

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |  |   |
|--|--|---|
| A. Legally compliant                     | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
| B. Sound                                 | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: <input type="checkbox"/>            | No: <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Shropshire Local Plan – Regulation 19 consultation

### Policy DP1 Residential Mix

HIMOR have very serious concerns about the impact of Policy DP1 on the deliverability of the Plan, when combined policies SP7, SP8 and SP9 limiting housing numbers to the 'residential development guidelines' for each settlement. These policies set up policy obstacles limiting the size of houses on the one hand and the number of houses on the other hand, leaving only a narrow path for policy-compliant developments. The combination of policies creates a viability squeeze that is likely to undermine the viability of many developments. Policy DP1 *in combination* with other policies prevents the Plan from meeting the 'effective' test of soundness.

Section 2b of the policy provides a default housing mix. It is not clear why the policy does not estimate the percentage of 4-bed plus housing, when this is the most popular size among purchasers, a trend that is likely to be accentuated by the demand for more space to accommodate working from home following the Covid pandemic.

The policy's default housing mix, where there is no local housing need survey, is that *“at least 25% of open market dwellings will be dwellings with 2 bedrooms or less. At least a further 25% of open market housing will be dwellings with 3 bedrooms or less.”* This mix is reflected in the Council's Delivery & Viability Study, which proceeds to find that a high proportion of its typologies are not viable.

The natural solution would be to increase saleable floorspace in order to make a scheme viable, by increasing the number of dwellings. Unfortunately, policies SP7, SP8 and SP9 seek to avoid exceeding residential guidelines. Faced with a limit on numbers, many sites will fail to be viable with limited saleable floorspace due to the housing mix required by policy DP1. In consequence, a relatively high proportion of sites will not be delivered.

The preferred mix is not justified, being the subject of faulty reasoning. Paragraph 4.5 of the Plan refers to the Strategic Housing Market Assessment (SHMA) which has translated household projections into housing need. It confuses 'need' with demand and ignores the fact that a majority of households occupy larger dwellings than their 'need' dictates. In calculating housing 'need' the SHMA has not taken account of 'need' for a home office or guest room(s). The most popular size of dwelling for smaller households of 1-2 persons is a 3-bed house. A requirement for 25% of dwellings to be 2-bed or smaller creates a mismatch with market demand. This aspect of policy DP1 fails the 'justified' and 'effective' tests of soundness.

Section 5 of the policy requires 5% of dwellings on larger sites to be built to the M4(3) (wheelchair user dwellings) standard and a further 70% to be built to the M4(2) (accessible and adaptable dwellings) standard. Paragraph 4.26 of the explanatory text attempts to justify this figure by

referring to paragraph 6.290 of the SHMA (page 147 of SHMA Part Two) noting, "*The SHMA estimates that for the total projected growth in households in Shropshire during the Local Plan period, 13% will require wheelchair accessible dwellings, M4(3) standard and 33% will require accessible and adaptable dwellings to M4(2) standard.*" (paragraph 4.26). These figures are completely different to the policy's requirement of 5% at M4(3) and 70% at M4(2) standard.

The explanatory text goes on to try to justify the policy requirement with reference to the ageing nature of Shropshire's existing population. However this population already occupies existing housing, the bulk of which can be adapted. Although the proportion of older households will increase over the plan period, this does not mean the bulk of new build housing will be occupied by older households.

Figure 70 on page 141 of the SHMA Part 2 estimates that 53% of Shropshire's existing housing stock can be adapted, greatly reducing the proportion of the new build stock that needs to be built to the higher standard. The Council's justification of 70% of new stock to be M4(2) standard is unclear, does not match the SHMA and fails the 'justified' test of soundness.

The requirements for 5% of dwellings to be M4(3) standard and for 70% to be M4(2) standard potentially conflicts with section 2b's requirement for 25% of houses to be small with 2 bedrooms or less and raises issues with viability.

The Council's Delivery & Viability Study reports that these requirements impact on development costs as follows:

- 10% of dwellings M4(3) £65,500/ha
- 100% of dwellings M4(2) £22,000/ha

Using these figures and assuming a proportionate cost, the equivalent costs of 5% of dwellings to M4(3) standard and 70% of dwellings to M4(2) standard would be £32,750/ha and £15,400/ha respectively, a total of £48,150/ha. To accommodate these extra costs, developers need sufficient sellable floorspace and that requires a degree of flexibility to match housing types to current market demand. Relaxing the housing mix required in section 2 of policy DP1 is necessary to enable developments to viably deliver section 5 of the policy.

HIMOR have serious concerns that section 6 of the policy has too low a threshold and will render many sites undeliverable. Specialist housing normally takes the form of a block of at least 50 units, in order to achieve the aggregation necessary to deliver specialist services. On a site that is close to the threshold of 50 dwellings, the specialist housing would have to take up the bulk of the number of units on the site. On a site of 100 dwellings, it would comprise around half the number of units.

In Shropshire many allocated sites of 50+ dwellings are on the edge of settlements in locations that are not ideal for specialist housing. It is questionable whether specialist housing providers will be interested in acquiring such sites, when their preference is usually for town-centre or edge-of-centre sites.

While there may be a role for specialist housing on large urban extensions, it does not work as part of medium-sized developments on the outer edge of Shropshire's smaller settlements.

Specialist housing is outside the business model of the majority of housebuilders. On most sites it would therefore be delivered by a different provider. In consequence, this section of policy DP1 will greatly reduce the interest of housebuilders in medium-sized sites in Shropshire. Section 6 will have a serious, harmful impact on the deliverability of the Plan and in consequence the policy in its current form fails the 'effective' test of soundness.

## Modifications necessary

To ensure the Plan can pass the 'effective' test of soundness, HIMOR have suggested changes to policy SP7 and suggest the following modifications to policy DP1:

- "2. On sites of 5 or more dwellings residential development will be expected to provide a mix of dwelling sizes, types and tenures in order to meet the identified needs of local communities, having regard to surveys undertaken in the last 5 years through the 'Right Home Right Place' initiative, evidence from the SHMA, market demand and any other local evidence. ÷
  - a. ~~In locations where in the last 5 years a Local Housing Need Survey has been undertaken through the 'Right Home Right Place' initiative or an equivalent survey endorsed by Shropshire Council, at least 50% of open market dwellings will reflect the profile of housing need established within the survey. The remainder of the open market dwellings will include a suitable mix and variety of dwelling sizes; or~~
  - b.
  - c. "
5. On sites of 5 or more dwellings, at least 5% of the dwellings will be built to the M4(3) (wheelchair user dwellings) standard within Building Regulations and a further 33% of the dwellings will be built to the M4(2) (accessible and adaptable dwellings) or higher standard within Building Regulations, unless site-specific factors indicate that step-free access cannot be achieved.
6. On sites of ~~50~~ 500 or more dwellings:
  - a. An appropriate range of specialist housing designed to meet the diverse needs of older people, such as: age-restricted general market housing; retirement living or sheltered housing; extra care housing or housing-with-care; and/or residential care homes and nursing homes will be provided.
  - b. An appropriate range of specialist dwellings to meet the needs of those with disabilities and special needs will be provided.

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please see previous page.

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:  Date:

Office Use Only	Part A Reference:
	Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="DP2"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
------------	----------------------	---------	----------------------------------	-------	----------------------	---------------	----------------------

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
| A. Legally compliant                     | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/>            |
| B. Sound                                 | Yes: | <input type="checkbox"/>            | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/>            | No: | <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Shropshire Local Plan – Regulation 19 consultation

### DP2 Self-Build and Custom-Build Housing

It is not clear whether section 2 of the policy with its ‘encouragement’ of self-build will constitute a reason for refusing a planning application if it does not meet the 10% target plus all four criteria.

HIMOR consider section 2 of policy DP2 to fail the 'justified' and 'effective' tests of soundness for a number of reasons.

The 10% requirement does not match the evidence. The Council’s Strategic Housing Market Assessment Part 2 (September 2020) identifies in table 132 that 575 open market self-build plots and 109 affordable self-build plots were granted planning permission in the 4 years 2015-2019. The total provision of 684 self-build plots exceeded the 540 applications for inclusion on the self-build register over that period. The SHMA report concludes in paragraph 11.16 that, *“If the total forecast demand identified for self-build and custom-build housing is compared with the total forecast supply, it is apparent that **there is sufficient supply to meet demand** over the period from 2016-2038.”* (my emphasis). Given that existing policies, which do not require self-build plots on large developments, are delivering enough to meet demand, there is no evidential basis for imposing an additional 10% self-build requirement on large sites. The 10% figure fails the 'justified' test of soundness.

Shropshire’s Self-Build Register is available online<sup>1</sup> and provides a county-wide total broken down by type of property sought. Shropshire is a very large county with a geographic reach from the border of Wales in the west to the border of Wolverhampton in the east, and from Oswestry in the north to Ludlow in the south. In such a large local authority, providing self-build plots in one part will not meet the “identified need” arising from another part of the county. Self builders are usually quite specific about their location and if the demand is in location A, the need will not be met by providing plots in location B. Consequently, the policy as currently worded is not justified as providing self-build plots in one part of the county is not an appropriate strategy for meeting demand arising in another part of the county.

Section 2b of the policy requires the self build plots to, *“Be accessible via a suitably adopted or adoptable road at an early stage in the development, prior to 25% occupation of the relevant phase”*. There are a number of problems with this requirement. Firstly, simultaneous construction is impractical for both the housebuilder and the self-builders. The management of the construction site becomes very complicated and fractious if multiple builders are operating in close proximity on relatively small sites. Secondly, the self-build plots can only be located on an adoptable road rather than on a private drive, which will generally make them more central in a site rather than provided with a discrete area away from the main housebuilders' activities. This policy requirement will cause deliverability problems and fails the 'effective' test of soundness. The Council has not put forward any evidence to support this requirement nor provided any reasoned justification of its position.

---

<sup>1</sup> [Register statistics | Shropshire Council](#)



Section 2d of the policy requires the plots to be marketed for at least 24 months. This means occupants of new housing estates could be living next to un-sold plots for 2 years, following which they have an indeterminate period of time for the self-build to be undertaken. Purchasers of new build homes want to know the end date for construction work around them, not be faced with the inherent uncertainty over the timing, size and appearance of the self-build plots. This lack of certainty will significantly reduce the sales values of the housebuilders' product and will undermine viability and delivery on all larger estates. It will cause deliverability problems and fails the 'effective' test.

The Council's Viability Study does not factor this impact on sales values in its assumptions with regard to gross development values. The impact of this policy on the deliverability of the Plan has not been scrutinised in the Council's evidence base and as such fails the 'justified' test of soundness.

The Viability Study states in paragraph 8.47 that the self-build requirement "has been tested" however the Appraisals in Appendix 11 of the Viability Study only show the development value of built properties, with no values for self build plots. Neither do the cashflow spreadsheets include any self-build plots or allow for up to 24 months to sell them. The Council needs to provide a supplement to the viability study that explains the impact of self-build on its viability calculations for larger sites.

In summary, policy DP2 displays an exclusive focus on the quantity of self-build plots combined with a complete disregard for the location and suitability of those plots. There is no evidence that self-builders wish to live on larger, modern housing estates. Conversely, there is considerable anecdotal evidence that they prefer more individual plots. Larger housing estates are not the right location for most self-builders. The policy would be better framed to take a positive approach towards small scale self-build plots across the county. In its current form, the policy fails the 'justified' and 'effective' tests of soundness.

### **Modifications necessary**

To make the policy sound, the following modifications are necessary:

#### Policy DP2 Self-Build and Custom-Build Housing

1. Shropshire Council will support appropriately located Self-Build and Custom-Build housing developments where they comply with all relevant policies of this Local Plan.
2. All sites of 0.5 ha or more; sites of 5 or more dwellings in designated rural areas; and sites of 10 or more dwellings elsewhere, are encouraged to ~~make~~ **consider making 10% some** of the dwellings available as serviced plots for Self-Build and Custom-Build developers, particularly where there is an identified need on the Self-Build Register **for plots in the settlement**. Where such plots are provided, they should:
  - a. Consist of a range of plot sizes which are generally suitable for detached homes with scaffold margins within the plot boundary and respond to needs identified on the Self-Build Register **for plots in the settlement; and**

- b. Be accessible via a suitably adopted or adoptable road at an early stage in the development (~~prior to 25% occupation of the relevant phase in which the serviced plots are located as agreed at planning application stage~~); and
- c. Be free of 'Party Wall' requirements, unless only developable as a semi-detached or terraced dwelling; and
- d. When marketed, be serviced, available for purchase and ready for development by a Self or Custom-Builder. This marketing should occur for at least **24 6** months at a fair plot valuation and in accordance with a marketing strategy to be approved by Shropshire

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see previous page.

