

**Biodiversity and  
Development Supplementary  
Planning Document (SPD)  
Consultation Statement  
May 2016**

**Biodiversity and Development Supplementary Planning Document  
Town and Country Planning (Local Planning) (England) Regulations 2012  
Consultation Statement in accordance with Regulation 12(a)**

The Town and County Planning (Local Planning) Regulations of 2012 stipulate in regulation 12(a) that before adoption of a supplementary planning document, the local planning authority must prepare a statement setting out:

- I. The persons that local planning authority consulted when preparing the supplementary planning document;
- II. A summary of the main issues raised by those persons, and;
- III. How those issues have been addressed in the supplementary planning document.

In accordance with that Regulation 12(a) the persons and organisations listed in appendix A were consulted in preparing the Biodiversity and Development SPD.

Consultation on the draft SPD was carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the measures set out in the Council's adopted Statement of Community Involvement.

The document was made available for public inspection for a six week period between the 2<sup>nd</sup> July 2015 and the 13<sup>th</sup> August 2015. Copies of the draft SPD were available during normal office hours at the following location:

- Lichfield District Council Office, Frog Lane, Lichfield.

Copies were also available to view on the Council's website. Further information was available by contacting the Spatial Policy and Delivery Team or e mailing [developmentplans@lichfielddc.gov.uk](mailto:developmentplans@lichfielddc.gov.uk). Responses could be made via the development plans e mail at [developmentplans@lichfielddc.gov.uk](mailto:developmentplans@lichfielddc.gov.uk) and via the council's consultation system at <http://lichfielddc-consult.limehouse.co.uk/portal> or sent in writing to Spatial Policy and Delivery Manager. It was made clear on all publications that the consultation ended on Thursday 13<sup>th</sup> August 2015, 5.00pm

The following measures were undertaken to inform persons of the draft SPD consultation and document availability:

- Notification e mails where sent to all individuals/organisations/bodies that the Council considered would be affected or interested in the SPD.
- A Press Notice was posted in a local paper
- A press release was issued
- The SPD and details of the consultation were posted on the Council's website.

Appendix B to this document sets out the responses received to the consultation and how the issues raised have been addressed in the SPD.

# Appendix A

## Persons Consulted on the Biodiversity and Development SPD

All consultation was via email through the Planning Consultation Portal

<b>Persons Consulted</b>	
<b>SPECIFIC CONSULTATION BODIES</b>	
<p><b>All Parish Councils within Lichfield District</b></p>	<p><b>People on the Consultation Portal list: over 2000</b></p>
<p><b>Parish Councils outside Lichfield District</b></p> <ul style="list-style-type: none"> <li>• Abbots Bromley Parish Council</li> <li>• Blithfield Parish Council</li> <li>• Brereton &amp; Ravenhill Parish Council</li> <li>• Coton in the Elms Parish Council</li> <li>• Hoar Cross Parish Council</li> <li>• Lullington Parish Council</li> <li>• Middleton Parish Council</li> <li>• Netherseal Parish Council</li> <li>• Newton Regis, Seckington &amp; No Man's Heath PC</li> <li>• Norton Canes Parish Council</li> <li>• Overseal Parish Council</li> <li>• Rugeley Town Council</li> <li>• Shuttington Parish Council</li> <li>• Stowe by Chartley Parish Council</li> <li>• Walton on Trent Parish Council</li> <li>• Yoxall Parish Council</li> </ul>	<p><b>County Councils/Unitary Authorities</b></p> <ul style="list-style-type: none"> <li>• Birmingham City Council</li> <li>• Derbyshire County Council</li> <li>• Leicestershire County Council</li> <li>• Staffordshire County Council</li> <li>• Stoke on Trent City Council</li> <li>• Walsall Metropolitan Borough Council</li> <li>• Warwickshire County Council</li> </ul>
<p><b>Local Planning Authorities</b></p> <ul style="list-style-type: none"> <li>• Cannock Chase Council</li> <li>• East Staffordshire Borough Council</li> <li>• Newcastle under Lyme Borough Council</li> <li>• North Warwickshire Borough Council</li> <li>• North West Leicestershire District Council</li> <li>• South Derbyshire District Council</li> <li>• South Staffordshire Council</li> <li>• Stafford Borough Council</li> <li>• Staffs Moorlands District Council</li> <li>• Tamworth Borough Council</li> </ul>	<p><b>National Organisations</b></p> <ul style="list-style-type: none"> <li>• Arts Council</li> <li>• British Pipelines Agency</li> <li>• British Telecom Group</li> <li>• Canal &amp; River Trust</li> <li>• Central Networks</li> <li>• Centro</li> <li>• Crown Estates</li> <li>• Council of British Archaeology</li> <li>• Defence Infrastructure Organisation</li> <li>• Design Council</li> <li>• Forestry Commission</li> <li>• Environment Agency</li> <li>• Health and Safety Executive</li> <li>• Heritage Lottery Fund</li> <li>• Highways Agency</li> <li>• Historic England - Birmingham Office</li> <li>• Home Builders Federation</li> <li>• Inland Waterways Association (Lichfield Branch)</li> <li>• National Federation of Gypsy Liaison Groups</li> </ul>

