

North West of Cloud Park Farm Dial Lane SWT Comments

Application Reference: SMD/2024/0361

Location: Single storey brick built agricultural building to North West of Cloud Park Farm, Dial Lane, Congleton

Proposed Development: Change of use of single storey agricultural building to dwelling and associated external domestic amenity; new vehicular access; temporary siting of static caravan.

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 27th August 2024 with a holding objection pending receipt of further information. Additional information has now been provided which we have reviewed as follows:

- Preliminary Ecological Appraisal and Roost Assessment, Arbtech September 2024
- Bat Emergence and Re-entry Surveys (BERS), Arbtech September 2024
- Biodiversity Net Gain Assessment, Arbtech November 2024

These comments should be viewed with our previous comments when establishing planning conditions.

SUMMARY – Having reviewed the further information, we maintain a **holding objection** until the following points are resolved:

- The area surveyed in the PEA and roost assessment and the BNG report is different to the red line boundary in the site location plan. A larger area has been surveyed. We are happy with this area but the area does need to match with the application boundary on the location plan. We would suggest, that if there are no adverse impacts elsewhere in the application process, that the area on the location plan and other plans is amended to reduce the need for further reporting / updates to the BNG metric and report.
- Please respond to our previous comment regarding the tree on Gosberryhole Lane.

We have a minor comment on the bat emergence and re-entry surveys:

- An 'at darkest point' NVA shot is required for each NVA used and for each survey to ensure they are recording appropriately – it is not clear whether the photos provided are at darkest point.

Biodiversity Net Gain

- The thinking behind strategic significance in the BNG report is sensible, however there is a map which can be used for Staffordshire. Strategic significance is worked out using the net gain map for Staffordshire at <https://netgainstaffs.com/map/>. This shows that a large portion of the site is strategically significant for woodland and wetland.
- There is a discrepancy between the report which states that 0.16 units of rural trees are to be retained (this is the on-site unit change) and the metric which states 0.05 units of rural trees are to be retained. Clarification should be made as to which is correct and appropriate changes made.
- The report states that the post development area-based habitat value of the site is 2.17 units. Checking this calculation, this appears to be incorrect with 2.52 units delivered (0.63 retained and 1.89 created) on-site. The report should be amended.
- Clarification is requested about whether the habitats created are in a private garden as defined in the metric user guide, if so, they should be recorded as 'urban – vegetated garden' or 'urban – unvegetated garden'. Retained habitats can be recorded as retained. The metric should be recalculated and report updated accordingly.
- We would like to make the applicant aware that any biodiversity gain habitat created outside the red line boundary but within the land holding would need to be registered as a biodiversity gain site which may be quite costly.

SWT Previous Comments

Update Bat Survey

An update bat survey included a Preliminary Roost Assessment (PRA) and a dusk activity survey. We are happy with the updated bat surveys and the recommendations of wildlife sensitive lighting during and after construction and provision of 2 bat boxes should be secured with a planning condition. There should be a pre-commencement condition to determine the type and citing of the bat boxes.

The 2024 PEA and PRA survey report mentions that *'No evidence of nesting birds was identified on or within B1. B1 is deemed to provide negligible habitat value for nesting birds due to a lack of suitable nesting sites or access points'*. This is contrary to the previous PRA report by Elite Ecology in 2022 which stated *'The habitats on site have a high potential to support nesting birds, with the building on site found to contain both blackbird (Turdus merula), and wren (Troglodytes troglodytes) nests'*. Our comments on the 2022 PEA and PRA stated *'The PRA should include an updated assessment of potential for the barn to support nesting birds, including but not limited to blackbird, wren, barn swallow and barn owl'*. Although the 2024 survey did not find nests, we would uphold the recommendation of installing Wren and Blackbird nest boxes in addition to the species listed in the 2024 PEA and PRA report.

Precautionary Method Statement for Protected Species

Our comment on the small tree located on Goosberryhole Lane has not been acknowledged or responded to in the 2024 PEA and PRA, this still needs to be addressed.

We note that the desk study for the 2024 surveys did not include a protected sites and species records search or reference to the search in the 2022 report. Reading the 2022 report, it does not appear that these cause any constraints, however it would have been useful for the surveyor to be aware of local records whilst undertaking the survey and considering impacts on protected species and mitigation especially as some information was available.

Method Statement for Non-native Species

We note from the 2024 report that control of Himalayan Balsam has started on the site and we welcome this. It is unclear whether a method statement for invasive non-native species has been produced prior to the commencement of this.

Protected Species Mitigation and Enhancement Measures

Our comments still stand. It does not appear that the 2024 PEA and PRA has considered our comments as there is no provision for a minimum of 1no. blackbird nest box, 3no. wren nest boxes and 1no. swallow nest box. These should be secured by conditions. Further comments added to the conditions listed below.

Conditions

The following should be secured by appropriately worded conditions:

Invasive species management plan or method statement to control and / or eradicate Japanese Knotweed and Himalayan Balsam.

Invertebrates – recommended enhancements. Bee bricks should not be installed 0.5m above ground level. Ibstock bricks recommends *‘Recommended height is 1-1.5 metres from ground level. South or south easterly facing walls within 100 metres of flowering habitat is recommended, preferably closer to potential food sources’*

(<https://assets.ctfassets.net/eta2veg3yuv/5lLcxEX3UQl15XkvqNMgCl/9b202d773e421c4c0466f93e4180d74b/ecohabitats-ebook.pdf>). This corrected guidance and the provision of native wildflowers or wildflower turf should be secured in a condition.

The following biodiversity enhancements should be secured with a condition:

- Planting fruit bearing trees and species-rich grassland to increase foraging opportunities.
- Creation of brash piles or installation of hedgehog houses in shady areas.
- Installation of gaps under boundary fencing to enable hedgehogs to move freely through the site
- Any trees planted should be native species of local provenance.
- At least one hibernaculum for amphibians should be created using rubble and logs from site clearance following the instructions in the 2024 PEA and PRA.

Pre-commencement Conditions

The following should be secured through conditions prior to commencement of works:

Bat a sensitive lighting scheme should be designed and approved by a suitably qualified Ecologist for during and post construction. This should be a pre-commencement condition.

Type and citing of 2 bat boxes to be agreed as a pre-commencement condition with at least one of these for crevice dwelling species within or on the proposed development. This should be presented on a map.

Number type and citing of bird boxes (shown on a map) should be agreed as a pre-commencement condition, this should include at least 1no. blackbird, 3no. wren, 1no. Barn Swallow and all of the nest boxes recommended in the 2024 PEA and PRA. As Swifts are colony nesters, we would recommend that at least 3no. Schwegler No 17 Swift Nest Boxes are included. Some of the boxes should be incorporated during construction.

To avoid disturbance or harm to protected species, a precautionary method statement should be provided as a pre-commencement condition. This will provide measures for protected species including amphibians, hedgehogs, reptiles and nesting birds as detailed in the 2022 PEA, partially mentioned in the 2024 PEA (recommendations for amphibians, hedgehogs) and our previous comments.

A Construction Environment Management Plan (CEMP) should ensure best practice measures are implemented to minimise the possibility of pollution during construction affecting nearby deciduous woodland.