(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)  
(Please tick one box)

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

(Please continue on a separate sheet if necessary)

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature: Helen Howie on behalf of HIMOR

Date: 14/01/2021

Office Use Only

Part A Reference:

Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |  |   |
|--|--|---|
| A. Legally compliant                     | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
| B. Sound                                 | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: <input type="checkbox"/>            | No: <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Shropshire Local Plan – Regulation 19 consultation

### DP3 Affordable Housing Provision

The Council's Local Plan Delivery and Viability Study finds that the proposed policy requirements set by policy DP1 (Residential Mix), DP2 (Self-Build and Custom-Build Housing), DP3 (Affordable Housing Provision) and DP11 (Minimising Carbon Emissions) make viability very challenging for all sites over 60 dwellings in the south of the county.

The Delivery and Viability Study's benchmark land values are extremely low. In HIMOR's experience landowners' expectations are at least £1,000,000/hectare net. Nevertheless, even at the low benchmark value adopted by the Council, the proposed affordable housing rate for the south is not justified by the evidence.

Typology 1 (Green 250), Typology 2 (Green 120), Typology 3 (Green 80) and Typology 4 (Green 60) are all shown in table 10.22 on page 204 of the Viability Study to be unviable if affordable housing requirements are higher than 10%. At 15% or 20% affordable housing, the residual land values (RLV) of these typologies fall below the benchmark land value (BLV) of £425,000, which represents the Council's view of the minimum return at which a reasonable landowner is likely to sell their land.

These four typologies comprise 76% of the planned development in the south of the county as reported by Paragraph 10.72 which notes, "...about 40% of the anticipated development in this area (is) to be on sites that are similar to Typology 1 (Green 250) and Typology 2 (Green 120)" and paragraph 10.73 which notes that, "The medium sized sites that are similar to Typologies 3 (Green 80) and 4 (Green 60) make up about 36% of the anticipated development in the area. On these the Residual Value exceeds the BLV with 10% affordable housing but not 20% affordable housing." The issue raised by the Delivery & Viability Study is therefore very significant for delivery in the south of the county.

In light of the Delivery & Viability Study's evidence, policy DP3 is not deliverable and fails the 'justified' and 'effective' tests of soundness.

Policy DP3.1d requires a split in affordable housing tenures of 70% affordable or social rent and 30% intermediate housing. This is inflexible and is likely to be problematic over the lifespan of the Plan, resulting in the plan failing to meet the 'effective' test of soundness.

The Government have recently published a consultation on proposed changes to planning policy and regulations that propose that 25% of the affordable units must be First Homes. If this change is introduced, the tenure split will need to reflect Government policy. The most effective response is to ensure the policy is flexibly worded to enable change over the lifespan of the Local Plan.

## Modifications necessary

To ensure policy DP3 passes the 'justified' and 'effective' tests of soundness, the rate for affordable housing contributions should be reduced as follows:

- “a. Requiring new residential development on all sites of 0.5 ha or more; sites of 5 or more dwellings in designated rural areas; and sites of 10 or more dwellings elsewhere to provide on-site affordable housing, in accordance with the following percentages and geographic areas as defined Figure DP3.1:
  - i. 10% in the north; and
  - ii. ~~20~~ 10% in the south.”

To ensure the policy is 'effective' the following modification should be made to section d of the policy:

- “d. Ensuring that where affordable housing is to be secured on site, its tenure comprises 70% social or affordable rent accommodation and 30% intermediate or other affordable housing, unless evidence of local need indicates otherwise *or unless an alternative mix is considered appropriate and agreed with the developer.*”

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please see previous page.

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:

Helen Howie on behalf of HIMOR

Date: 14/01/2021

Office Use Only

Part A Reference:

Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |  |   |
|--|--|---|
| A. Legally compliant                     | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
| B. Sound                                 | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: <input type="checkbox"/>            | No: <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)



## Shropshire Local Plan – Regulation 19 consultation

### Development Management Policy DP11 (Minimising Carbon Emissions)

Section 4 of policy DP11 acknowledges that there may be viability problems with some sites in respect of this policy. The evidence in the Local Plan Delivery & Viability Study is that this policy will increase development costs significantly, as shown in the extract from page 233 of that study, reproduced below.

*Extract from page 233 of the Delivery & Viability Study*

<b>Table 12.8 Cumulative Impact Of Policies. Cost as £/ha</b>		
Only	FHS - Option 1	£117,973
Plus	FHS - Option 2	£146,312
Plus	FHS - Option 3 Plus 10% Merton	£181,734
Plus	Car Charging & Water	£218,489
Plus	10% Biodiversity Net Gain	£249,689
Plus	100% (Part M4-2).	£271,552
Plus	10% (Part M4-3)	£315,355
Plus	CIL	£554,093

Source: HDH (June 2020)

The Council's Delivery and Viability Study shows very graphically the effect of the proposed policies in terms of whether different types of sites will be viable. A site is considered viable if its residual land value exceeds landowners' expectations, namely the 'benchmark land value' (BLV) at which most landowners are likely to sell land. For large greenfield sites the Study assumes the BLV is £425,000/ha, for small greenfield sites it is £500,000/ha and for brownfield sites it is £600,000/ha. These figures are extremely low. In HIMOR's experience landowners' expectations are at least £1,000,000/ha, applying the net developable area.

The Study's conclusions for different types and sizes of sites, in different parts of Shropshire, are laid out in the Study in colour-coded tables 12.6a to 12.6e. Even with unrealistically low BLVs, a high proportion of sites are coloured red for 'not viable' - 56% are deemed unviable in the south, 8% in the 'south higher', 52% in Shrewsbury, 84% in the north and 29% of strategic sites. The Study concludes in paragraph 12.77 that, "*The results clearly show a challenging viability context in Shropshire.*"

To achieve this policy, knowing that many sites will not be viable, it may be necessary to identify at least 125% of the land needed in order to be able to deliver 100% of the housing required, given the high percentages of sites that the Viability Study concludes are unviable. At present the Plan fails to do this.

In light of the evidence base, the policy fails the 'justified' and 'effective' tests of soundness.

HIMOR support in general the measures to minimise carbon emissions but note that the explanatory text makes little reference to the impact of the policy on viability and deliverability. For the policy to pass the 'effective' test of soundness, its impact on viability should be explicitly acknowledged in the explanatory text. This should acknowledge that the development industry is being asked to make a significant stretch to achieve these higher standards and as a consequence some developments will be difficult to deliver without a reduction in other obligations, such as affordable housing, to compensate for the additional costs and ensure the scheme is viable.

Section 1d of the policy seeks district heating systems and zero net-carbon on sites of 50 or more dwellings. This is a remarkably low threshold given that most district heating systems are designed on a much larger scale, commonly for several hundreds or thousands of units in close proximity to one another. We question whether it is feasible to deliver district heating and cooling systems on moderately sized sites (50 - 150 dwellings) for the house types and densities that are common in Shropshire. For lower density housing developments, the connection cost per dwelling is much higher than in more urbanised environments. No evidence is presented to justify the threshold of 50 dwellings. In HIMOR's experience, such a low threshold is not deliverable, especially in a rural county such as Shropshire. On this basis this section of the policy fails the 'justified' and 'effective' tests of soundness.

### **Modifications necessary**

To ensure the policy is deliverable and can pass the 'justified' and 'effective' tests of soundness, HIMOR suggest that section 1d is deleted in its entirety as shown below:

- ~~d. Strongly encouraging all proposals for one or more dwellings and in particular residential development of 50 or more dwellings to:~~
  - ~~i. Achieve zero net carbon emissions;~~
  - ~~ii. Maximise the use of on site district heating and cooling systems, especially where these utilise renewable energy and~~
  - ~~iii. Maximise opportunities to connect to wider heating and cooling networks both for energy supply and export, especially where these utilise renewable energy~~

To reflect the extra costs imposed by policy DP11 and the viability issues identified by the Council's Delivery & Viability Study, the Local Plan's housing trajectory should reflect a realistic non-delivery assumption of 25%.

To ensure the policy meets the 'effective' test of soundness, HIMOR suggest the following addition to the explanatory text below the policy:

4.1.13b Minimising carbon emissions will add significantly to the cost of construction and on some sites this may require a reduction in affordable housing and/or other contributions.

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please see previous page.

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)  
*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:  Date:

Office Use Only	Part A Reference:
	Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="S1.1"/>	Site:	<input type="text" value="ALB017"/>	Policies Map:	<input type="text"/>
------------	----------------------	---------	-----------------------------------	-------	-------------------------------------	---------------	----------------------

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
| A. Legally compliant                     | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/>            |
| B. Sound                                 | Yes: | <input type="checkbox"/>            | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/>            | No: | <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Settlement Policy S1.1 (Albrighton)

Policy S1.1 sets a settlement housing guideline for Albrighton of around 500 dwellings. This does not match the evidence or represent an appropriate strategy and therefore fails the 'justified' test of soundness.

The Plan's strategic approach responds to the Economic Growth Strategy for Shropshire by prioritising growth zones including the M54 corridor (paragraph 3.28 of the Plan) and specifically identifies in Policy SP2: Strategic Approach the RAF Cosford Strategic Site as an area in which new development will be focused.

The Plan's evidence base includes the M54 Growth Corridor Strategic Options Study, which identifies development potential along the M54 corridor, of which Albrighton is part. Page 1 of the Study finds:

*“The M54 corridor is a key strategic gateway for both Shropshire and its neighbouring local authorities and is identified as a key growth Corridor for both employment and residential development, resulting from the strong transport links present and critical mass from the presence of nationally significant education, training and employment opportunities. The corridor is extremely well placed to deliver growth within the key sectors identified within Shropshire’s Economic Growth Strategy”*

Furthermore, the Association of Black Country Authorities (ABCA) point in their various letters to the close functional relationship between the Black Country and the east of Shropshire. The ABCA note the railway linking Shropshire to the Black Country, which has stops at Cosford and at Albrighton.

Despite the strategic approach and the evidence base, Policy S1.1 seeks to only deliver 500 dwellings in Albrighton over the 22 year plan period 2016-2038, equivalent to an average of 22.7 dwellings per annum. This is unchanged from earlier drafts of the Local Plan for the shorter 20 year plan period 2016-2036.

At the very least, extending the plan period by 2 years should be reflected in Albrighton's housing requirement. A proportionate increase to reflect the longer timescale would result in 550 dwellings for the settlement.

In light of Albrighton’s strategic location, good range of services and excellent rail links to a wide range of employment opportunities, a higher housing guideline of at least 700 dwellings would reflect the evidence base and be appropriate given the Plan's strategy. The housing market in this area has very strong demand and is capable of delivering this.

Please also see HIMOR's separate comments on allocation ALB017.

### Modifications necessary

To make the Plan sound, HIMOR suggest the following modification to section 1 of policy S1.1:

“Albrighton will act as a Key Centre and contribute towards strategic growth objectives in the east of the County, delivering around ~~500~~ 700 dwellings and around 5 hectares of employment development. New housing and employment development will respond to local needs.”

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see previous page.

(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

(Please tick one box)

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

(Please continue on a separate sheet if necessary)

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:  Date:

Office Use Only	Part A Reference:
	Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |  |   |
|--|--|---|
| A. Legally compliant                     | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
| B. Sound                                 | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Shropshire Local Plan – Regulation 19 consultation

### Strategic Policy SP2 Strategic Approach

HIMOR consider the housing requirement of around 1,400 dwellings per annum does not meet the Duty to Co-operate and fails the 'positively prepared' and 'consistent with national policy' tests of soundness.

The proposed housing requirement amounts to a reduction in the amount of housing in the adopted Core Strategy, which planned for 1,530 dwellings per annum from 2021<sup>1</sup>. In this respect the Plan fails, *"to support the Government's objective of significantly boosting the supply of homes"* as sought by paragraph 59 of the National Planning Policy Framework.