**Schools**

- Chase Terrace Primary School
- Chase Terrace Technical College
- Hayes Meadow County Primary School
- Holly Grove Primary School
- John Taylor High School
- Little Aston Primary School
- Nether Stowe School
- Rawlett High School
- Saxon Hill School
- St. Stephens Primary School
- The Friary High School

- National Grid (Gas)
- National Grid Plant Protection
- National Trust
- Natural England
- Network Rail
- Office of Rail Regulation
- Royal Mail Group c/o DTZ
- Severn Trent Water Ltd
- Sport England
- Sport England West Midlands
- The Coal Authority
- Western Power Distribution

**Other consultee groups/organisations**

- Aldi Stores Ltd
- Alpha Project Management Ltd
- Alrewas Civic Society
- Alrewas Conservation Group
- Arts Foundation for Lichfield
- Ashfield Land Ltd
- Aspen Retirement Group
- AVK Motorsport Ltd
- Barton Willmore
- Barwood Strategic Land II LLP
- Beacon Street Area Residents' Association
- Beautiful Gardens
- BNP Paribas Real Estate UK
- Booth Trustees
- Borrowcop & District Residents' Association
- Borrowcop Management Consulting Ltd
- Bradshaw Bros. Ltd.
- Broome Manor Limited
- Building Research Establishment
- Burntwood Action Group
- Burntwood and Hammerwich Action Group
- Burntwood Business Community
- Burntwood Live at Home Scheme
- CALA Homes (Mids)
- Campaign for Real Ale Limited

- McClean Family Pension Fund
- Mease Valley Group
- Midland Co-op
- Miller Homes Ltd - East Midlands Region
- National Memorial Arboretum
- NAYC (Whitemoor Haye)
- NFGLG
- NFU Mutual Office
- NHS Cannock Chase Clinical Commissioning Group
- NHS Property Services Ltd
- NHS South East Staffordshire & Seisdon Peninsula CCG
- Objective Corporation
- Open Spaces Society
- OPT
- Orbit Housing Association
- Overbury
- Pall Mall Investments Ltd
- Palletways UK Ltd
- Paradise Found
- Parkridge Homes
- Partner Construction Ltd
- PDSA
- Persimmon Homes (West Midlands) Ltd
- Persimmon Homes Ltd
- Peter Roberts
- Pipe Green Trust
- Planning and Design Practice
- Planware Limited
- ProLogis
- Radleigh Homes

- Campaign to Protect Rural England - Staffordshire District Group
- Cannock Chase AONB Joint Committee
- Cannock Chase AONB Unit
- Carillion Developments
- Carnegie UK Trust
- CBI West Midlands Region
- Central Garage
- Central Rivers Initiative
- Chartre Associates Limited
- Chase & Partners
- Chasetown Preservation Group
- Chasewater Wildlife Group
- Christchurch Primary School
- Church Commissioners
- Civic Society
- Clifton Campville Millenium Green Trust
- Clinical Commissioning Group, NHS England
- Coltman Precast Concrete Ltd
- Country Land & Business Association Ltd
- CPBigwood
- CT Planning
- Curborough Consortium (RPS)
- Cycling Club Giro
- Data Identic Ltd
- David Wilson Estates
- Davy Developments Ltd
- Deloitte LLP
- Deltabridge Investments
- Derbyshire Gypsy Liaison Group
- Development Securities (Lichfield) Ltd
- Dorsman Estates Ltd
- Drayton Manor Park
- Eden Wood Limited
- Elford Homes Ltd
- Entec UK Ltd
- Envirowatch UK
- F W Ridout & Co
- Field Hamlin
- Fields In Trust
- Ramblers Association
- RCA Regeneration Limited
- Redrow Homes (Midlands) Ltd
- Represented by Star Planning
- Retirement Housing Group
- Revelan
- Revelan Group Plc
- Richborough Estates Ltd
- Ridware History Society
- Rob Duncan Planning Consultancy
- ROM Ltd
- Rowe & Sons
- Royal Institute of British Architects Client Services
- Royal Sutton Cycling Club
- RSPB Midlands Regional Office
- Rugeley Power Ltd
- S Harrison Developments Ltd
- Sainsbury's Supermarkets Limited
- Salton Europe Ltd
- Satnam Planning Services Ltd
- Savills
- Shenstone & District Car Club - Curborough
- Shipley Estates Limited
- Skills Funding Agency
- Smiths Gore ATE Wales
- Soleco UK Limited
- South Lichfield Residents Group
- South Staffordshire Mental Health Network
- South Staffordshire Water Plc
- Spire Healthcare Limited
- Sport Across Staffordshire & Stoke on Trent
- SSLEP
- St Giles Hospice
- St John's Church Shenstone & St Peter's Church Stonnall
- St Martins Property Investments Ltd
- St Pauls Res. & Commercial Property

