

99 Bank End Farm, High Lane SWT Comments

Application Reference: SMD/2024/0551

Location: 99 Bank End Farm, High Lane, Brown Edge, Staffordshire, ST6 8RT

Proposed Development: The erection of an agricultural storage building and a twin span polytunnel for the nursery

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.

Staffordshire Wildlife Trust recommend a **holding objection** until the following comments and required information has been supplied, assessed and resolved:

Biodiversity Net Gain (BNG)

The [Government's Planning Practice Guidance for Biodiversity Net Gain](#) states:

'Where an applicant believes the development would be subject to the biodiversity gain condition, the application must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#):

- *confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;*
- *the pre-development biodiversity value(s), [either on the date of application or earlier proposed date \(as appropriate\)](#);*
- *where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;*
- *[the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;*
- *a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value (['degradation'](#)), and where they have:*
 - *a statement to the effect that these activities have been carried out;*
 - *the date immediately before these activities were carried out;*
 - *the pre-development biodiversity value of the onsite habitat on this date;*
 - *the completed metric calculation tool showing the calculations, and*
 - *any available supporting evidence of this;*
- *a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and*

- *plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).'*

All of the above information needs to be provided for this application. In addition to this, the completed statutory small sites metric has the incorrect habitats inputted and this needs to be corrected and resubmitted with the correct habitats.

Habitat types are incorrect in the small sites metric. Nurseries should be inputted as cropland → horticulture. The photo appears to show gravel with some vegetation coming through it which is likely to be 'artificial unvegetated, unsealed surface' this is 'land that has no or very low (<10%) cover of vegetation through direct or indirect human activity, and the soil surface is not sealed with impervious materials'.

Currently the metric contains largely artificial unvegetated, unsealed surface (1083.48 square metres) and developed land sealed surface (110.26 square metres). There is no plan or evidence to show where these relate to. The metric needs to be accompanied by a plan as detailed above.

Please refer to the small sites metric user guide for guidance; this states:

'Principles and rules underpin the use of the SSM. The first principle is that the SSM assessment should be completed by a competent person.'

A competent person has the knowledge and skills to perform specified tasks to complete and review SSM calculations. You obtain this through training, qualifications, experience, or a combination of them.

A competent person completing the SSM is known as the SSM 'user'.

Users of the SSM should be competent in identifying:

- *habitats present on site (pre-development)*
- *management requirements for habitats to be created or enhanced within the landscape design (post-development)*

Competency is aligned with the British Standard 'Process for designing and implementing biodiversity net gain: BS 8683:2021'.

The developer is responsible for selecting the competent person for completing the SSM'.

The person filling out the metric should be competent in identifying the habitats present on site.

Application Form

Application form gives the biodiversity value of 0, this needs to be amended when the metric has been completed correctly.

The reason given for using an earlier date to the date of the planning application is confusing. Please make this clearer. Usually an earlier date would be agreed with the LPA or the date of submission of the application would be given, so long as the biodiversity value of the site has not changed.

[PEA and other protected species statement / assessment](#)

There is no statement regarding / assessment of potential for protected species to be affected by the proposal and this should be provided, this is usually in the form of a Preliminary Ecological Appraisal (PEA) which may recommend further surveys. Looking at the photos provided, the sheeting and slabs on the ground could potentially provide suitable hibernation habitat for amphibians including great crested newts and basking for reptiles. There are also hedgerows and trees very close to the red line boundary which could providing nesting habitat for birds also habitat for hedgehogs. Looking from google maps, at the photos provided and reading the tree report, there are dead trees within the site, one with lots of ivy that may have potential for roosting bats. For bats, we would recommend that the PEA includes a Ground Level Tree Assessment (GLTA) possibly followed by dusk activity survey and/or tree climb surveys in May-Aug if they are found to support PRF-M. They also need to be assessed for hibernation roost potential and breeding birds precautions. If trees containing bat roosts are to be removed a bat licence will be required.

There are maps of impact risk zones available to view for Great Crested Newt District Level Licencing. This site is in an amber zone which is defined as '*suitable habitat – great crested newts are likely to be present*'.

[Mitigation Hierarchy, Bat Licence and Breeding Birds](#)

The mitigation hierarchy has not been considered, therefore this does not comply with the NPPF or BS42020:2013. The tree report recommends the removal of two trees, if these are within the red line boundary, this would require adequate mitigation both for the loss of the trees, but also, if any bats use the trees to roost then mitigation for these.