The figure of 1,400 dwellings per annum is significantly lower than the 2018-based household projections<sup>2</sup> which forecast growth levels averaging 1,656 households per annum over the plan period 2016-2038. Policy SP2 will therefore constrain growth rather than meet Shropshire's housing needs.

We recognise that the figure of 1,400 dwellings exceeds the figure resulting from the standard method but paragraph 60 of the Framework states that the minimum number of homes may be determined differently from the standard method where, *"exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals."*

Such exceptional circumstances exist in Shropshire given the significant difference between the 2014-based and the 2018-based household projections published by the Office of National Statistics (ONS). Not only do the 2018-based household projections start with a high number of households at the start of the plan period (11,566 households higher than the 2014-based projections), they also show a higher rate of growth over the 22 year plan period (26.9% rather than 19.2%) as shown in figure 1 overleaf.

The Covid19 pandemic has further increased the rate of growth with very strong increased demand for housing in Shropshire during 2020. As the economy shifts permanently towards more internet-based working from home, Shropshire will attract even higher levels of in-migration as commuting considerations are replaced by quality of life considerations.

The 2014-based household projection is for Shropshire to have growth of 23,749 households over the plan period 2016-38 resulting in 147,635 households by 2038. In comparison, the 2018-based household projection is for Shropshire to grow to 171,876 households by 2038. This is 24,241 households *above* the standard method estimate of growth of 23,749 households over the plan period, a total increase of 47,990 households above the standard method figure

---

<sup>1</sup> Core Strategy paragraph 5.5

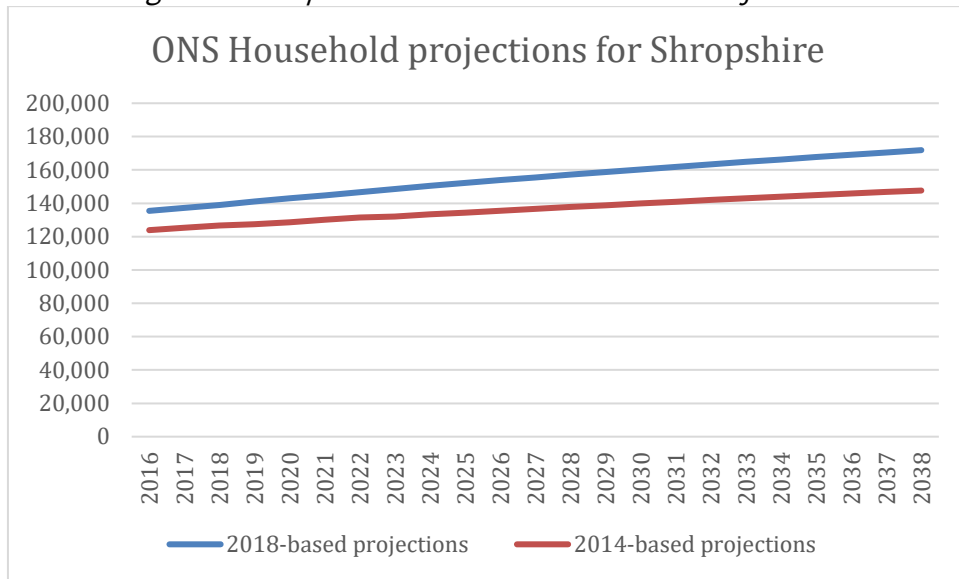
<sup>2</sup> Office of National Statistics 2018-based household projections, published 29<sup>th</sup> June 2020, table 406

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/datasets/householdprojectionsforengland>



for the start of the plan period in 2016. Such a large difference justifies a departure from the standard method.

*Figure 1 Comparison of ONS Household Projections*

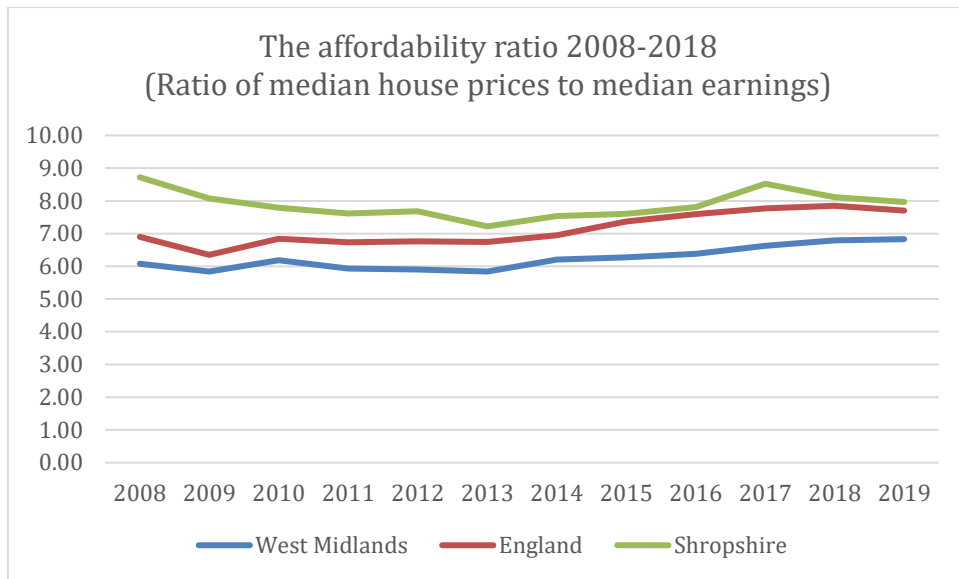


Shropshire	2016 no. households	2038 no. households	Change 2016-2038	% change	Rate per annum
2014-based projections	<b>123,886</b>	147,635	23,749	19.2%	1,080
2018-based projections	135,452	<b>171,876</b>	36,424	26.9%	1,656
Combination method	<b>123,886</b>	<b>171,876</b>	47,990	38.7%	2,181

The proposed housing requirement of 30,800 dwellings is less than the latest household projections of growth of 36,424 households over the plan period. If the Council insist on using the 2014-based household projections for the start date of 2016, the latest household projections show a growth of 47,990 households by 2038. It is therefore more sensible to accept the 2018-based projections as a more accurate picture of the Shropshire situation than the 2014-based projections, rather than to try and combine the two approaches.

Such a high degree of under-provision will result in rising house prices as demand outstrips supply. Shropshire already has a housing affordability ratio well above the average for the West Midlands and for England, as shown in figure 2 below. Following rapid house price rises across Shropshire in 2020 we expect the affordability ratio to increase in future years. Under-delivery of housing by the Local Plan has potential to greatly worsen the affordability of housing in Shropshire and will fail to meet the 'positively prepared' test of soundness.

*Figure 2 Housing affordability trends*



The Association of Black Country Authorities wrote to Shropshire Council on 9<sup>th</sup> September 2019 and re-iterated their request that Shropshire’s Local Plan help provide for their identified unmet need for 26,000 homes over the period to 2038. Their level of unmet need will increase further in light of the Government’s new standard methodology, which uplifts Birmingham and Wolverhampton’s housing requirements by a further 35%.

Shropshire has limited Green Belt and is less constrained in this respect than the Black Country Authorities. Nevertheless, the Shropshire Local Plan only attributes 1,500 dwellings of Shropshire’s housing target to support the housing needs of the emerging Black Country Plan. In this regard policy SP2 fails to be consistent with paragraph 60 of the Framework which states, *"In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."*

Shropshire Council has to date not published any Statement of Common Ground with the Black Country Authorities. It is contrary to paragraph 27 of the Framework to wait until submission stage before publishing any Statements of Common Ground, as the Framework requires that, *"In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency."*

This is insufficient to demonstrate consistency with paragraphs 24-27 of the Framework and the Duty to Co-operate.

## Modifications necessary

To make policy SP2 sound, HIMOR suggest increasing the annual housing requirement as follows:

- match the 2018-household projection for average growth over the plan period of 1,656 dwellings per annum; and
- add the standard method's adjustment figure based on the 2019 affordability ratio of 7.97, namely an adjustment of  $\times 0.248^3$ , which increases the figure by 24.8% or 411 dwellings per annum to 2,067 dwellings per annum; and
- add 5,000 dwellings (equivalent to 227 dwellings per annum) as Shropshire's contribution to meet unmet need from neighbouring areas;
- the resulting total requirement is 50,468 dwellings (2,294 dwellings per annum) which rounded up is 50,600 dwellings (2,300 dwellings per annum).

The following modification to section 2 of the policy will make it sound:

Over the plan period from 2016 to 2038, around ~~30,800~~ 50,600 new dwellings and around 300 hectares of employment land will be delivered. This equates to around ~~1,400~~ 2,300 dwellings and around 14ha of employment land per annum.

---

<sup>3</sup>  $Adjustment\ factor = \left( \frac{Local\ affordability\ ratio - 4}{4} \right) \times 0.25 = (7.97 - 4)/4 \times 0.25 = 0.248$

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please see previous page.

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)  
*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature: 

Helen Howie on behalf of HIMOR
--------------------------------

 Date: 

14/01/2021
------------

Office Use Only	Part A Reference:
	Part B Reference:

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                          |
|--|------|-------------------------------------|-----|--------------------------|
| A. Legally compliant                     | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
| B. Sound                                 | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/>            | No: | <input type="checkbox"/> |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

## Shropshire Local Plan – Regulation 19 consultation

### Strategic Policy SP3 (Climate Change)

HIMOR support Policy SP3 and particularly welcome sections 1a and 1e which seek to reduce carbon emissions by encouraging new development to link to and where possible integrate with public transport. The site ALB017 at Albrighton helps support this policy by providing residential development within easy walking distance of a good railway service on the Shrewsbury-Wolverhampton line.

We do however have some concerns about how section 2a of the policy is applied through policy DP11. While we support renewable and low carbon energy systems, the technologies required should be appropriate to Shropshire. Policy DP11d seeks to maximise the use of district heating and cooling systems on relatively modest sites, which is impracticable, unjustified and unviable for many modest sized sites in Shropshire's villages. Please see our comments on policy DP11.

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)  
*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature: Helen Howie on behalf of HIMOR

Date: 14/01/2021

Office Use Only	Part A Reference:
	Part B Reference:



## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP7"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
------------	----------------------	---------	----------------------------------	-------	----------------------	---------------	----------------------

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
| A. Legally compliant                     | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/>            |
| B. Sound                                 | Yes: | <input type="checkbox"/>            | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/>            | No: | <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)



## Shropshire Local Plan – Regulation 19 consultation

### SP7 Managing Housing Development

HIMOR are concerned that policy SP7 fails the 'justified', 'effective' and 'consistent with national policy' tests of soundness.

Section 3 of Policy SP7 makes residential development guidelines, “*a significant policy consideration*”. Local Plan paragraph 3.49 notes that, “*the guideline is not intended to represent a ceiling on development, but going beyond it by too great a degree could result in unsustainable development.*” Nevertheless, in practice the operation of section 3 is to restrict the number of new dwellings in settlements that are identified in the Plan as ‘sustainable settlements’.

The Council has presented no evidence to support its contention that the residential development guidelines represent sustainable levels of development or conversely that higher levels of development represent unsustainable levels. There is no evidence that the guideline figures for settlements represent an appropriate strategy, taking into account the reasonable alternatives. As such, section 3 of the policy fails the 'justified' test of soundness.

Applying a settlement target to restrict development runs counter to the Framework’s emphasis in paragraph 59 on, “*significantly boosting the supply of homes*” and in paragraphs 60 and 73 of treating housing requirements and land supply respectively as *minimum* figures. As such, section 3 of the policy fails the 'consistent with national policy' test of soundness.

HIMOR have concerns that Policy SP7 (Managing Housing Development) in combination with Policy DP1 (Housing Mix) will adversely impact on housing delivery. Policy DP1 seeks a higher proportion of smaller houses, effectively requiring a larger number of units on a site to achieve the same saleable floorspace and meet the Benchmark Land Values (BLV) expected by landowners. It will be difficult to achieve the housing mix sought by the Council if doing so would result in exceeding the housing settlement guideline.