- Fine Thompson Ltd
- First City
- Forest of Mercia
- Fosse Way Investments Limited
- Fradley Against Curborough Town
- Fradley Park Developments Ltd
- Fradley Village Hall Management Committee
- Fradley West Consortium
- Friend Associates
- Friends of Hopwas Wood
- Fulfen Primary School
- Future Energy Solutions
- GABEM (504225) Ltd
- GBSLEP
- GKN Group Services Limited
- Gladman Developments
- Gleeson Stategic Land
- Global Mapping Ltd
- Gregory Gray Associates
- Grosvenor Gospel Hall Trust
- Hammerwich Environment Group
- Hodgetts Estates
- Homes and Community Agency
- Hopwas Methodist Church
- Howkins and Harrison
- HS2 Ltd
- HSBC Bank PLC
- HSI UK Active Fund
- IGM Projects Ltd
- Infrastructure Planning & Design Limited
- Instaffs (UK) Ltd
- Institute of Directors
- International Power Plc
- J S Bloor (Services) Ltd
- J T Leavesley Ltd
- J.A. Nichols
- Johnson Fellows
- JPE Holdings Ltd
- JVH Town Planning Consultants Ltd
- St. Matthews Hospital Cricket Club
- Staffordshire Fire & Rescue Service HQ
- Staffordshire Gardens & Parks Trust
- Staffordshire Police - Trent Valley Division
- Staffordshire Police Partnership
- Staffordshire University Lichfield Centre
- Staffordshire Wildlife Trust
- Stewart Ross Associates
- Stoford Developments Ltd
- Streethay Against Development
- Sustrans
- Tamworth North Consortium/Walton Homes
- Taylor Wimpey UK Limited
- The Ancient Tree Forum
- The Association of Inland Navigation Authorities
- The Co-operative Group
- The Crown Estate
- The Landor Society of Rugeley
- The Meynell & South Staffs Hunt
- The National Forest Company
- The Ramblers Association - Staffordshire Area
- The Theatres Trust
- The Tree Council (UK)
- The Trent Valley Bowls Club
- Thomas Eggar
- Thomas Vale Construction
- Trustees of St. John's Hospital
- Village Retail Services Association
- W M Morrison Supermarkets
- Waitrose Ltd
- Walton Homes Limited
- Waterloo Housing Association Ltd
- West Midlands HARP Planning Consortium

- K B Jackson & Son (Midlands) Ltd
- Kenton Manor
- Kingfisher Holiday Park
- Kingswood Homes
- Lafarge Aggregates Ltd
- Lambert Smith Hampton
- LCP
- Leavesley Group
- Leomansley Area Residents Association
- Lichfield & District Council Voluntary Services
- Lichfield & District Cycle Forum
- Lichfield & Hatherton Canals Restoration Trust
- Lichfield & Tamworth Chamber of Commerce & Industry
- Lichfield & Tamworth Liberal Democrats
- Lichfield Alliance
- Lichfield Aspergers Parent Support Group
- Lichfield Cathedral
- Lichfield Civic Society
- Lichfield Cricket and Hockey Club and affiliate clubs
- Lichfield Cruising Club 2000 Ltd
- Lichfield Islamic Cultural Society
- Lichfield Rail Promotion Group
- Lichfield Skatepark Association
- Lingfield Assets LLP
- Lingfield Plc (Harris Lamb)
- Lingfield Securities plc
- Lioncourt Homes Ltd
- Little Aston Community Association
- London & Cambridge Properties Ltd
- London Midland
- Loxton Developments
- Lyalvale Express Ltd
- MADE
- West Midlands RSL Planning Consortium
- West Midlands, NHS Property Services Ltd
- Wilson Bowden Developments Ltd
- Woodland Trust



- Make it Stoke on Trent & Staffordshire
- Maples Hayes Trust
- Marine Fabrications Ltd
- Marrons

As part of the consultation 1396 members of the public were consulted. Details can be provided on request.

