

Date: 22 October 2020  
Our ref: 327519  
Your ref: SWDPR NEW 115 Land North of Defford Road, Pershore



Mrs Denise Duggan  
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**BY EMAIL ONLY**

Dear Mrs Duggan

**Consultation:** Ecological Assessment - SWDPR NEW 115 Land North of Defford Road, Pershore

Thank you for your consultation on the above dated 07 September 2020 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**OBJECTION**

**Natural England objects to this proposal.** As submitted we consider it will:

- damage or destroy the interest features for which Tiddesley Wood Site of Special Scientific Interest has been notified.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

We have reached this view for the following reasons:

In our response to the South Worcestershire Development Plan Review (SWDPR) Preferred Options Regulation 18 consultation we objected to the NEW 115 Land of Defford Road allocation. Natural England is maintaining its objection to the allocation of this land for development as part of the local plan review proposals and also objecting to the planning application in this location. Our concerns are as follows.

The proposed development is immediately adjacent to Tiddesley Wood Site of Special Scientific Interest (SSSI). Tiddesley Wood SSSI is of significant ecological interest, supporting an ancient woodland flora with rare and locally-notable plants including meadow saffron (*Colchicum autumnale*), bird's-nest orchid (*Neottia nidus-avis*) and broad-leaved helleborine (*Epipactis helleborine*). It is also notified for its breeding woodland bird assemblage and for butterflies such as white-letter hairstreak (*Strymonidia w-album*). It is also of significant interest for a whole diversity of other species including mammals such as bats and other invertebrates including beetles.

Natural England's main concern is that a development of this size and in such close proximity to the SSSI is likely to impact on the woodland through increased recreational pressure, disturbance, and the loss of buffering habitat.

We consider that development in this location will inevitably lead to higher numbers of visitors to the SSSI. The proposal puts housing within approx. 130m of Tiddesley Woods, with direct access via an existing public footpath. There is likely to be a negative impact on the wildlife and the general ecological integrity of the woodland and surrounding habitats from increased disturbance as a result of the higher visitor numbers from residents, who are likely to utilise the woodland frequently, for recreational activities such as dog walking, cycling and activities such as den building; all of which are likely to result in increased trampling of vegetation and disturbance to wildlife such as breeding birds. The scope to mitigate such impacts at this close proximity is extremely limited.

The Worcestershire Green Infrastructure (GI) Framework Document 3: Access and Recreation report highlights that a substantial proportion of the informal recreational resource in and around South Worcestershire is on sites designated for their biodiversity interest, many of which are already considered to be at or over capacity. The councils are actively pursuing the creation of new resources to accommodate increased demand arising from new development. Developing this close to Tiddesley Wood will add to existing recreational pressures on this locally popular and attractive resource.

We consider the intervening grassland between Pershore and Tiddesley Wood to be supporting habitat for the SSSI, adding to the ecological integrity of the SSSI and buffering the site. The SSSI is situated in close proximity to the town of Pershore, separated from the urban area by a number of fields. The Worcestershire Habitat Inventory shows that a considerable portion of the proposed development site is unimproved or semi-improved neutral grassland. Development on the grassland between Pershore town and Tiddesley Wood SSSI would contribute to the isolation of this SSSI, threatening the integrity of this national designation.

We note the submitted Ecological Assessment is aimed to address our concerns in relation to this proposal, outlining various mitigation measures for the potential impacts. However we believe that considering potential mitigation measures before the principal of the development in this location is established is inappropriate at this stage of the local plan-making process.

#### **NPPF paragraph 170 and para 171**

NE maintains that the proposed allocation of land at NEW 115 and the planning application at the same location is inconsistent with the National Planning Policy Framework (NPPF), paragraph 170 re designated sites and paragraph 171 re allocation of land of least environmental and amenity value.

NPPF paragraph 170 states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*".

NPPF paragraph 171 states that "*Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*"

#### **25 Year Environment Plan**

The allocation of this area for development is inconsistent with the objectives outlined in the 25 Year Environment Plan (25 YEP). The 25 YEP is committed to protecting and recovering nature through tackling biodiversity loss, developing a Nature Recovery Network to complement and connect our best wildlife sites, providing opportunities for species conservation and the reintroduction of native

species. The recommendations from Professor Sir John Lawton on recovering wildlife stating that we will require more habitat; in better condition; in bigger patches that are more closely connected.

### **Local Plan Policy SWDPR 26: Biodiversity and Geodiversity**

Natural England advises that the LPA gives weight to its policy SWDPR 26: Biodiversity and Geodiversity, which states:

*C. When making planning decisions full consideration will be given to the importance of any affected habitats, species and features, taking account of the hierarchy of legal protection and whether the mitigation hierarchy has been followed, i.e. ensuring avoidance of harm has been given priority above minimisation, mitigation and compensation:*

*D i. Development which is likely to compromise the integrity of a Special Area of Conservation (SAC) or other international designations or the favourable conservation status of internationally or nationally protected species or habitats will not be permitted.*

*ii. Development likely to have an adverse effect on nationally important sites, including a Site of Special Scientific Interest (SSSI) and irreplaceable features including (but not limited to) Ancient Woodland and Ancient and Veteran Trees will not be permitted, except where the public benefits of the development at that site clearly outweigh both its likely impact on the features of the site and any broader impacts on the wider ecological networks, and a suitable compensation strategy exists.*

