprano pipistrelle Pipistrellus pygmaeus and noctule were recorded in moderate numbers foraging over the site.' The valuation shown in table 4.6 (pg 28) is incorrect- firstly it states that 'no bats were recorded utilising the site' and then gives a value of Negligible. The value of the bat populations using the site should be at least the Zone of Influence, if not Local as they are all protected species.

The floodlighting would impact bats if used at night when bats are active- conditions would need to be applied that floodlights are not to be used in months when bats are active.

Badger

4.79 states that 'No new badger setts were identified during the extended Phase 1 Habitat survey of the Blackberry Lane access track in January 2016 (Appendix 10).' Although no full setts were found, a new hole was discovered within the trackway and another in the scrub on the opposite side of the ditch.

The report has not been fully updated in terms of badgers- although the recent monitoring and closure work has been documented, it is not clear whether badgers are still being excluded from the closed holes, or whether they will be left until new work is required. Presumably another licence might be needed in future? What is the current monitoring/ re-survey programme?

Protected and priority Birds

Breeding and wintering birds have been considered, but some priority species use the site in summer without breeding. It is not clear that all the species currently using the proposal site will be conserved within the site.

Fungi

4.40 the incidental sighting of one waxcap species on the site is not an adequate assessment of the site's potential fungal interest. Whether or not the one species seen is a S41 listed species is not particularly relevant, as the value of a site is determined by the number of certain key species; although the presence of S41 species would count towards this, many fungi on indicator lists are not listed on S41. As explained in our previous comments, the presence of waxcaps can indicate waxcap grassland, but a

comprehensive survey with repeat visits during the appropriate season is needed to gather proper information on the potential diversity; in fact surveys over several years are needed to fully identify all species present as some do not fruit every year. Therefore it is not possible to determine the interest of the site from the current information.

Green Infrastructure (GI)

The majority of the proposal site, outwith the SSSI and not including the access road, is defined as Green Infrastructure in the Stafford Area Policies Map. 2.07 ha of green space (open grassland) will be lost to buildings, hard standing and artificial pitch. The area to be enhanced wetland and grassland habitat is mostly within the SSSI, and the part within the site (0.4 ha) will not be accessible or very visible to the public. It is not clear whether the pitches area will be accessible to the public.

One of the ‘key objectives’ of the Plan for Stafford Borough is to: ‘6. Enhance existing, and provision of significant, new green infrastructure.’

Policy N4 The Natural Environment & Green Infrastructure states that:

‘The Borough’s green infrastructure network, as defined on the Policies Map, will be protected, enhanced and expanded’

g. Networks of open spaces for formal and informal recreation, natural corridors, access routes and watercourses will be enhanced and created, where those networks:

- i. protect the setting of landscape, heritage and natural (biodiversity and geodiversity) assets;
- ii. reverse habitat fragmentation due to having suffered past loss and degradation;
- iii. provide recreational opportunities for new and existing communities;
- iv. provide open breaks between neighbouring residential areas and business developments.

The proposals do not protect, enhance or expand the GI network, or conserve and enhance the local landscape, as there will be a net loss of 2.07 ha of green space, and reduced access and visibility of the site’s green areas to the public. It is hard to judge whether the setting of the SSSI will be impacted significantly, as there are no viewpoint images to show how the development would look from the SSSI.

If the development proceeds, compensation needs to be provided. This should make good the loss of GI by providing a new area of land to be added to the policies map, or by improving a low-value area of existing GI, of the same size.

Landscape/ Visual Issues

Policy N8 Landscape Character

This policy requires that development proposals must be informed by, and be sympathetic to, landscape character and quality, demonstrated through local site specific assessments. Proposals with landscape and visual implications, should protect, conserve and, where appropriate, enhance various natural and heritage resources as listed in the policy.

No landscape or visual assessment has been submitted. No photomontages from viewpoints have been provided, or even elevations or cross sections of the site that show

how the area will look after ground re-modelling and the erection of buildings, spectator stand and fencing/ hedging. It is therefore difficult to determine the impact on the landscape and views from any location, but particularly the SSSI.

SUMMARY

Staffordshire Wildlife Trust upholds our objection to the proposals.

We advise the following are sought:

Before determination –

- A. The EIA Screening Opinion is reviewed, ideally using standard proformas, taking into consideration accurate information on the characteristics of the development and of impacts, cumulative impact from omitted developments, and accurate valuation and impact assessment for ecological features.
- B. Confirmation or assessment of the proposal sites' value in terms of its potential designation status in consultation with Natural England.
- C. Comprehensive and quantitative assessment of all alternative sites, particularly the allocated Land North of Stafford.
- D. Clarification/ further information on other impacts to the SSSI including habitat creation specifications, details of long-term management, and monitoring.
- E. Clarification/ further information on impacts to wildlife within the proposal site including habitat survey of the access track, habitat loss and gain figures, net biodiversity impact and assessment of important species.
- F. Further information on green infrastructure loss and compensation.
- G. A Landscape and Visual Assessment with appropriate viewpoint photomontages and cross-sections of the 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,

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