# Appendix B

## Representations made to the Biodiversity and Development Supplementary Planning Document

Name	Summary of The Main Issues	How those issues have been addressed
Alrewas Parish Council	<ul style="list-style-type: none"> <li>• No specific comments to raise on the individual sections.</li> <li>• Executive Summaries should be a key part of these documents providing a clear guide to the reader but we consider that the Executive Summaries, where they exist, are not in fact Executive Summaries and need to be improved considerably.</li> </ul>	An executive summary will be included in the final document.
Burntwood Town Council	<ul style="list-style-type: none"> <li>• No objection as long as the policy improves the level of design and consistency of planning applications.</li> </ul>	No Changes Proposed.
Cannock Chase AONB	<ul style="list-style-type: none"> <li>• We welcome some references to the AONB at various points in the documents but consider that a more consistent treatment would properly recognise the (national) importance of the AONB in terms of planning policy and decisions.</li> <li>• That the AONB Management Plan (2014 -19) is referred to as policy context in each of the SPDs at the appropriate point(s).</li> <li>• That the AONB Partnership is listed in the “Further contacts” sections of each of the SPDs.</li> </ul>	AONB Partnership’s contact details to be added Appendix B of the final document.
Deanslade Park Consortium	<ul style="list-style-type: none"> <li>• The Biodiversity &amp; Development Supplementary Planning Document (SPD) is designed to provide guidance on maintaining biodiversity within any proposed development. It aims to minimise fragmentation of existing habitats, incorporate conservation features into the development and to deliver a net gain for biodiversity. In order to comply with these aims, it is imperative to know how the important sites/features/species will be impacted and how these impacts, if any, can be mitigated for. These impacts may apply to sites within the zone of influence of the development which may be well outside of the development boundary.</li> </ul>	Comments are noted, no changes required.

- *International and European Sites*
  - Sites with international protection and designated under the 'Conservation of Habitats and Species Regulations 2010 (Habs. Regs.)' are known as Special Areas of Conservation (SAC's). As noted within the SPD, it is possible for development to have a negative impact on a SAC whilst being a significant distance from it. LDC's Local Plan Strategy (Policy NR7) in conjunction with partner LPA's, indicates that any development within a 15km radius of [Cannock Chase] SAC (nearest boundary) will have an adverse impact upon it, unless or until satisfactory avoidance and/or mitigation measures have been agreed. The development site is located within 13km of the SAC and therefore within the 15km zone of influence.
  
- *National Sites*
  - Sites of Special Scientific Interest (SSSI's) are designated by Natural England and encompass the best examples of a particular habitat or populations of protected species. There is 1 SSSI partially within a 2km radius of the site designated for its population of native white clawed crayfish. Again the SPD makes the point that a development can have a negative impact on a SSSI whilst being a significant distance away from it and advises that Natural England's Risk Impact Zone GIS System should be consulted if a development is close to a SSSI. However as this site is located within the centre of Lichfield and separated from the development site by extensive housing and road infrastructure with no connectivity between them, the development is considered to be sufficiently isolated as to have no impact upon the SSSI.