As the Council’s Viability Study demonstrates, viability is finely balanced in many parts of the county so developers must maximise saleable floorspace. The summary tables on pages 226-230 of the Delivery and Viability Study ([shropshire-viability-study.pdf](#)) show that the residual land value (RLV) of development sites in many of the typologies is less than the BLV at which a reasonable landowners might be expected to sell their land. Where the RLV is less than the BLV the typology is coloured amber or red. For the South, 21 out of the 25 typologies are not viable; for the South Higher, 2 out of 25 typologies are not viable; for Shrewsbury, 20 out of the 25 typologies are not viable; and for the north, 23 out of the 25 typologies are not viable.

The Viability Study selects 35 'key typologies' which are particularly important for the Local Plan's delivery, reproduced overleaf. Applying affordable housing rates of 10% in the north and 20% in the south, only 16 out of 35 (46%) are coloured green for 'viable' with the majority (54%) amber or red for 'unviable'.

Figure 1. Extract from page 204 the Council's viability evidence base

Table 10.22 Residential Development, – Varied Affordable Housing Minimum SC Requirements. Key Typologies and Strategic Sites												
	Affordable Housing	EUV	BLV Residual Value							20%	25%	30%
			0%	5%	10%	15%	10%	15%				
Site 1	Green 250	25,000	425,000	551,652	483,051	414,450	345,849	277,249	208,648	140,047		
Site 2	Green 120	25,000	425,000	558,075	488,555	419,034	349,514	279,994	210,473	140,953		
Site 3	Green 80	25,000	425,000	644,763	561,735	478,708	395,681	312,654	229,627	146,600		
Site 4	Green 60	25,000	425,000	651,003	566,659	482,314	397,970	313,625	229,281	144,936		
Site 5	Green 30	25,000	425,000	794,817	710,522	626,226	541,931	457,636	373,341	289,046		
Site 6	Green 20	25,000	425,000	804,560	716,359	628,158	539,957	451,756	363,428	272,682		
Site 7	Green 12	100,000	500,000	881,449	792,817	704,184	615,552	524,567	433,378	341,740		
Site 8	Green 9	100,000	500,000	1,586,086	1,477,727	1,369,367	1,261,007	1,152,648	1,044,288	935,928		
Site 9	Green 6	100,000	500,000	1,617,677	1,497,099	1,376,522	1,255,944	1,132,060	1,008,005	883,949		
Site 10	Green 3	100,000	500,000	1,718,702	1,718,702	1,718,702	1,718,702	1,718,702	1,718,702	1,718,702		
Site 22	Urban 3	500,000	600,000	-235,997	-235,997	-235,997	-235,997	-235,997	-235,997	-235,997		
Site 23	Urban Plot	500,000	600,000	-1,400,663	-1,400,663	-1,400,663	-1,400,663	-1,400,663	-1,400,663	-1,400,663		
Site 4	Green 60	25,000	425,000	1,681,707	1,554,315	1,426,922	1,299,529	1,172,137	1,044,744	917,352		
Site 5	Green 30	25,000	425,000	1,820,170	1,693,108	1,566,047	1,438,985	1,311,924	1,184,862	1,057,800		
Site 7	Green 12	100,000	500,000	2,021,399	1,884,295	1,747,191	1,610,087	1,472,983	1,335,879	1,198,775		
Site 1	Green 250	25,000	425,000	606,509	535,290	464,071	392,852	321,633	250,414	179,195		
Site 2	Green 120	25,000	425,000	613,412	541,314	469,216	397,119	325,021	252,923	180,825		
Site 4	Green 60	25,000	425,000	717,307	630,037	542,767	455,497	368,228	280,958	193,688		
Site 1	Green 250	25,000	425,000	-39,289	-84,673	-130,057	-175,678	-222,743	-269,808	-316,873		
Site 2	Green 120	25,000	425,000	-147,117	-187,856	-229,621	-271,385	-313,150	-354,914	-396,993		
Site 3	Green 80	25,000	425,000	-178,881	-229,097	-280,231	-331,366	-382,500	-433,635	-484,936		
Site 4	Green 60	25,000	425,000	-194,175	-245,860	-298,023	-350,185	-402,347	-454,510	-506,672		
Site 5	Green 30	25,000	425,000	-55,879	-107,600	-159,321	-211,505	-265,009	-318,669	-372,329		
Site 6	Green 20	25,000	425,000	-90,287	-144,561	-198,901	-254,845	-311,135	-367,424	-423,714		
Site 7	Green 12	100,000	500,000	-78,804	-130,178	-181,553	-233,681	-287,003	-340,324	-393,645		
Site 9	Green 6	100,000	500,000	1,104,515	1,002,924	901,334	799,744	697,137	593,554	489,972		
Site 10	Green 3	100,000	500,000	1,122,154	1,122,154	1,122,154	1,122,154	1,122,154	1,122,154	1,122,154		
Site 14	Urban 60	500,000	600,000	-603,185	-690,700	-778,215	-865,730	-954,402	-1,043,640	-1,132,877		
Site 1	Stanmore Garden Development	25,000	325,000	761,509	703,464	645,419	587,374	529,329	471,284	413,239		
Site 2	Tasley Garden Development	25,000	325,000	682,317	629,712	577,107	524,502	471,896	419,291	366,545		
Site 3	North of Mylton Oak Road	25,000	325,000	619,974	560,316	500,657	440,999	381,341	321,682	262,024		
Site 4	Between Mylton Oak Road and	25,000	325,000	522,588	471,961	421,004	369,386	317,769	266,152	214,336		
Site 5	West of Ellesmere Road	25,000	325,000	630,032	570,365	510,698	451,031	390,500	329,460	268,420		
Site 6	Ironbridge Power Station	500,000	600,000	1,200,140	1,114,062	1,027,984	941,906	855,828	769,750	683,672		
Site 7	Clive Barracks	100,000	400,000	406,059	352,719	299,379	246,039	192,700	139,046	83,901		

Source: HDH (June 2020)

The above evidence suggests planning consent will be required for 200% of the residential guideline figure in order to deliver 100% of the guideline on the ground as viable development. Policy SP7's attempts to ensure that settlement residential guideline figures are not exceeded do not make sufficient allowance for a high proportion of sites being unviable.

Furthermore, Policy DP1's requirement for smaller houses will pressurise developers to maximise floorspace by increasing densities and the number of units. This will further intensify the pressure on settlement housing guideline figures. Allocations coming forward later in the plan period are likely to find settlement figures have been exceeded.

The dual pressure of Policy SP7 on the number of dwellings in combination with Policy DP1 on the size of dwellings will create deliverability issues across the county and results in the policy failing the 'effective' test of soundness.

### **Modifications necessary**

The findings of the Council's Delivery & Viability Study should be reflected in realistic assumptions when applying policy SP7 to limit development. Given that 54% of the key site typologies are considered unviable, a realistic non-delivery assumption of 25%-50% should be reflected in a non-delivery allowance in section 3 of Policy SP7.

To make policy SP7 sound, HIMOR suggest the following modifications to section 3 of the policy to re-balance the policy away from restricting development and towards delivering development and boosting housing supply, consistent with the Framework:

"The residential development guidelines for settlements set out in Policies S1-S20 are a **significant** policy consideration. Where housing proposals which are otherwise compliant with the policies of this Local Plan would lead to the residential development guideline for a settlement being exceeded, having taken account of the number of completions since the start of the plan period as well as and any outstanding commitments, including site allocations, regard will be had to all of the following:

- a. The benefits arising from the proposal, aside from increasing housing supply;
- b. The likely delivery of the outstanding commitments **with a 25% non-delivery allowance;**
- c. Any cumulative impacts arising from the development, especially on infrastructure provision; and
- d. The increase in the number of dwellings relative to the guideline; **and**
- e. **the delivery of the housing mix sought in policy DP1; and**
- f. **the viability and delivery of the Plan's allocated sites".**

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see previous page.

(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

(Please tick one box)

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

(Please continue on a separate sheet if necessary)

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature: Helen Howie on behalf of HIMOR

Date: 14/01/2021

Office Use Only	Part A Reference:
	Part B Reference:



## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	HIMOR
------------------------	-------

#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan

(Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text"/>	Site:	<input type="text" value="ALB017"/>	Policies Map:	<input type="text"/>
------------	----------------------	---------	----------------------	-------	-------------------------------------	---------------	----------------------

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
| A. Legally compliant                     | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/>            |
| B. Sound                                 | Yes: | <input type="checkbox"/>            | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/>            | No: | <input type="checkbox"/>            |

(Please tick as appropriate).

#### Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Please continue on a separate sheet if necessary)

# Shropshire Local Plan – Regulation 19 consultation

## Sustainability Appraisal Error for ALB017

As previously brought to the Council's attention, the Sustainability Appraisal is incorrect, as it does not recognise the proximity of a children's play area and amenity open space on the site. These are being constructed within 100 metres of site ALB017 as part of the Boningale Homes development (15/02448/FUL<sup>1</sup>). This converts two negative scores (-2) into two positive scores (+2) and thereby changes the Sustainability Appraisal scores for site ALB017 from -6 to -2, changing its rating from 'Fair' to 'Good'.

## Development Guidelines for ALB017

The proposed development guidelines for site ALB017 do not reflect the evidence and therefore do not meet the 'justified' test of soundness.

The proposed development guidelines include a requirement for a roundabout at the site access. This ignores the Highways and Access Feasibility Assessment presented to the Council in May 2020 as part of the pre-application enquiry PREAPP/20/00169, attached for information at Appendix 4 to this submission. The proposed guidelines do not reflect the formal advice received from County Highways in July 2020 in response to the submitted documents.

County Highways had no negative comments on the proposed T-junction access, attached at Appendix 2. County Highways did not require a roundabout in their formal response, attached at Appendix 3.

A roundabout will require the loss of a significant number of the 14 mature trees that line Kingswood Road around the site access point, as shown on the Tree Retention Plan in **Appendix 1**. The mature trees on both the northern and southern side of Kingswood Road are a gateway feature to the village and important to the character of the area. The proposed T-junction access minimises the loss of trees to only three trees (T4, T5 and T6). In contrast, a roundabout would significantly increase the number of mature trees lost, potentially on both sides of the road.

The guideline's requirement for a roundabout will effectively replace an existing natural gateway feature comprising a line of mature trees with a standard roundabout, which would be a loss to the character of the area. HIMOR request a modification to the site guidelines to reflect the evidence discussed with the Council's highway and tree teams in 2020 in relation to the site access.

The proposed guideline requires, "*a northern and southern vehicular, cyclist and pedestrian connection into the saved SAMDev Allocation ALB002.*" The proposed Framework Plan in **Appendix 2** on page 13 of this representation provides a vehicular link to ALB002 via a connection to the north of the allocation. The recently approved, and under construction, development by

---

<sup>1</sup> The formal childrens' play area and amenity open space are shown on approved drawings Open Space Typology JBR2418-325, the Landscape Proposals Plan 1 of 2 JBR2418-321-PH-2A and the approved Planning Layout 100-02-A-Rev C.

Boningale Homes at the southern section of the allocation was not required to provide vehicular connections to the boundaries. The latest site plan<sup>2</sup> for the Boningale Homes development is shown on **page 9** of this representation in **Appendix 1**. HIMOR have previously made representations to Shropshire Council requesting that the proposed connections on site ALB002 be extended to the site boundary, a copy of which is available on **page 10** of this representation. However Shropshire Council have failed to secure such provision by Boningale Homes. As such, it is unreasonable for Shropshire Council to now require HIMOR to achieve what the Council failed to do at an earlier stage, failing the 'justified' and 'effective' tests of soundness.

The proposed development of ALB017 provides a vehicular link between Kingswood Road and Shaw Lane through the northern section of ALB002 as shown in the Framework Plan in **Appendix 2** on page 13 of this representation. This is sufficient to achieve the desired connection between the sites, making the southern connection sought in the development guidelines unnecessary and unjustified.

The development guidelines seek, "*on-site public car parking facilities to alleviate pressure on existing facilities*". This is not justified and will not be effective. Few drivers will choose to park some 500 metres from the doctor's surgery on Shaw Lane and a similar distance from the railway station. This guideline fails the 'justified' and 'effective' tests of soundness.

Green Infrastructure providing public open space that links to the wider area is quite different to an ecological corridor along the railway line. The development guidelines combine the two, making it difficult to deliver either in an effective manner.

The requirement to retain trees and hedges is sufficient to ensure that the railway corridor remains undisturbed. The guideline requiring an '*associated green infrastructure corridor*' along the railway line conflicts with 'secured by design' guidelines and will result in public open space being located in sub-optimal locations. The guidelines' treatment of the railway line will make it difficult for development to achieve a satisfactory layout and fails the 'effective' test of soundness.