*iii. Development which would compromise the favourable condition, (or make it less likely that favourable condition can be reached) of a Grassland Inventory Site (GIS), a Local Wildlife Site (LWS), a Local Geological Site (LGS), an important individual tree or woodland and species or habitats of principal importance recognised in the Biodiversity Action Plan, or listed under Section 41 of the Natural Environment and Rural Communities Act 2006, will only be permitted if the need for and the public benefits of the proposed development outweigh the loss.*

### **Potential cumulative impacts**

In our response to the SWDPR Preferred Options Regulation 18 consultation we raised concerns in relation to the NEW 22 Land off Conningsby Drive allocation, which is adjacent to the proposed NEW 115 Land of Defford Road site. The potential for cumulative impacts from these two allocations should be considered.

### **Comments on the proposed mitigation measures**

Having reviewed the Ecological Assessment report produced by Ecology Solutions dated September 2020 we are happy to share some of our observations with the South Worcestershire Councils offered on a without prejudice basis.

#### Mitigation Measures

##### 5.2.7 Recreation

- There is no one-size-fits-all methodology for managing recreational pressure on designated sites. Proposals should be supported by the appropriate evidence, in order to ensure they are proportionate and effective. If relevant then they should consider proposals in combination.
- The 'Suitable Alternative Natural Greenspace' (SANGS) approach was developed as a response to the need to mitigate increasing recreational pressure generated by development near to Thames Basin Heaths Special Protection Area (TBH SPA). The approach was established following a suite of visitor surveys to establish visitor numbers, main purpose of the visit, etc. For example, the TBH SPA surveys showed that more than 83% of visitors to the SPA arrive by car. Similarly that majority of the users were dog walkers. The SANGS

guidelines relate specifically to housing within the Thames Basin Heaths Planning Zone and are tailored to ensure they deliver suitable mitigation for the totality of development proposed in this area. It is not appropriate to apply the TBH methodology here without evidence that it will work.

- The research undertaken for TBH indicated that the effects of new residential development in close proximity to the SPA cannot be avoided for a number of reasons, including high risk of use of the SPA by residents for recreation and predation from domestic cats. TBH established a 400m “exclusion zone” around all SPA’s, within which mitigation measures such as SANGS were considered unlikely to be capable of protecting the integrity of the SPA.
- We consider that the scope to mitigate recreational impacts at this close proximity to Tiddesley Woods is extremely limited. Nevertheless if the developer wishes to pursue a SANGs style approach to mitigating recreational impacts on the SSSI, then this must be based on supporting evidence to demonstrate its effectiveness. This may need to include an assessment of the likely increase in footfall to the SSSI, an assessment of the size and nature of greenspace required to absorb local recreational use, consideration of the attractiveness of the SANGS provision and whether it will prevent use of Tiddesley Wood.
- The proposals will need to consider that Tiddesley Wood, by nature of being a woodland, offers a different habitat and walking experience to that which would be provided by the SANG habitats, and therefore may draw people in on a more rotational basis when they want a change from the SANG environment. Walkers may actually prefer to walk in the woodland due to the nature of the flora and fauna being distinct and attractive, such as woodland wildflowers e.g. bluebells.
- The development proposals state in paragraph 5.2.16 that “a car park will be provided to attract existing residents from the wider Pershore area, beyond 400m from the SSSI.” We are extremely concerned that this may attract more recreational use from further afield, with visitors to the SANG then going on to visit Tiddesley Wood.

#### 5.2.42 Light

- SANG and a 15m buffer may be adequate to mitigate against lighting from the development, but only once these features are established.

#### 5.2.44 Litter

- The associated impacts of litter/ enrichment from fouling remain undetermined.

#### 5.2.46 Domestic Pets

- Reference is made to interpretation boards encouraging dogs on leads. However the anticipated impact of the proposed development on footfall to the SSSI has not been quantified. Therefore the associated impact of dogs will be in terms of fouling, disturbance etc is also not quantified. No evidence has been provided around the effectiveness of signage.
- This proposed development is likely to increase the amount of predation from cats. There are a number of studies that have investigated the hunting ranges of cats, and it is clear that distances vary considerably. Underhill-Day (2005) indicated ranges up to 1600 metres, with two studies referenced by Terence O’Rourke (2004) suggesting a mean range of approximately 400m. This issue was considered when setting a 400m development exclusion zone at Thames Basin Heaths.
- 5.2.47 – Further evidence is required that wetland features (especially temporal), scrub, or distances of the width of the SANG deter domestic pets.

### 5.3 Habitat Evaluation

- 5.3.1 - 5.3.3 Whilst enhancement of the grass sward is of general benefit for flora and invertebrates, the SANG will not provide suitable replacement habitat for ground nesting birds. Even if suitable grassland for nesting birds is retained or created, it will be subjected to the focus of the recreation pressure of the development, as is the aim of the SANG, including free-roaming pets.

If you have any queries relating to the advice in this letter please contact Yana Burlachka on 02082256013.

Yours sincerely

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