	<ul style="list-style-type: none"> <li>• <i>County/District Sites</i> <ul style="list-style-type: none"> <li>○ These sites are important on a regional level and support uncommon habitats/species which includes UK Biodiversity Action Plan priority habitats and species. In Staffordshire these are termed Sites of Biological Importance (SBI's) and Biodiversity Alert Sites (BAS'S). There are 4 SBI's within 2km of the development site, the closest being 1.6 km from the site, encompassing a variety of habitats including lowland heath, grassland, wetland and ancient woodland. These sites, although not statutorily protected, are a material consideration in the planning process.</li> </ul> </li>   <li>• <i>Impacts on Protected Species</i> <ul style="list-style-type: none"> <li>○ The presence of a protected species is also a material consideration in determining a planning application. This is a statutory requirement and is therefore a reasonable inclusion in the SPD.</li> </ul> </li>   <li>• <i>Monitoring net loss</i> <ul style="list-style-type: none"> <li>○ The SPD states that all development should deliver a net benefit for biodiversity Protected Species, even where there is no impact on biodiversity under the proposal. On sites with negligible impact, a net gain could simply be achieved through additional tree planting or the provision of bird boxes. Net benefits of the development are demonstrated by means of Lichfield District Councils' <i>'Delivered Net gains for Biodiversity'</i> form (Appendix A of the SPD).</li> </ul> </li>   <li>•</li>   <li>• <i>Compensation/enhancement</i> <ul style="list-style-type: none"> <li>○ Compensation is the process of providing species and/or benefits to make up for the loss of biodiversity to the</li> </ul> </li> </ul>	
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	<p>development. According to the SPD, compensation schemes must produce habitats of greater biodiversity value than that which will be lost. LDC considers this to be set at 25% above the biodiversity unit value of the habitats lost. The SPD also states that the value of the habitat(s) lost to the development must be calculated before compensation can occur, a process by which the net gain in biodiversity, already evident, can be substantiated.</p>	
Historic England	<ul style="list-style-type: none"> <li>No comments at this time.</li> </ul>	No Changes Proposed.
Health and Safety Executive	<ul style="list-style-type: none"> <li>We have concluded that we have no representation to make at this stage of your local planning process. This is because there is insufficient information in the consultation document on the location and use class of sites that could be developed. In the absence of this information, the HSE is unable to give advice regarding the compatibility of future developments within the consultation zones of major hazard installations and MAHPs located in the area of your local plan.</li> </ul>	Comments are noted, no changes required.
Natural England	<ul style="list-style-type: none"> <li>We welcome the production of this SPD which we believe succeeds in its objective to <i>'add further information to the policies within the Local Plan which relate to biodiversity and to aid in their interpretation and help make successful applications'</i>.</li> <li>Pre-application discussions - Natural England notes the document's reference to the importance of early discussions regarding draft planning proposals and the opportunities this presents to avoid adverse impacts and maximise opportunities for protection, enhancement and creation of environmental assets where appropriate. This approach serves to support the effective use of the 'mitigation hierarchy' as described in section 6 of the SPD<sub>1</sub>.</li> </ul>	<p>Comments are noted, Reference to <i>"Cannock Chase SAC Interim guidance to mitigate the impact of new residential development"</i> to be replaced with reference to adopted document.</p> <p>All maps within the final document to be amended and their clarity improved.</p> <p>All references to Geodiveristy to be removed to aid clarity of the final documents intent.</p> <p>All typos highlighted to be corrected.</p>

	<ul style="list-style-type: none"><li>• Cannock Chase SAC - We welcome the inclusion within Appendix B of a link to your '<i>Cannock Chase SAC Interim guidance to mitigate the impact of new residential development</i>' but please note that a revised guidance has now been produced so the link is likely to need updating.</li><li>• Geodiversity - is often treated as part of biodiversity and it isn't clear from the current draft of the SPD whether this is the intention. We acknowledge that geodiversity interests are often revealed within mineral extraction sites and that these are permitted through the county minerals planning authority. Nonetheless Regionally Important Geological Sites (RIGS) may exist within the district and we advise that this is clarified before finalising the document so that appropriate text may be included.</li><li>• We note the reference to the Staffordshire County planning applications validation guidance. In order to help the Council assess submitted planning applications with potential impacts on Sites of Special Scientific Interest (SSSI) the LPA may wish to download our SSSI impact risk zones dataset.</li><li>• <b>SSSI Impact Risk Zones</b> The Town and Country Planning (Development Management Procedure) (England) Order 2015, which came into force on 15 April 2015, has removed the requirement to consult Natural England on notified consultation zones within 2 km of a Site of Special Scientific Interest (Schedule 5, v (ii) of the 2010 DMPO). The requirement to consult Natural England on "<i>Development in or likely to affect a Site of Special Scientific Interest</i>" remains in place (Schedule 4, w). Natural England's <b>SSSI Impact Risk Zones</b> are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when</li></ul>	
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	<p>to consult Natural England on developments <i>likely to affect a SSSI</i>. The dataset and user guidance can be accessed from the gov.uk website.</p> <ul style="list-style-type: none"> <li>• The maps in the appendices are illegible.</li> <li>• 4.9 – Typo – ‘Cannock Chase SAC’ rather than Cannock Chase Heaths SAC</li> </ul>	
Network Rail	<ul style="list-style-type: none"> <li>• Network Rail has no comments to make</li> </ul>	No Changes Proposed
National Farmers Union	<p><b>Stage A4 Compensation and Biodiversity Offsetting</b></p> <ul style="list-style-type: none"> <li>• Offsite biodiversity offsetting is an interesting proposition for the farming community. We would be very interested to learn more about how you feel the concept would work in Lichfield District. One of our key aims would be to ensure that the contribution of the landowner is adequately valued and that the costs of maintaining the asset are fully covered by the developer. Therefore, we do not think that this element of the SPD should be adopted in advance of the production of the Biodiversity Offsetting Strategy. There is not enough information on the implementation of offsetting and no guarantee that the concept as laid out is practical or deliverable.</li> <li>• Biodiversity offsets formally place a value on biodiversity. However, indications from the early drafts of the National Ecosystem Assessment show that there are considerable evidence gaps for the value of ecosystem services provided by biodiversity. Any calculation of credits would need to adopt a consistent and transparent methodology.</li> </ul> <p><u>Practical constraints</u></p>	Comments are noted, further detail and clarification regarding Biodiversity Offsetting Schemes to be added to section “ <i>Stage 4A Compensation and Biodiversity Offsetting</i> ” in the final Document