A suite of technical documents have been drafted in support of the development proposals and these are provided in the appendices as follows:

- Appendix 1 - Delivery of site ALB017 including Tree Protection Plan, site plan for ALB002 and correspondence with the Council
- Appendix 2 - Proposed Framework Plan (part of this pdf)
- Appendix 3 - Pre-app response from County Highways (part of this pdf)
- Appendix 4 - Highways and Access Feasibility Assessment (attached)
- Appendix 5 - Indicative Surface Water Drainage Strategy (attached)
- Appendix 6 - Arboricultural Report (attached)
- Appendix 7 - Ecological Appraisal (attached)
- Appendix 8 - Site Constraints Plan (attached)

---

<sup>2</sup> Application 21/00555/AMP to amend the Phase 2A development

## Modifications necessary

The development guidelines stipulate that the allocation is served from a roundabout off Kingswood Road. However, this does not reflect the latest highways and arboricultural evidence.

The provision of both a northern and southern link road to the adjoining allocation ALB002 is not necessary in highway terms. A northern section is proposed. The southern section currently required by the development guidelines requires land that is under the control of a third party (Boningale Homes) and on which Shropshire Council has permitted a layout that does not connect. As set out earlier in this representation, this fails the 'effective' and 'justified' tests of soundness.

Public car parking to alleviate pressure on Shaw Lane and Station Road is not justified or effective. Furthermore, the railway corridor requirement is not effective in delivering good quality public open space for the reasons given above.

To pass the 'justified' test of soundness, HIMOR suggest the following amendment to the site guidelines:

Schedule S1.1(i). Residential Allocations: Albrighton Key Centre		
Site Allocation	Development Guidelines	Provision
Land north of Kingswood Road and Beamish Lane, Albrighton (ALB017 & ALB021)	<p>Comprehensive masterplan required for ALB017 and ALB021. Design and layout will ensure vehicular, cyclist and pedestrian access from ALB017 into ALB021. Contributions to jointly required infrastructure will be proportional, based on the level of development forecast.</p> <p>Any necessary improvements to the local and strategic road network will be undertaken, informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).</p> <p>An appropriately designed <b>roundabout access</b> will be provided on Kingswood Road <del>at the point of access into the site.</del></p> <p>The 30mph zone on Kingswood Road will be extended to reflect the extent of the site and the impact on Beamish Lane/A41 junction assessed and mitigated. This will likely involve closure of this junction.</p> <p>To enhance access to services and facilities in the town and achieve integrated communities, the development <del>will include a northern and southern vehicular, cyclist and pedestrian</del> <b>will seek to provide a</b> connection into the saved SAMDev Allocation ALB002.</p> <p><del>Opportunities to provide on-site public car parking facilities, to alleviate pressure on existing facilities, should be considered.</del></p> <p>Green infrastructure will be provided through the site and link into the wider area. <del>This provision will include an</del></p>	180 dwellings



	<p><del>appropriate green buffer of the railway line, and the associated green infrastructure corridor.</del></p> <p>The pond on ALB017 will be appropriately assessed and managed (opportunity to integrate into open space provision). Where possible trees and hedgerows on the site should be retained and enhanced, supported by positive tree planting, particularly on areas of open space.</p> <p>The site will incorporate appropriate sustainable drainage, informed by a sustainable drainage strategy. Any residual surface water flood risk will be managed by excluding development from the affected areas of the site, which will form part of the Green Infrastructure network. Flood and water management measures must not displace water elsewhere</p>	
--	--	--

**Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

*Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Please see previous page.

*(Please continue on a separate sheet if necessary)*

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

- No, I do not wish to participate in hearing session(s)  
 Yes, I wish to participate in hearing session(s)  
*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

HIMOR have significant comments on the Local Plan and wish to participate in the hearing sessions.

*(Please continue on a separate sheet if necessary)*

**Please note:** The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:

Helen Howie on behalf of HIMOR

Date:

14/01/2021

Office Use Only

Part A Reference:

Part B Reference:

## APPENDIX 1 - DELIVERY OF SITE ALB017

HIMOR have worked positively with the Council throughout, submitting an indicative layout to the Council in August 2017 and a pre-application enquiry on 5<sup>th</sup> May 2020 (PREAPP/20/00169). HIMOR is working proactively with the Council to ensure that a forthcoming planning application meets all their requirements.

*View from the site of the avenue of trees fronting Kingswood Road*



The various pre-application documents submitted to the Council in May 2020 provided technical evidence that show site ALB017 is deliverable.

No objections from highways, affordable housing, drainage, conservation, archaeology, ecology, trees, contaminated land and public rights of way were received as part of the Council's responses to the pre-application enquiry, subject to further consideration of the detailed design at planning application stage and appropriate mitigation.

HIMOR can confirm that the site is viable and deliverable, having regard to the policy requirements in the draft Plan. We can confirm that the delivery timescales for this site shown in Appendix 7 of the draft Plan are appropriate. The site is able to deliver in the early years of the plan period and an outline application will be submitted at the earliest opportunity once the Local Plan has reached an advanced stage.



- KEY**
- Tree/Group to be Retained
  - Tree/Group to be removed to facilitate the proposals
  - Category U - Unsuitable for retention on arboricultural grounds
  - Hedgerow Proposed to be Retained and Incorporated into the New Development
  - Hedgerow Proposed to be Removed to Facilitate the Development upon Approval of the Application
  - Root Protection Area (Shown for retained trees only)
  - Veteran Tree Root Protection Area (in accordance with Ancient and Other Veteran Trees: Further Guidance on Management)
  - Individual / Group Number and BS Category
  - Individual / Group Number to be Removed and BS 5837:2012 Category
  - Indicative Shade Pattern (in accordance with BS5837:2012 where appropriate)
  - Access road visibility splay

**NOTES**

All dimensions to be verified on site. Do not scale this drawing, use figured dimensions only. All discrepancies to be clarified with project Arboriculturalist. Drawing to be read in conjunction with Arboricultural Assessment and Appendix A - Tree Schedule.

Drawing has been produced in colour and is based on digital information in .dwg format, aerial images and/or GIS location where appropriate. A monochrome copy should not be relied upon. The exact position of individual trees or species included as part of a tree group, woodland or hedgerow should be checked and verified on site prior to any decisions for foundation design, tree operations or construction activity being undertaken. Further survey work would be required for calculating foundation depths.

Trees are living organisms that change over time, the condition of all trees illustrated herein, are to be checked by the project Arboriculturalist should works commence 12 months after the date of this survey.

SOME TREES MAY BE SUBJECT TO STATUTORY CONSTRAINTS. IT IS THEREFORE ADVISED THAT NO WORKS SHOULD BE UNDERTAKEN TO ANY TREES ILLUSTRATED HEREIN WITHOUT FIRST OBTAINING THE RELEVANT AUTHORIZATION TO DO SO UNLESS AGREED AS PER THE APPROVED PLANS THROUGH PLANNING CONSENT.

This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd. FPCR Environment and Design Ltd accept no liability for third party use.

Ordnance Survey material is used with the permission of The Controller of HMSO, Crown copyright 100018896.

rev	date	description	by
B	21.04.2020	Updated base plan	JPF
A	26.03.2020	Updated BMP	JPF
-	18.12.2019	First Issue	PT / JPF

masterplanning +  
 environmental assessment +  
 landscape design +  
 urban design +  
 ecology +  
 architecture +  
 arboriculture +

FPCR Environment and Design Ltd  
 Lockington Hall  
 Lockington  
 Derby DE74 2RH  
 t: 01509 672772  
 f: 01509 674565  
 e: mail@fpcr.co.uk  
 w: www.fpcr.co.uk

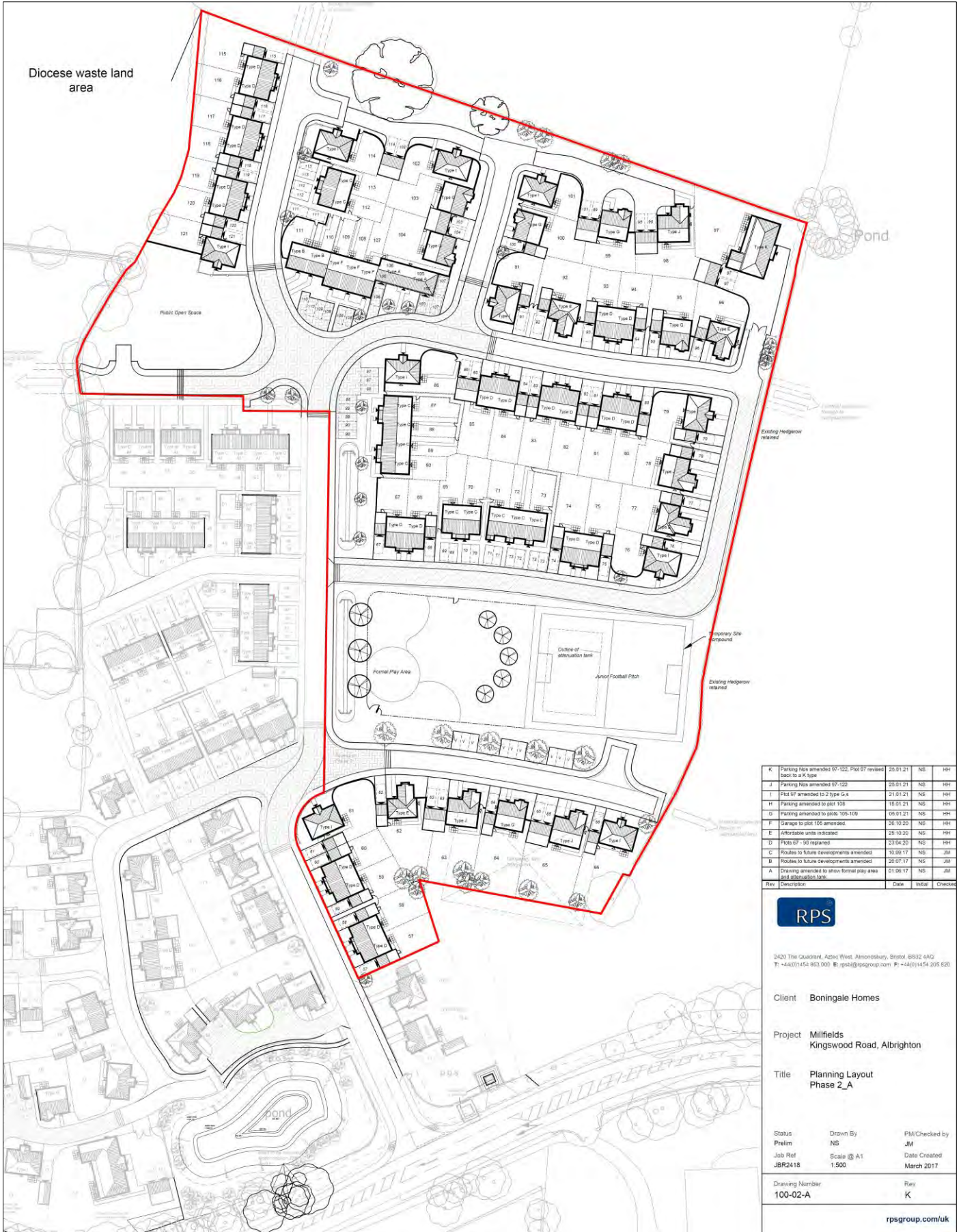
client  
**Himora**  
 project  
**Kingswood Road  
 Albrighton**

drawing title  
**TREE RETENTION PLAN**  
 scale  
 1:1250 @ A3  
 drawing checked  
 JPF  
 date  
 21.04.20

drawing number  
**9323-T-02**  
 rev  
**B**

HIM

LAYOUT OF ADJOINING BONINGALE DEVELOPMENT ON ALB002 TO THE WEST OF ALB017



K	Parking Nos amended 97-122, Plot 87 revised back to a K type	25.01.21	NS	HH
J	Parking Nos amended 97-122	25.01.21	NB	HH
I	Plot 57 amended to 2 type G's	21.01.21	NS	HH
H	Parking amended to plot 138	18.01.21	NS	HH
G	Parking amended to plots 105-109	05.01.21	NS	HH
F	Garage to plot 105 amended	26.10.20	NB	HH
E	Affordable units indicated	25.10.20	NS	HH
D	Plots 67 - 56 replanned	23.04.20	NS	HH
C	Routes to future developments amended	10.09.17	NS	JM
B	Routes to future developments amended	20.07.17	NS	JM
A	Drawing amended to show formal play area and alternative lane	01.08.17	NS	JM
Rev	Description	Date	Initial	Checked



