

John Harvey MA (Hons.) ACIEEM, Senior Ecologist
Weddles,
Unit 4 Westbrook Court,
Sheffield,
S11 8YZ
john@weddles.co.uk
26th November 2024

FAO: Mr David Cadman
Staffordshire Wildlife Trust,
The Wolseley Centre,
Stafford,
ST17 0WT

RE: Weddles response to Staffordshire Wildlife Trust holding objection, in relation to additional comments to planning application at Cellarhead Substation and West of Rownall Road, near Wetley Rocks, Staffordshire (SMD/2024/0055), published on 18th November 2024.

Dear Mr David Cadman,

Thank you for your comments in relation to the application at Cellarhead Substation and West of Rownall Road, near Wetley Rocks, Staffordshire for the erection of a flexible energy facility, associated works, landscaping and habitat creation (SMD/2024/0055).

We consider that all potential material constraints have been addressed, and that appropriate and adequate avoidance, mitigation, and compensation measures are detailed allowing for the approval of the associated planning application from an ecological perspective.

The text overleaf (in black) are comments made by Mr David Cadman within the issued comment, with response made by Mr John Harvey of Weddles (in red), the lead author of the EclA and other submitted ecological documents (Preliminary Ecological Appraisal (PEA) and Biodiversity Impact Assessment (BIA)).

I hope that you find this useful in any further consultation.

Yours Sincerely,

John Harvey MA (Hons.) ACIEEM.

Dear Declan Cleary

SMD/2024/0055

Erection of a Flexible Energy Facility, associated works, landscaping and habitat creation

Land South of Cellarhead Substation and West of Rownall Road, Wetley Rocks, Staffordshire

22.40 ha

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.

We previously provided a response on 1 October 2024 with a holding objection pending receipt of further information. Additional information has now been provided which we have reviewed as follows:

- Letter response summarising the additional ecology information (Weddles dated 19/10/24)
- Ecological Impact Assessment (EclA) (Weddles, dated 21/10/24)
- Revised BNG Biodiversity Impact Assessment (Weddles, dated 29/10/24)
- BNG Metric (Excel version) dated 24/01/24 (but we assume has been updated)

SUMMARY – Having reviewed the further information, whilst we welcome the further details relating to protected species surveys and Ecological Impact Assessment provided, we maintain a **holding objection** – further information required:

1. An updated BNG Metric and/or BNG Biodiversity Impact Assessment which presents consistent information between the two documents should be provided.
2. Further evidence is required to support proposed mitigation for ground nesting birds.

EclA Rev 1 and BIA Rev 2 issued

A number of items are recommended to be included as suitably worded planning conditions, should consent be granted, as listed at the end of this response.

PROTECTED SPECIES SURVEYS

We welcome the provision of further information relating to great crested newts, bats, wintering birds, breeding birds and water vole. We have reviewed the results of the surveys which are presented within the EclA Report (Weddles, dated 21/10/24) and note that further information has also been presented in respect of Ground Level Tree Assessment for bats. We have the following comments.

GREAT CRESTED NEWTS

We note that an eDNA survey was completed for a single pond, although there appears to be conflicting information about which pond was surveyed, and no survey date is given. The EclA (para 4.3.1) states that Pond 3 was subject to eDNA, but Appendix H which presents the eDNA results refers to Pond 5. Notwithstanding this lack of clarity regarding which pond was surveyed we note the results were negative for GCN. We note that the other ponds were either found not suitable to support GCN and/or access was not granted for survey. Therefore, a precautionary approach has been taken and an enquiry submitted to Natural England to determine eligibility for District Level Licencing.

Should planning consent be granted we recommend that a suitably worded condition is used to secure the requirement for a District Level Licence for GCN. With such a licence in place we agree that the potential presence of GCN can be adequately mitigated.