	<ul style="list-style-type: none"><li>• The need for regulation - any offsetting scheme would inevitably need some form of regulation to ensure fair processes and facilitate brokers for transaction of monies. Some potential “brokers” are already actively vying for this role. Given the potential for farmers/landowners to undervalue the financial costs of any habitat creation or restoration agreement entered into, then a third party or broker may be essential to carry risk and ensure realistic estimates are agreed. They would also be necessary to make sure that only appropriate offset projects are targeted and agreed. Local Wildlife Trusts and partnerships have been suggested as a possible candidate for this role. However, there is a danger here that not all LWT’s be equally well placed to carry out this responsibility and a join-up with regional and national strategic plans and priorities would be essential.</li><li>• Achieving perpetuity<ul style="list-style-type: none"><li>○ There are already examples of covenants being used to guarantee specific long-term management of land (e.g. Westcountry Rivers Trust). Given that agreements of in excess of 20/25 years are being mentioned, then this could be an attractive option for some of our members, but it’s a long-term commitment in volatile times for markets. Land tenure could also present a problem for those with tenancies interested in offsetting or with a landlord who is considering entering land into an offset agreement.</li></ul></li><li>• Is there sufficient demand - given the fact that this should only be a mechanism of last resort when existing regulation and consultation have failed to reach a solution, is there sufficient demand to create a market? Defra have indicated that they don’t expect this to be an exchange of large areas of land.</li></ul>	
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	<ul style="list-style-type: none"> <li>We note that you would be using the Staffordshire and Lichfield Biodiversity Opportunity Map. However, it's still not clear whether the offsetting be a proactive process (i.e. going out and actively approaching farmers and landowners with potentially suitable candidate habitat for offsetting) or a reactive process (i.e. using what is offered onto the market or effectively banked by farmers and landowners)? Would sufficient land be available within Lichfield District?</li> </ul>	
Office of Rail and Road	<ul style="list-style-type: none"> <li>The ORR has no comment to make</li> </ul>	No Changes Proposed
Staffordshire County Council	<ul style="list-style-type: none"> <li>We support the preparation of these SPDs in providing further guidance and advice to developers on the application of policies within the Local Plan. All five of the SPDs in our opinion have been prepared in accordance with the National Planning Policy Framework and Guidance.</li> <li>As a general point it is felt that there is a need to cross reference between the different SPD's to highlight the links to potential developers and ensure that they have a full understanding of potential constraints and potential benefits.</li> </ul> <p><b>The Biodiversity and Development SPD</b></p> <ul style="list-style-type: none"> <li>The Biodiversity and Development SPD is generally a good model but there are some concerns over factual issues and wording that is unclear or misleading.</li> <li>Overall – reference to BS42020:2013 Biodiversity: Code of practice for planning and development is recommended throughout the SPD. It is suggested that the mitigation hierarchy of avoid-minimise-mitigate-compensate-enhance should be made clear early in the SPD.</li> </ul>	<p>Comments are noted; reference to the mitigation hierarchy to be included in the executive summary and/or section2, Introduction in the Final Document.</p> <p>All references to Geodiveristy to be removed to aid clarity of the final documents intent.</p> <p>All suggested corrections, typo amendments and name changes to be incorporated in the Final Document.</p> <p>The naming and description of the “first impression survey” to be amended in the final document so to make clear: what it is; what it is intended to achieve; what information it cannot provide; and its distinctiveness from a Phase 1 habitat assessment</p>