2420 The Quadrant, Acton West, Almondbury, Bristol, BS32 4AQ  
 T: +44(0)1454 853 000 E: rps@rpsgroup.com F: +44(0)1454 205 620

**Client** Boningale Homes  
**Project** Milfields Kingswood Road, Albrington  
**Title** Planning Layout Phase 2\_A

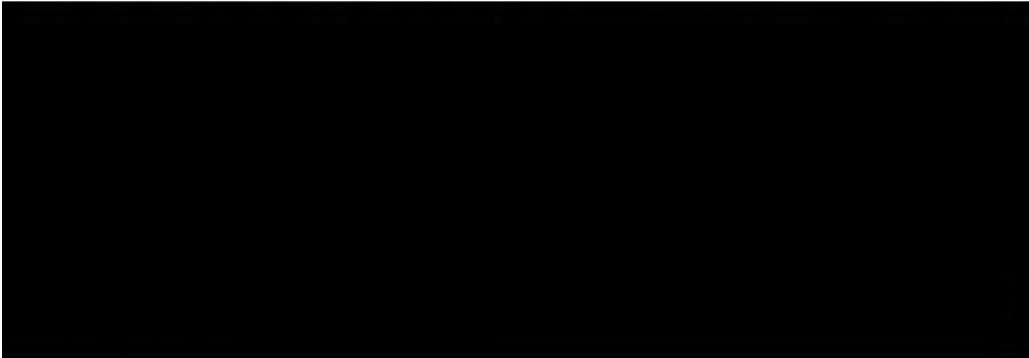
Status Prelim Drawn By NS PMA/Checked by JM  
 Job Ref JBR2418 Scale @ A1 1:500 Date Created March 2017

Drawing Number 100-02-A Rev K

rpsgroup.com/uk

**COPY OF CORRESPONDENCE ON THE RANSOM STRIP BETWEEN ALB002 & ALB017**  
*available on Shropshire Council's website under application 15/02448/FUL*

**From:**Richard Fortune  
**Sent:**12 Jul 2017 16:58:18 +0100  
**To:**planningdmse  
**Subject:**FW: 15/02448/FUL | 65 dwellings with access (Amended Description) | East Of Shaw Lane Off Kingswood Road Albrighton Shropshire



Richard Fortune

Principal Planner

01743 258779

[planningdmse@shropshire.gov.uk](mailto:planningdmse@shropshire.gov.uk)

Shropshire Council, Cantern Brook Offices, Stanley Lane, Bridgnorth, Shropshire,  
WV16 4SF

**From:** Helen Howie [REDACTED]  
**Sent:** 07 July 2017 09:57  
**To:** Richard Fortune <[richard.fortune@shropshire.gov.uk](mailto:richard.fortune@shropshire.gov.uk)>  
**Subject:** 15/02448/FUL | 65 dwellings with access (Amended Description) | East Of Shaw Lane Off Kingswood Road Albrighton Shropshire

Richard,

The revised application offers an opportunity to ensure that the site is designed to facilitate a comprehensive approach to development on surrounding land. On behalf of Himor Group Ltd, who control adjoining land to the east of the application site, we request that the proposed road along the southern edge of the proposed junior football pitches is extended to the site boundary, in order to facilitate future road connections between the application site and land to its east.

The latest Site Layout Plan shown on Public Access is drawing JBR2418 100 2 REV K, which shows a potential 'ransom strip' between the turning head south of the junior football pitches and the site boundary. The applicant's June 2017 Planning Statement refers to a revised Site Layout Plan JBR2418\_100-2\_A\_Planning Layout Phase 2\_A, but this is not available on Public Access. We have therefore referred to the amended affordable housing layout plan, which shows no change to the proposed southern road south of the junior football pitches. For the benefit of future pedestrian, cycle and vehicular connectivity between the sites we request that this road be extended to the boundary.

Likewise, it is essential that the road shown between plots 79 and 96 extends all the way to the site boundary, as currently shown.



I trust you will take these comments on board in determining the application.

Kind Regards,

Helen

**Helen Howie MA (Hons) MCD MRTPI**  
Planning Consultant

**Berrys**

Follow Berrys:  



**APPENDIX 2**  
**FRAMEWORK PLAN**





**NOTES**

This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd.

Ordnance Survey Mastermap - Crown Copyright. All rights reserved. Licence Number: 100019980 (Centremapslive.com).



**KEY**

- Application Site Boundary 5.85h
- Proposed development parcels 4.35h
- Proposed green space 1.5ha
- Proposed access point
- Proposed road network
- Potential links to surrounding/future development
- Existing ponds to be retained and enhanced where possible
- Proposed infiltration ponds
- Potential walking routes
- Proposed trees
- Existing trees to be retained where possible
- Existing hedgerows to be retained where possible

HIMOR  
Land off Kingswood Road  
Albrighton

**FRAMEWORK PLAN**

1:1250 @ A3  
06 Mar 2020 DB / MGH  
**9323-L-03** rev **G**

Masterplanning	FPCR Environment and Design Ltd
Environmental Assessment	FPCR Environment and Design Ltd
Landscaping Design	FPCR Environment and Design Ltd
Urban Design	FPCR Environment and Design Ltd
Ecology	FPCR Environment and Design Ltd
Arboriculture	FPCR Environment and Design Ltd
Drainage	FPCR Environment and Design Ltd
Highways	FPCR Environment and Design Ltd
Structural	FPCR Environment and Design Ltd
Water	FPCR Environment and Design Ltd
Other	FPCR Environment and Design Ltd

## **APPENDIX 3**

### **PRE-APP RESPONSE FROM COUNTY HIGHWAYS**

## HIGHWAY ADVICE NOTE

*WSP UK Ltd. has undertaken a technical appraisal of this Planning Application and the available supporting information, details, plans, etc., on behalf of the Local Highway Authority. All correspondence/feedback must be directed through Shropshire Council's Transport Team.*

### PRE-APP HIGHWAY RESPONSE LIKELY TO BE ACCEPTABLE

PREAPP/20/00169	Proposed Residential Development Land To The North Of Kingswood Road Albrighton Shropshire
	Residential development of around 150 dwellings and associated public open space

**Observations/Comments:** 17/07/2020

It is considered that the principle of the development is likely to be acceptable from a highways perspective, subject to the access, visibility and parking facilities being commensurate with the local conditions and highway safety.

The Framework Plan shows the proposed connectivity to adjacent sites. Further connections could be proposed to encourage cycling and walking through the site. For example, the walking route that follows the route of Beamish Lane could be provided as a cycleway too, and a pedestrian/cycle link through to Beamish Lane could be considered to give links to the existing dwellings onto Beamish Lane into the development. There should also be increased vehicular connectivity into the Millfields development to the south-west of the site, as well as pedestrian/cycle connectivity.

Any future planning application should provide any and all details necessary to assist with the appropriate determination from a Highways and Transport perspective. This should include vehicular and pedestrian/cycle access and junction details with associated visibility splays, sustainable travel facilities, Transport Assessment and Travel Plans.

Also details of the parking/turning/servicing facilities, adoptable highway construction and layout, as well as surface water drainage, street lighting, traffic management (including road signs & marking), landscaping and any other information pertinent to the full assessment of the development proposed should be provided.

The proposed layout of the shared surface roads needs to be to an adoptable standard. Consideration should be given to the alignment of the access road, as the alignment should discourage higher vehicle speeds.

## **APPENDIX 4**

### **HIGHWAYS AND ACCESS FEASIBILITY ASSESSMENT**

## KINGSWOOD ROAD, ALBRIGHTON

### HIGHWAYS AND ACCESS FEASIBILITY ASSESSMENT

#### 1 INTRODUCTION

##### Background

1.1 Vectos has been appointed by Himor, on behalf of the landowner, to advise on transport and highway matters in respect of a proposed residential site on the eastern edge of the settlement of Albrighton, Shropshire. The Local Plan is presently under review and the emerging Local Plan proposes to allocate the site for residential development.

1.2 This Note sets out key highways and access issues in relation to the potential development of the site.

##### Site Location and Context

1.3 The site is located on the eastern edge of Albrighton and to the north of Kingswood Road. An aerial view of the location is shown in **Figure 1.1** below.

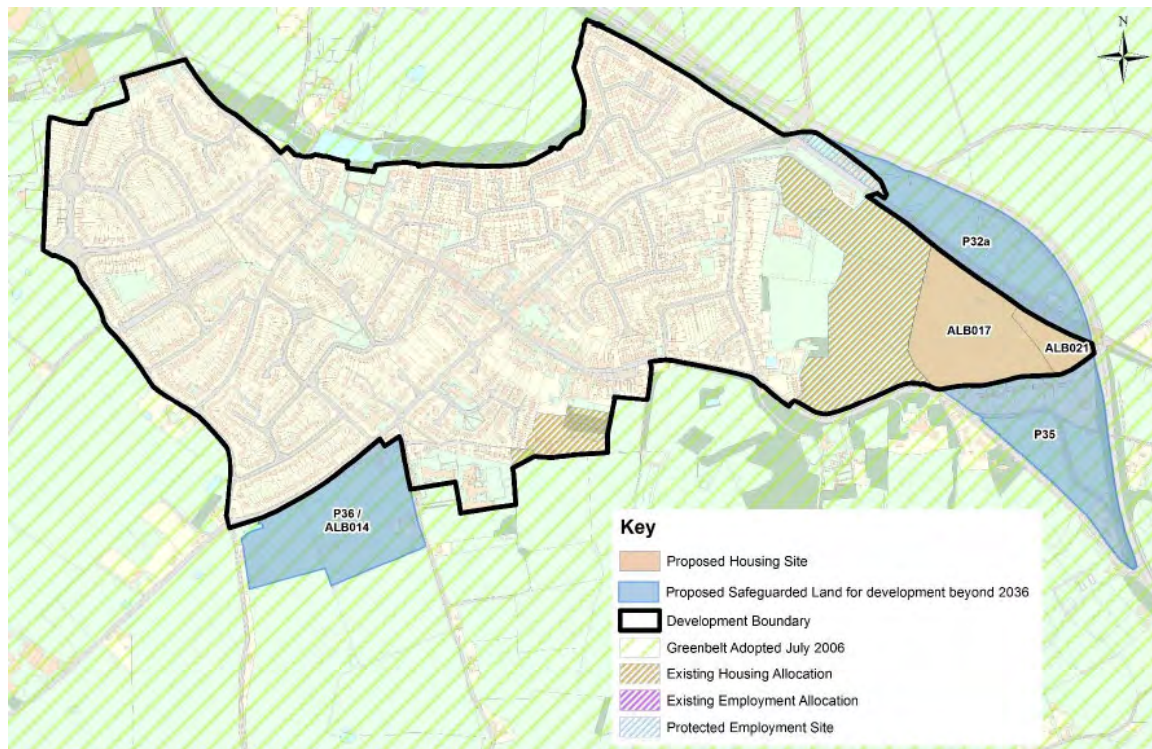


**Figure 1.1: Site Location** (Source Google Earth)

1.4 Albrighton has a population of approximately 5,000 people. It has an established centre which incorporates a range of amenities, including retail, commercial, healthcare and services, along with two primary schools.

### Planning and Allocation

- 1.5 The site has previously been identified for future housing supply and safeguarded for future residential development in the Local Plan, which is presently under review. The emerging Local Plan presently proposes to allocate the site for residential development and identifies it as having capacity for approximately 165 dwellings. This site is shown in **Figure 1.2** below where it is identified as Site Ref ALB017.



**Figure 1.2: Preferred Site Allocation in Local Plan Review**

- 1.6 The adjacent site (ALB021) which lies to the east of the site may also be considered as part of a combined development site. It is expected that the access for this site will be achieved via site ALB017.
- 1.7 Land to the west of the site is already allocated for housing and this is separated into two land parcels. The site adjacent to Kingswood Road is presently being developed for approximately 65 dwellings with access taken from Kingswood Road. The northern part of the site was recently refused at appeal, with highway safety being one of the reasons for refusal. Again, highway access to this site could be provided through Site ALB017.

