
From:
Sent: 27 October 2021 15:47
To:
Cc:
Subject: SMD/2021/0220 Lower Whitemore Farm

Ref number SMD/2021/0220

Application Location Lower Whitemore Farm, Congleton Road, Biddulph, Staffordshire, CW12 3NF

Application description Proposed replacement dwelling and outbuildings

Site size hectares 0.64

Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions.

SUMMARY – Holding objection, further information/ amendments required.

Required prior to determination:

1. Habitat survey of grassland, trees and hedgerows proposed for removal.
2. Outline plan for enhancement of traditional orchard and replacement hedgerow to show a net biodiversity gain OR provide a metric calculation.
3. Surface and foul drainage plan.
4. Further details of level changes/ spoil placement
5. Further information on bat impacts and mitigation, to determine whether the 3 tests under the Habitat Regulations would be met.

Secure via condition should approval be granted in future:

1. As per the bat & bird ecology report:
 - a. Nesting bird check of buildings and vegetation prior to works commencing.
 - b. RAMS for great crested newts.
 - c. RAMS for mammals.
 - d. Bird box locations and type shown on plans.
 - e. A bat friendly lighting scheme.
2. Specific replacement bat roost/loft design plans, including reuse/addition of materials from existing roosts.
3. A soft landscaping scheme/ habitat plan detailing biodiversity enhancements.
4. CEMP detailing runoff and pollution prevention during construction phases.
5. Root Protection Areas (RPAs) for retained trees and hedgerows following BS 5837:2012 – Trees in Relation to Design, Demolition and Construction’.

Documents reviewed:

- Ecological Appraisal (13 September 2021)
- Application Form
- 2081-EX-101 – 112 (Existing Plans)
- 2081-PL-101C - 116C (Proposed Plans)
- 2081-PL-103.1D (showing proposed bat access)

DESIGNATED WILDLIFE SITES & WIDER ECOLOGICAL NETWORK

A local nature reserve, Biddulph Valley Way (Whitemoor), is located 70 m to the east of the site, however would not appear to be impacted.

The traditional orchard adjacent to the site has potential to meet Local Wildlife Site criteria- measures to protect and enhance are suggested below.

Indirect impacts could occur downstream due to the site being connected to via a water course to Biddulph Brook. Some indirect impacts can be avoided with a suitable drainage plan and CEMP, to reduce runoff and pollutants entering the nearby watercourse.

HABITATS

Biodiversity Net Gain

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative'

Due to the loss of a section of hedgerow and tree it could be that the proposals result in a net loss. Due to this, we would like to ensure the adjacent orchard is enhanced as part of the proposals (depending on the existing condition), and that a new native hedgerow is planted to replace the section lost. If this is not acceptable, a biodiversity net gain assessment is required using metric 3.0, to show how a gain will be delivered on the site.

Traditional orchard

MAGIC map shows that there is a traditional orchard adjacent to the north of the site boundary. An orchard at this location is also marked on old OS maps dating back to 1886. Traditional orchards are a Habitat of Principal Importance under section 41 of the NERC Act 2006. This habitat should be restored and enhanced to ensure a net gain for biodiversity.

Trees, hedgerows and grassland

The Ecological Appraisal did not include a full habitat survey, as focus appeared to be on the buildings; however the application site includes an area of grassland with trees and hedgerows. Plan 2081-PL-101-C shows that one tree and a section of hedgerow are proposed to be removed adjacent to the orchard. It is unclear whether a small section or the entire hedgerow are to be removed. The redirected driveway would also impact new areas. No ecological information has been submitted in regards to these impacts. All habitats within the site and the orchard should be surveyed to determine importance. The soft landscaping plan must include replacement habitats (or enhancement of existing) to ensure a biodiversity net gain is achieved.

Further information required prior to determination.

Root protection areas (RPAs) for surrounding retained trees and hedgerows must be implemented for the construction phase. This is to include the orchard, which is located adjacent to the dwelling to the north-west. RPAs are to follow guidelines set out in British Standard 'BS 5837:2012 – Trees in Relation to Design, Demolition and Construction' in full.

Condition required to secure RPAs.

Biddulph Brook

The development should ensure that no silt or other pollution enters the nearby watercourse which is linked to Biddulph Brook and other habitats downstream. A Construction Environmental Management Plan (CEMP) should be secured via condition. To include mitigation for silt and pollutants entering the water course during construction e.g. from ground levelling, runoff, oil spills, etc.

Landscaping

Section 6.1.6 of the ecology report recommends that *"the landscaping scheme should include the planting of native species, preferably of local provenance, and species that provide a good nectar source for invertebrates."*

A soft landscaping scheme with biodiversity enhancements should be secured via condition. To include wildlife friendly planting, orchard restoration/enhancements, and replacement hedgerow as a minimum.

Drainage

The application form states the proposals are for a soakaway for surface drainage and a septic tank with package treatment plant for foul drainage. No plans have been submitted for these.

Given that the surface drainage in the area is an issue, and the proposals are within 20 m of a stream which appears to feed Biddulph Brook, drainage has the potential to impact on wider ecology interests. An outline of surface and foul drainage is required before determination. Sustainable methods should be employed as far as possible.

Further information required prior to determination.

Ground works, level changes, soil

It is not clear whether spoil will be generated from level changes and where this will be placed. Further information should be provided. Subsoil should be reused to create new habitats where possible.

SPECIES

Bats

Survey results - The bat surveys recorded numerous bat roosts within the dwelling house proposed for demolition. These included common pipistrelle and soprano pipistrelle maternity roosts, as well as summer day roosts for common pipistrelle, soprano pipistrelle, and Natterer's bats. No evidence of bats was found in the outbuildings.