	<ul style="list-style-type: none"> <li>• The definition of nature conservation in the SPD includes geological interest and natural and historic landscape character but these are not included in guidance which refers to habitats and species only in most aspects.</li> <li>• Section 3.0 Habitats Regulations: the reference should be to the Conservation of Habitats and Species Regulations 2010 which overrides the 1994 Regulations and includes the provisions relating to strategic plans not included in the 1994 Regulations. Reference to The Wildlife and Countryside Act 1981 should state “as amended.”</li> </ul> <p>It is suggested that the SPD should add Protection of Badgers Act 1992 as the SPD refers to badgers. Additionally, suggest Hedgerow Regulations 1997 is added.</p> <ul style="list-style-type: none"> <li>• In relation to International and European Sites it should perhaps be made clear that other Natura 2000 sites may need to be considered in addition to those within or close to the District. E.g. air quality effects, hydrological effects, can be wide ranging.</li> <li>• Section 4.2 – it is recommended that ecological connectivity be given more explanation and clarity – this is an element that is frequently ignored in planning applications.</li> <li>• Section 4.9 - Name correction: Cannock Chase SAC does not have word “Heaths” in the title.</li> <li>• Section 4.10 - SACs are designated by the European Commission not Natural England.</li> <li>• Section 4.13 - SSSI name correction: Chasewater and Southern Staffordshire Coalfield Heaths SSSI. This includes the old Biddulphs Pool SSSI so that does not need to be listed separately.</li> </ul>	
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	<ul style="list-style-type: none"><li>• Name correction: Stowe Pool and Walkmill Claypit SSSI (Walkmill Claypit section is in Cannock Chase District but part of same SSSI.)</li><li>• Section 4.16 - Suggest SBI and BAS be defined by their importance level for clarity of guidance.</li><li>• Section 4.24 - Suggest that the SPD refers to the Staffordshire Biodiversity Action Plan Ecosystem Action Plans which explanatory text and to Biodiversity Opportunity Mapping referred to later in 6.27.</li><li>• Table1 - It is recommended that assessment of off-site impacts should be explicitly included in guidance here and elsewhere and reference to impacts on ecological connectivity which are covered in stage A5 but not well elsewhere.</li><li>• Stage A: Preparing to submit a planning application</li><li>• Stage A1- Whilst it is appreciated that there is an effort to use user-friendly language but this does give rise to concerns that this will lead to misunderstandings. Reference to a “first impressions” survey is potentially misleading as the term is not used by any planning or biodiversity guidance. Perhaps rather than “first impressions” survey refer to assessment of site in regard of Validation requirements to determine what survey and assessment is required. [This] can be carried out by non-ecologists. Clarity is essential at this stage. The SPD goes on to describe to “first impressions” survey in a way that would normally refer to Preliminary Ecological Appraisal, which is the next stage after the check against validation requirements and which must be carried out by a suitably qualified and experienced ecologist, not by a developer, member of the public etc. This really needs clarification if the LPA wishes to ensure that ecology surveys received are valid.</li></ul>	
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	<p>For example could a member of the public or developer decide whether bats might be using a built structure or assess whether a grassland is unimproved, semi-improved or improved?</p> <ul style="list-style-type: none"> <li>• Stage A2 – Protected/Priority species and Habitat Surveys <ul style="list-style-type: none"> <li>○ Suggest include standards/guidance for ecological reports covering information that should be included, limitations, author identity etc – see CIEEM Guidelines on ecological reports and BS42020.</li> </ul> </li> <li>• Section 6.47 - There appears to be a typo which indicates that no translocation would be allowed. <ul style="list-style-type: none"> <li>○ translocation of habitats or species to sites</li> <li>○ Suggested addition:</li> <li>○ translocation of habitats or species to sites if this would adversely affect existing habitats of importance on or close to that site</li> </ul> </li> <li>• With regard to strategic planning for biodiversity, a modification is recommended: <ul style="list-style-type: none"> <li>○ creation of habitats outside the District boundary unless part of a Lichfield approved strategy and/or no suitable sites can be found in the District to account for partnership projects such as Connecting Cannock Chase and the proposed NIA/Biosphere Reserve</li> </ul> </li> <li>• Section 6.55 – it is suggested reference to geology/geomorphology is included here.</li> </ul>	
Mrs Wendy Taylor (member of the public)	<p><b>Regarding Stage A1 6.8 which states:</b></p> <ul style="list-style-type: none"> <li>• The majority of developments in the Lichfield District have no significant effect on existing nature conservation features.</li> </ul>	<p>No Changes proposed.</p> <p>The guidance within the SPD takes account of and requires applicants to</p>