## 2 LOCAL HIGHWAY NETWORK

### Kingswood Road

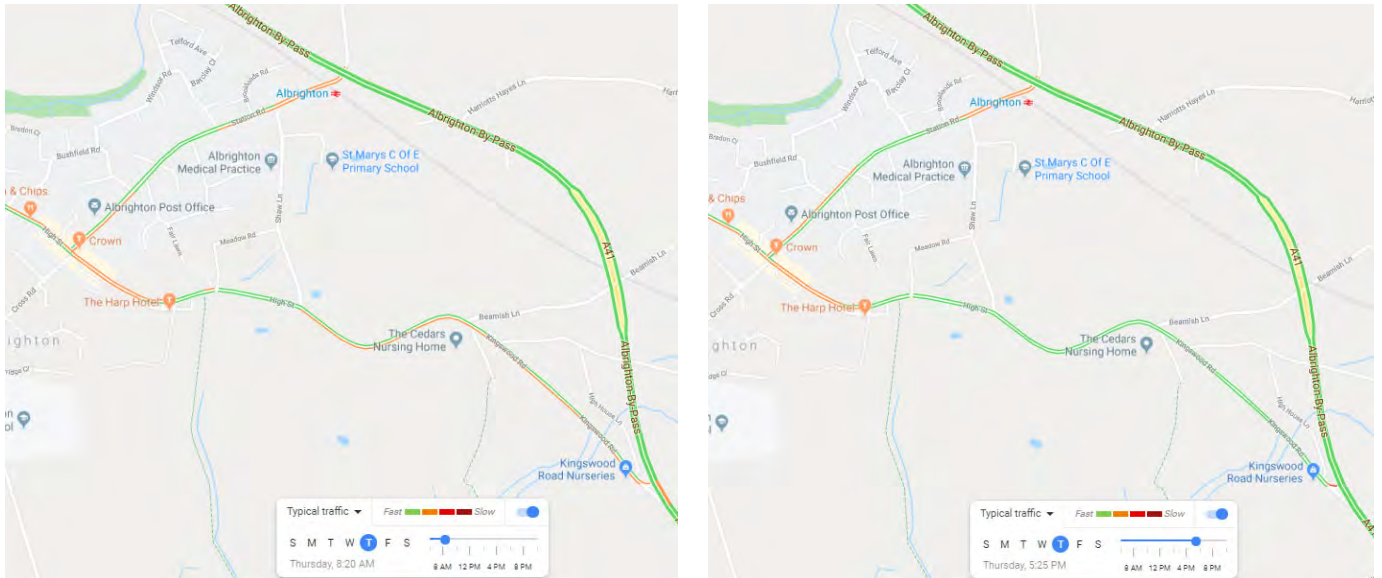
- 2.1 Kingswood Road is a single carriageway road with a carriageway width of approximately 7m. The carriageway presently features a 'hatched' centreline which restricts overtaking.
- 2.2 The site immediately to the west of the site is presently being developed. The access for this incorporates a ghost island to accommodate right-turn traffic entering the site.
- 2.3 In the vicinity of the site, Kingswood Road is subject to a 30mph speed limit though presently the limit changes to National Speed Limit approximately 40m to the east of the location of the proposed site access junction. The Local Plan Consultation suggests extending the 30mph speed limit a short distance to the east, to reflect the potential extension of the urban area along this section of road. Himor is supportive of this proposal.

### Beamish Lane

- 2.4 Approximately 40m to the east of the proposed site access, Beamish Lane joins Kingswood Road and forms the minor arm of a priority junction. Beamish Lane is lightly trafficked as it only provides access to a small number of residential properties which also have an alternative access to the A41 to the north.
- 2.5 Beamish Lane is not suitable for HGV traffic but is provided with a number of passing places, making it suitable for two-way car traffic.

Traffic Conditions

2.6 A review of typical traffic conditions has been undertaken with reference to the traffic speed data available within ‘Google Maps’. The results are shown in **Figure 2.1** below.



**AM Peak Period**

**PM Peak Period**

**Figure 2.1: Typical Traffic Conditions (Source: Google Maps)**

2.7 As can be seen, in both peak periods traffic speeds are generally good, including on Kingswood Road and the Albrighton Bypass. The slower traffic speeds in the centre of Albrighton are expected to be a result of traffic travelling slowly through the centre and on the approach to the main road junction, rather than being a result of traffic congestion. As a consequence, the local highway network is seen as having spare capacity.

Accident Data

2.8 The accident record on the highway network in the vicinity of the site has been reviewed. Accident data for the most recent five-year period has been obtained from the ‘Crashmap’ website and the data is summarised in **Figure 2.2** below. This shows no recorded accidents on this section of Kingswood Road and there are no existing accident blackspots that raise concern.







Figure 2.2: Accident Data (Source: 'Crashmap')

### 3 ACCESSIBILITY OF THE SITE

#### Walking Accessibility

- 3.1 The Institution of Highways and Transportation (IHT) document 'Guidelines for Providing for Journeys on Foot' (2000) contains suggested acceptable walking distances for pedestrians without mobility impairment for some common facilities. The guidelines suggest that an acceptable walking distance for commuting / school purposes is 800 metres, with the preferred maximum distance of 2 kilometres. Walking can also be promoted as part of a multi-modal journey, particularly with public transport.
- 3.2 The more recent CIHT document 'Planning for Walking' (2015) affirms this by stating that 80% of journeys shorter than a mile (approximately 1.6 kilometres) are made wholly on foot.
- 3.3 The established village centre of Albrighton is approximately 900m from the site via Kingswood Road and High Street. As noted earlier, the village centre provides a range of amenities, including retail, commercial, healthcare and services, along with two primary schools. Footways are available on all local roads, including street lighting which provide a comprehensive pedestrian network. Therefore, the site can be considered to be accessible on foot to local amenities.

### Cycle Accessibility

- 3.4 Cycling is becoming an increasingly popular mode of transport and is an effective mode for short trips. The Department for Transport's (DfT) Local Transport Note 2/08 Cycle Infrastructure Design (2008) states that, '*many utility cycle journeys are under 3 miles (5 km) although for commuters a trip distance of over 5 miles (8 km) is not uncommon*'.
- 3.5 A 5km catchment area from the site encompasses the whole of the urban area of Albrighton along with Cosford. Thus, cycling can offer access to a wide range of services and employment opportunities.

### Public Transport Accessibility

- 3.6 The IHT document, '*Guidelines for Planning for Public Transport in Developments*' (1999) suggests that the maximum walking distance to the nearest bus stop should not exceed 400m.
- 3.7 Albrighton is served by public transport with the 891 bus route between Wolverhampton and Telford operating at approximately hourly intervals (Monday – Friday). The service passes along Kingswood Road and the nearest bus stops are within 200m of the proposed site access.
- 3.8 Albrighton rail station is approximately 1km from the development site, using the existing highway network. The potential for pedestrian/cycle linkage through the sites to the west of the site offers the opportunity for a more direct route.
- 3.9 Albrighton station is served by an hourly service between Birmingham, Wolverhampton and Shrewsbury and the station is provided with car and cycle parking.

## 4 POTENTIAL TRAFFIC GENERATION

- 4.1 The main site (ALB017) is estimated to have a capacity of 165 dwellings and the adjacent site (ALB021) which is expected to be accessed via the same site access has an estimated capacity of 30 dwellings.
- 4.2 A trip generation exercise has been carried out by reference to the TRICS database, using 'Edge of Town' sites. The resultant trip rates and traffic generation are set out in **Table 4.1** below.

	Trip Rate		Trips			Trips		
	Arr	Dep	ALB017 only (165 Homes)			Both Sites (195 Homes)		
			Arr	Dep	2-way	Arr	Dep	2-way
08:00-09:00	0.137	0.334	23	55	78	27	65	92
17:00-18:00	0.328	0.132	54	22	76	64	26	90

**Table 4.1: Forecast Traffic Generation**

- 4.3 The traffic generation of the main site is forecast to be up to 78 two-way trips in a peak period. With the adjacent site also developed, the traffic generation rises to a maximum of 92 two-way trips in a peak period. This equates to less than 2 turning movements at the proposed site access junction in a one-minute period.
- 4.4 With reference to the local traffic conditions, it is clear that there is spare capacity on the local road network that could cater for the additional traffic. Furthermore, a site access junction has been designed (as described in Section 5) which can cater for this level of traffic.

## 5 ACCESS PROPOSALS

### Proposed Access

- 5.1 The allocation site is proposed to be served by a priority access featuring a right-turn ghost island. This arrangement is the same as that used at the adjacent residential site which is presently being developed to the west. It is proposed to locate the junction at the apex of the bend in the road in order to ensure that good visibility is available in either direction. A general arrangement plan of a suitable junction is attached to this Note. This plan also shows the visibility splays (9m x 90m) which are based on the requirements for roads with a speed limit of 30mph, as set out in DMRB which is the most onerous requirement at this location.
- 5.2 The Local Plan Consultation document suggested a roundabout format of junction. However, this is unnecessary on highway grounds as a priority junction is able to provide the required capacity and also avoids the land-take associated with a roundabout junction.

### Connections to Adjacent Sites

- 5.3 The adjacent sites to the west are allocated for housing and the site adjoining Kingswood Road is presently being developed. HIMOR will provide connections up to the site boundary to facilitate links to the allocated sites to the west.
- 5.4 The masterplan for the site will also ensure a connection to the adjacent site to the east (site Ref. ALB021).
- 5.5 In summary, Himor are supportive of providing connections to adjacent sites where feasible.

### Beamish Lane

- 5.6 The Local Plan Consultation made reference to a possible option to remove the junction of Beamish Lane with Kingswood Road. However, it is not regarded as necessary for the development of the site and may negatively impact on the existing residents of Beamish Lane. It is considered that the proposed site access can operate safely and with no impact on the existing junction with Beamish Lane, particularly in the light of the proposed extension of the 30mph speed limit.

## 6 SUMMARY & CONCLUSION

6.1 The site (Site Ref ALB017) is proposed to be allocated for residential development in the emerging Local Plan, for which consultation is ongoing. The site is expected to accommodate approximately 165 dwellings, or 195 dwellings if the adjacent site (ALB021) is incorporated.