BATS

We note that additional information has been provided in relation to bats. Ladder surveys were not conducted, and all trees were subject to a GLTA with the results illustrated on the UK Habs Baseline Map (PEA, Weddles 31/01/24). Four trees (G12a, G12b, G12c and G19a) assessed as PRF-I. These trees are located at the boundaries of the site and will be retained. We concur with the recommendations for mitigation set out in the EclA report (para 5.1.5.2) and recommend that the requirement for a Construction Environmental Management Plan (CEMP) to include measures to safeguard bats and other protected species (see below) is secured by planning condition.

We previously requested that additional detailed baseline surveys are provided to support an evaluation of the site for foraging bats. We note that the EclA (Weddles 21/10/24) provides additional justification for why bat activity survey is not required in this instance and, confirm we are satisfied on this point.

WINTERING BIRDS

We note and welcome the findings of the wintering bird survey and agree that a suitable overwintering foraging resource can be secured through appropriate habitat creation and management.

BREEDING BIRDS/CUMULATIVE ASSESSMENT

We note that a high-level cumulative assessment has been undertaken and presented in the Weddles ecology note dated 19/10/24. The cumulative assessment considers the potential cumulative effect of four other schemes and concludes that, in essence, that each development retains habitat connectivity and delivers mitigation and 10% BNG uplift so there is no cumulative effect. Whilst we generally agree that for habitats, BNG and most protected species, there is unlikely to be a cumulative effect as each habitat and species can be mitigated within each individual scheme boundary, we would like to see further assessment of the potential cumulative effect on ground nesting birds.

In particular we note that a pair of curlew and potentially 3 pairs of skylark were recorded as 'probable' breeding species (reported in Weddles EclA, 21/10/24). It is possible that curlew can be retained on site in the southern field, provided this is managed appropriately but it is less certain that the current numbers of probable breeding skylark could be sustained post-development. The potential displacement effect on curlew and skylark may be exacerbated by the cumulative impact on nearby development. These effects are acknowledged on Page 48 of the Weddles EclA (21/10/24).

However, we are not convinced that the EclA provides sufficient certainty that the required mitigation for these species is capable of being delivered.

The EclA (Weddles 21/10/24) states *'Provision should be made for the creation and maintenance of a dry, rough grassland (not too dense) area, free from disturbance, to encourage nesting by Curlew. This area should be in the more southern parcel of the site; adjacent to and/or within the area south of the ponds and wetland meadow would be beneficial.'*

Finally, the majority of arable habitat onsite will be lost in line with present proposals, with a displacement of Skylark territories. The southern field will be retained and will continue to be farmed, and is considered to have the capacity to support the displaced territories.

However this will be dependent on responsible management of this crop for Skylark. In order to secure this, the southern field should be managed with 5no. Skylark Plots managed in line with the Countryside Stewardship AB415 requirements.

Whilst we note that the EclA goes on to say *'The landscape planting and specific management measures will be detailed as part of an Landscape and Ecological Management Plan (LEMP)'* we are concerned this does not provide sufficient certainty and would wish to see additional evidence provided prior to any grant of planning

consent. This should identify the specific parcels of land where curlew and skylark mitigation will be delivered and confirmation of how the necessary management will be secured. We note that the parcel containing the proposed wetlands is also proposed for tree planting which is unlikely to be suitable for curlew or skylark nesting. Revised Ecological Enhancements Plan provided within Appendix I showing the locations of Skylark (x9) and Curlew (x1) nesting plots. The number of skylark plots has been increased to bring in line with Countryside Stewardship AB4 requirements (i.e at least x2 plots per ha. within a parcel of land measuring 4.511ha). Necessary management will be secured within LEMP as per paragraph 9 of the Habitat management section of 5.1.7.3.