	<ul style="list-style-type: none"> <li>• I think this is a rather sweeping statement. A development that may appear to have no significant effect on species at a national or even district level, may well affect habitats and species that are of local importance. This may be in terms not only of importance for the wildlife itself but also as part of the bigger ecological picture by providing perhaps a different gene pool from elsewhere. Local naturalists and other members of the public who appreciate wildlife may well consider say the loss of the only local colony of Common Blue butterflies as a significant effect.</li> </ul> <p><b>Regarding Stage A4 Compensation and Biodiversity Offsetting:</b></p> <ul style="list-style-type: none"> <li>• I may be wrong but I was under the impression that since the Biodiversity Offsetting consultation closed at the end of 2013, the Government has made little progress in finalising and implementing an offsetting policy with the results of the consultation yet to be published. The decision as to how – or if – biodiversity offsetting is put into practice in England has yet to be agreed.</li> <li>• Any offsetting policy must be informed by scientific evidence and use a consistent mechanism for calculation and evaluation based on sound ecological science, but biodiversity offsetting units have not yet been agreed nationally as far as I am aware and there is concern that the procedure could cause risks to the environment. I do not understand how LDC can propose this when no national policy has been agreed on this controversial subject.</li> </ul> <p><b>Regarding 6.36 which states:</b></p> <ul style="list-style-type: none"> <li>• 6.36 Compensation and Irreplaceable Nature Conservation Features</li> </ul>	<p>adhere to all current best practice approaches to the maintenance and improvement of nature conservation features as well as biodiversity value within a development scheme.</p> <p>The SPD is to provide further information to assist developers; detailing how to adhere to national guidance and provides interpretation of local and national policies. It cannot alter or amend policy or national guidance, or create new policies.</p>
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	<ul style="list-style-type: none"><li>○ It is not practically possible to compensate for the loss of some nature conservation features. Applications involving proposals to compensate for loss or damage to the following nature conservation features will be refused unless the need for, and benefits of, the development in that location has been demonstrated to outweigh their loss:<ul style="list-style-type: none"><li>○ ancient woodland</li><li>○ veteran trees</li><li>○ ancient hedgerows</li></ul></li><li>● These ancient parts of our natural heritage should not be available under any circumstances for development. There is no way their loss can be compensated for either by translocation or by the creation of new nature conservation habitats. Red lines should be drawn around all these features as being unavailable for development of any form. The same should apply to ancient grassland that has never seen the plough as the biodiversity on these is also irreplaceable. It is well known that we have lost 95% of our old meadows nationwide so any that remain are far too precious to destroy. Developers will become adept at proving the benefits of their proposal, especially now the national planning framework has shown that growth of the economy is all that seems to matter and so supports development over retaining biodiversity.</li><li>● In my view, planning applications for SSSIs and the Cannock Chase Special Area of Conservation should also be refused at the outset. It is clear that large, landscape scale habitats are more likely to sustain species populations as climates change so these larger areas of biodiversity should not be reduced in size at all.</li></ul>	
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Biodiversity and Development Supplementary Planning Document, August 2015, Recommended amendments

Additional recommended amendments	Summary of reasoning for amendment
Removal of requirement that the applicant complete and submit the “Delivered Net Gains for Biodiversity from”	<ul style="list-style-type: none"> <li>National recognised metrics to provide this information (i.e. quantitative assessments of biodiversity value) are now available and are already being utilized by the Ecology Team within the planning system. Removal of the requirement to complete this addition form is to reduce any unnecessary burden upon applicants and so assist future development within the district.</li> </ul>
Reduction of Biodiversity Net Gains Value from + 25% to + 20% above the biodiversity unit value of habitats lost.	<ul style="list-style-type: none"> <li>This is based on the Ecology Teams increased experience as to what level of net gain is both achievable and realistic for developer to provide.</li> </ul>
Inclusion of a description (within section 4.23/4.24) of what constitutes a “None-protected site”, as referred to in Policy NR3	<ul style="list-style-type: none"> <li>Since adoption of the Lichfield District Local Plan the type of habitat referred to under this description has been found to be too ambiguous; clarification by developers has been requested.</li> </ul>