Impacts - The likely impacts in the absence of mitigation will be high, due to the moderate conservation significance of the maternity roosts and the destruction and permanent loss of all roosts present. Due to this mitigation and compensation will be required.

Mitigation/ Compensation- An outline mitigation strategy is included within section 5 of the ecology report . The ecology report states that the bat loft dimensions, aspect, insulation, and complexity will mimic the existing.

We recommend the re-use of some of the existing materials (particularly tiles that surround existing roost entrances, any sections of urine stained timber, old felt, old insulation). Droppings from the existing roost should also be collected and planted within the new entrances and within the loft itself. The literature suggests that familiarity is an important factor, therefore, due to the complete destruction of the existing roost it will be important to increase the familiarity of the new roosting features.

It is unclear if environmental conditions within the existing and proposed bat roosts have been fully considered. It is critical to mimic existing conditions within the new loft to increase chances of retaining the maternity roosts. This has been achieved with ensuring the same aspect and insulation materials are used. However, it is unclear if the existing dwelling is currently inhabited and whether heating is used, which can have a big impact on the temperature within a loft space. It is also unclear whether the proposed garage will have any heating installed, and therefore whether the same conditions can be achieved – unless the existing dwelling is currently uninhabited. We would like clarification as to whether the environmental conditions within the two lofts have been considered to this extent.

Updated bat compensation plan/further information required prior to determination:

Due to the limited success of replacement roosts it will be critical to secure additional biodiversity enhancements, particularly those that encourage bats. The landscaping scheme should include native night-scented species such as honey suckle to encourage night flying insects for foraging bats. The scheme should also look at enhancing the traditional orchard which may support a wide range of invertebrates.

Lighting scheme – A bat sensitive lighting scheme minimising light spill and avoiding lighting of any roosting features will need to be submitted and approved.

Condition required to secure bat friendly lighting plan.

Licensing - The development may not legally commence until a licence from Natural England has been obtained. This can only be applied for after planning permission has been granted and any considerable environmental/ecological conditions have been discharged.

As protected species are a material consideration, the LPA must consider whether development meets the 3 licensing tests under the Habitat Regulations:

- *the activity must be for a certain purpose - for example, for scientific research or in the case of development, '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'*

The current dwelling is in a poor state (e.g. damp) and less economic to restore than to rebuild. However insufficient information is provided as to whether the need to demolish the house would override the moderate importance of the roosts.

- *there must be no satisfactory alternative that will cause less harm to the species*

Retaining the roosts in-situ is always the preferred option. Consideration must be given to alternatives such as restoring or converting the building, or possibly building a new house and leaving the existing house in situ.

- *the activity must not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

Bat boxes are proposed as a temporary measure to provide a roost once the house is demolished and during construction. However, bat boxes being a poor replacement for maternity roosts and bats may not return if roosts are disrupted. There is no guarantee that development will progress without delays. The preferable option would be to build the replacement garage and bespoke bat loft prior to demolishing the house. This would make it possible to monitor use of the new feature and whether any alterations are needed prior to the existing roosts being destroyed. Climatic conditions within the roosts could also be compared. As an absolute minimum, it should be ensured that the construction of the garage structure with the replacement roost is prioritised over any other buildings to minimise impacts.

Replacement roosting features are proposed. However, evidence shows that replacement roosting features are less successful than retained or modified roosts. To increase their chances of success reuse of materials from existing roost entry points and materials within including bat droppings is recommended (see below). Environmental conditions within the loft should also be recorded and considered in full. A wildlife friendly landscaping scheme could enhance existing foraging habitat.

Further information required to consider the 3 tests.

Great Crested Newts, Amphibians

The ecology report states that great crested newts are unlikely to be present and that the works that may impact them are limited. However, it does recommend that the development follows a Reasonable Avoidance Measures Strategy (RAMS).

Section 6.1.5 recommends: *“as a highly precautionary approach to prevent harm to GCN, a Reasonable Avoidance Measures Strategy is to be devised to include protection measures such as, excavations are to be covered overnight or fitted with a means of escape, pipes and culverts are to be capped, materials to be stored on pallets, rubbish must be immediately placed in a skip and not allowed to accumulate around the site, and should a GCN be encountered during the course of works, works must stop immediately and Natural England consulted.”*

Condition required to secure RAMS for great crested newts and other amphibians.

Birds

As per section 6.1.3 of the ecology report, it is recommended that a check for nesting birds of the building and vegetation to be cleared is conducted prior to works commencing. This will be necessary as the plans are to demolish the buildings in March/April 2022.

Condition required to secure nesting bird check prior to demolition/clearance works.

The following enhancements taken from the ecology report must also be secured by condition: *“three woodcrete/wooden bird nest boxes (suitable for passerines) are installed on mature trees within the Site boundary. A further three bird nest boxes are to be installed under the eaves of the outbuilding. These are to be suitable for house sparrow and swallows.”*

Condition required to secure a minimum of 6 bird boxes.

Mammals (including badgers and hedgehogs)

Sections 4.6.12 and 6.1.4 of the ecology report, recommend Reasonable Avoidance Measures (RAMS) for mammals.

To include the following (taken from ecology report):

“Recommendation: to prevent harm to mammals, excavations are to be covered overnight or fitted with a means of escape. Pipes and culverts in storage are to be capped.

Recommendation: to prevent valuable foraging resources being cut off, boundary markers should remain penetrable to mammals. Natural features such as hedgerows or fence or walls with gaps allowing access are recommended.”

Condition required to secure RAMS for mammals.

Regards,

Kate Dewey BSc (Hons) MCIEEM

Senior Planning Officer



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