A minor point to note is that reed bunting is an Amber Listed species, not Red Listed as reported in Weddles EclA (21/10/24). Notwithstanding, we agree that reed bunting, and Red Listed linnet, are likely to be retained on site with suitable habitat creation and management and wish to see specific details included in the LEMP to secure appropriate habitat management for these species. Typo acknowledged and amended within EclA Rev 1

WATER VOLES

We note that a detailed survey for water voles has been conducted which concludes that water vole is present on Ditch 2 and potentially present on Ditches 6, 14, 15, 17 and 20. Of these, Ditches 17 and 20 are adjacent to proposed planted bunds and Ditch 14 is adjacent to the southern planted area.

We welcome the survey findings and agree that water voles can be adequately safeguarded. However, we wish to see a stronger requirement for a minimum 5m undisturbed buffer zone to be retained adjacent to ditches with presence/potential presence of water voles (currently the Weddles EclA implies there will be works within 5m). The requirement for a minimum undisturbed 5m buffer should be secured via condition. This was a typo. Wording amended within EclA Rev 1

BIODIVERSITY NET GAIN (BNG) ASSESSMENT

We note and welcome the provision of the completed Statutory Metric and updated BNG Biodiversity Impact Assessment report (Weddles, 29/10/24). However, there appears to be an inconsistency between the BNG results presented in the updated BNG report which states an increase in habitat units of +115.13%, and the results presented in the Metric spreadsheet (Excel version) which states an increase of +119.10%. Amended BIA Document (Provided as a Rev 2)

Similarly, the results for hedgerow units and watercourse units are inconsistent between the BNG report and the Metric (Excel version).

The BNG Report and/or the Metric (Excel spreadsheet) should therefore be revised to ensure that the information presented is accurate and consistent. We note that our previous comments requesting individual tree assessments and other minor mismatches have been amended.

However, the 'Line of Trees' noted in the original PEA survey report does not appear to have been included in the BNG report or Metric. We assume this is an oversight and should be added to the updated report and Metric. The line of trees refers to a secondary code as a descriptor for the w1g Other Broadleaved Woodland, which has been condition assessed within 4.2.6 and represented within row 2 of the baseline area tab (all of the woodland areas will be retained). Worded within EclA Rev 1 has been amended to this effect

We will conduct a further full review of the BNG report and Metric once a corrected and up to date version has been received. A copy of the Metric (Excel spreadsheet version) should be provided alongside the updated BNG report.

ECOLOGY ENHANCEMENTS

We note and welcome the proposal to provide ecology enhancement features comprising 5no. surface mounted bat boxes (Kent Oak Crevice / Cavity Bat Box, or similar approved); 5no. Starling Nest Boxes; 15no. RSPB Sparrow Nest Box; and 10no. Vivara pro Seville 28mm Woodstone Nest Box. For avoidance of doubt, we recommend these features are illustrated on an Ecology Enhancement Plan to be secured by planning condition to show the number, location and specification of enhancement features and a date to confirm when features will be installed e.g. prior to during or after construction.

MEASURES TO BE SECURED BY CONDITION

For clarity, the following list summarises the items which we recommend are secured via planning condition should consent be granted:

- District Level Licence to be secured in relation to great crested newts;
- Provision of CEMP including measures to safeguard retained habitats and protected species, namely great crested newts, breeding and wintering birds, water vole, bats, badgers (including a pre-commencement survey), brown hare and common toad. CEMP to also include/methods for the control and eradication of Himalayan balsam;
- A minimum 5m undisturbed buffer adjacent to ditches with presence/potential presence of water voles;
- Ecologically sensitive lighting plan;
- LEMP to detail habitat creation and enhancement measures including soil preparation, planting schedules and seed mixes, establishment and long-term management. LEMP to include a drawing to show the specific parcels where mitigation will be delivered for curlew and skylark and details of how the necessary long-term management for curlew, skylark, reed bunting and linnet will be secured;
- Ecology Enhancement Plan to detail proposed enhancement features, namely bat and bird box locations, numbers, specification and date(s) for installation; and
- Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP) to demonstrate how the stated BNG will be achieved.

Regards,

Dated 14 November 2024