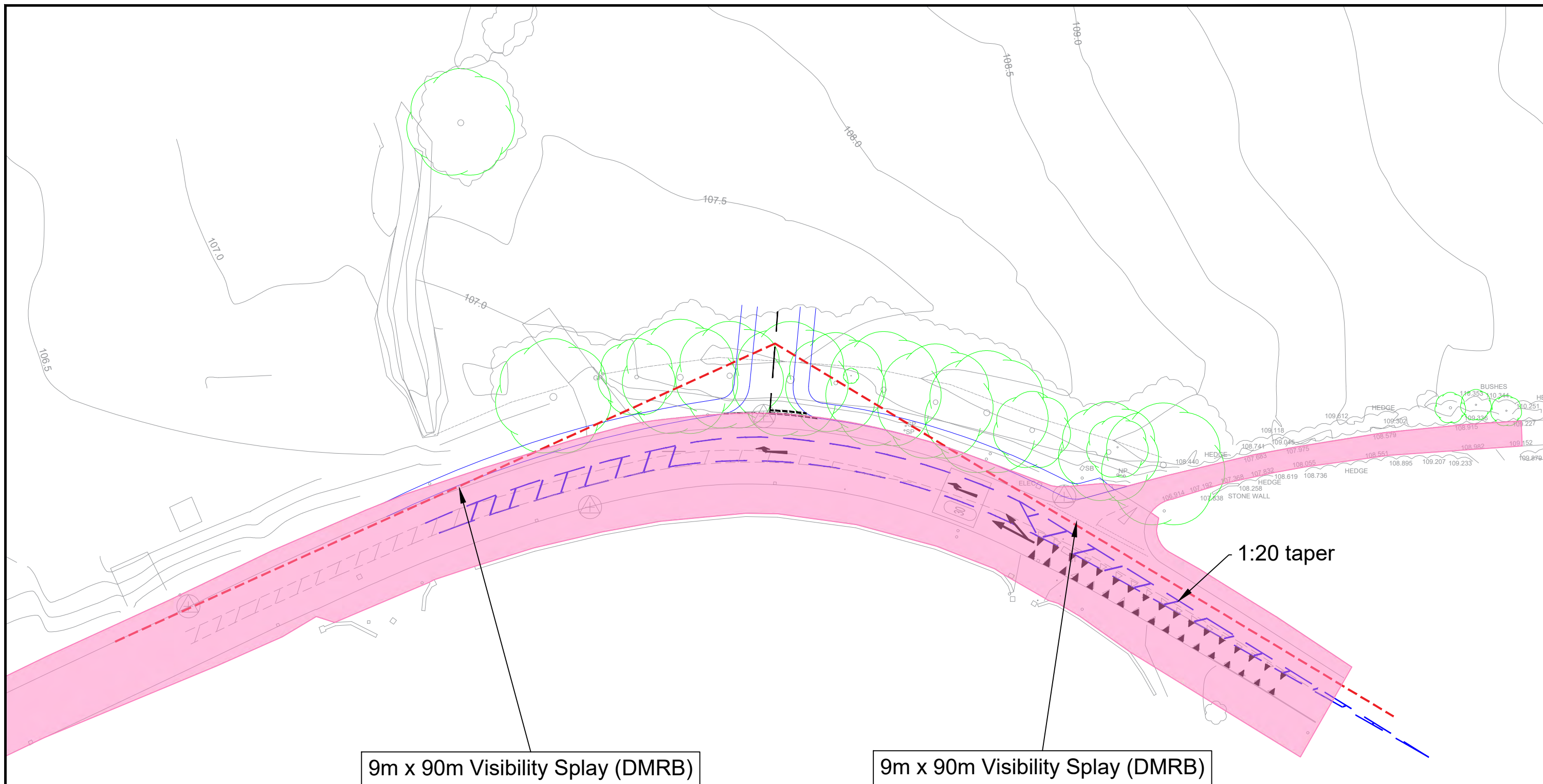
6.2 The key points of this Note can be summarised as follows:

- Access to the site is proposed to be via a priority junction on Kingswood Road, incorporating a ghost island. This will replicate the form of junction provided for the adjacent residential site which is presently being developed to the west;
- There are opportunities for connections to the adjacent development sites. Himor supports this approach where feasible, which is in keeping with the aspiration of the Local Plan Consultation document;
- The site is accessible by a range of sustainable modes and has access to a range of services and amenities in Albrighton;
- The traffic generation of the site is forecast to be up to 78 two-way movements. If the adjacent site (which shares the proposed site access) is included, then the combined traffic generation is forecast to be up to 92 two-way movements;
- The forecast traffic can be accommodated on the local highway network;
- There is no history of accidents on the highway network in the vicinity of the site.

6.3 In conclusion, there are no transport or highway reasons why the site should not be allocated for residential development.

**PLAN:**

**Proposed Site Access Layout**



9m x 90m Visibility Splay (DMRB)

9m x 90m Visibility Splay (DMRB)

1:20 taper

Ordnance Survey © Crown copyright YEAR  
All rights reserved. Licence No. 100052073.

NOTE: THE PROPERTY OF THIS DRAWING AND DESIGN IS VESTED IN VECTOS (NORTH) LTD.  
IT MUST NOT BE COPIED OR REPRODUCED IN ANY WAY WITHOUT THEIR PRIOR WRITTEN CONSENT.

REV.	DETAILS	DRAWN	CHECKED	DATE

**Notes:**

- This is not a construction drawing and is intended for illustrative purposes only.
- White lining is indicative only.

Highway boundary extent (based on overlay of Shropshire Council plan onto topographical survey)

Kingswood Road, Albrighton

---

Proposed Right-Turn Ghost Island

---

DRAWN: HF	CHECKED: AS	DATE: 06.12.19	SCALES: 1:500 at A3
--------------	----------------	-------------------	------------------------

Himor Group






**vectos**  
transport planning specialists

3rd Floor Oxford Place, 61 Oxford Street, Manchester, M1 6EQ  
0161 228 1008 e: manchester@vectos.co.uk

---

DRAWING NUMBER: VN91497-D100	REVISION: .
---------------------------------	----------------

Notes  
 Do not scale from this drawing  
 Layout provided by FPCR  
 Drawing is indicative and subject to change following layout revisions  
 Drawing is subject to change  
 Discharge subject to consent from LLFA  
 Infiltration rates based upon GRM Report (Ref:P7695/SLR/001) Nov '16

Key  
 Infiltration Basin  
 Surface Water Pipe  
 Red Line Boundary

P1	18.03.20	Issued for Discussion	CW		
Rev.	Date	Amendment	Drawn	Chkd.	Appd.



LAND & DEVELOPMENT ENGINEERING LTD

Spring Lodge  
 172 Chester Road  
 Helsby  
 Cheshire, WA6 0AR  
 United Kingdom  
 Tel: +44 (0) 1928 726006  
 Fax: +44 (0) 1928 725633  
 Email: [ide@rsk.co.uk](mailto:ide@rsk.co.uk)  
 Web: [www.rsk.co.uk](http://www.rsk.co.uk)

Client  
**Himor**

Project Title  
**Kingswood Road  
 Albrighton**

Status  
**Draft**

Drawing Title  
**Indicative Surface Water  
 Drainage Strategy**

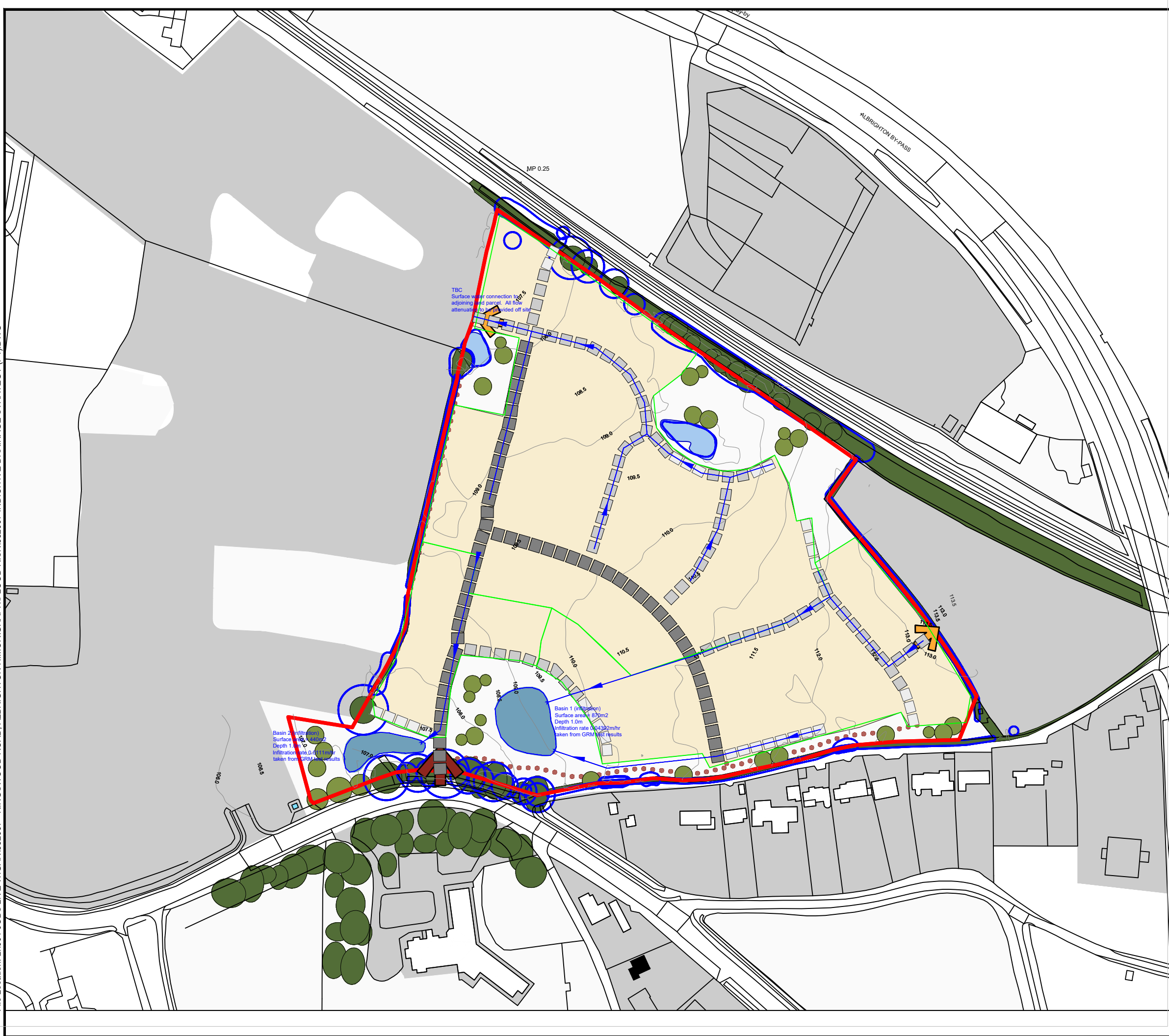
Drawn	Date	Checked	Date	Approved	Date
CW	March 20				

Scale	Orig Size	Dimensions
1:2500	A3	m

Project No.	Drawing File
881631	

Drawing No.	Rev.
10-01	P1

File Location: L:\1001\_JOBS LIVE WIGAN\882007 - KINGSWOOD ROAD - ALBRIGHTON HIMOR\GRAPH\FLOOD RISK\882007-INDICATIVE DRAINAGE STRATEGY (P1).DWG





**This summary has been prepared by FPCR Environment and Design Limited on behalf of Himor to provide details of existing trees and any impacts arising from a proposed residential development on land off Kingswood Road, Albrighton as part of pre-application.**

## **SUMMARY FOR PRE-APPLICATION ADVICE (FPCR job no. 9323)**

### **ARBORICULTURE**

#### **Albrighton**

- 1.1 A survey of trees has been undertaken of tree cover associated with the development site which may be present either within the site or within influencing distance, in accordance with guidance contained within *British Standard 5837 (2012) Trees in relation to design, demolition and construction - Recommendations*.
- 1.2 A total of twenty-three individual trees, nine groups of trees and three hedgerows were surveyed as part of the Arboricultural Assessment; this included trees outside of, but adjoining, the northern site boundary that could be influenced by the development proposals.
- 1.3 Trees on site are mainly positioned around the peripheries and are combined with boundary hedgerows. Outside of the site boundary to the north there are a number of trees alongside the railway line whose canopies and root protection areas encroach into the development area. The primary arboricultural feature on site are the fourteen individual Category A and B trees which form a cohesive group and line the south west boundary with Kingswood Road. There are no statutory constraints present on site or in its direct vicinity.
- 1.4 Individual trees of all qualities were present with a good number of individually recorded high quality (Category A). At the time of assessment these trees were considered to either possess a remaining life expectancy and contribution to the arboricultural resource of at least 40 years or be a particularly good example of their respective species. A single group out of the nine tree groups on site were categorized as being of high quality, the remaining groups and hedgerows were all deemed to be of either moderate to low quality (Category B and C). Just a single tree was deemed unsuitable for retention (Category U). Tree stock was mostly mature in age and well established, with the predominant species being Common Beech. Other individual trees species present include English Oak, Sycamore, Holly, Crack Willow, Hawthorn



and Ash. Groups contained a range of species including Hawthorn, Holly, Cherry, English Oak, Elm, Ash and Goat Willow, whilst hedgerows were predominantly Hawthorn, Hazel and Elm. The diversity found in the groups contributed to the arboricultural quality of the site.

- 1.5 A constraints led approach has informed the proposals thereby ensuring trees and hedgerows largely to be retained and incorporated into the layout. The proposals will however require the removal of T16(U) a Crack Willow and T22(B) a Hawthorn to facilitate the development. A further three trees - T4(A), T5(A) and T6(A) all three Common Beech and component trees within the group along the boundary of the site with Kingswood Road, require removal in order to facilitate access to the site. Due to level variation between the site and Kingswood Road it is possible that T7(C) a Holly and T3(A) a Common Beech, may also require removal to facilitate appropriate construction access; this will be clarified at a detailed stage. Whilst the removal of Category A trees should be avoided within any scheme if at all possible, the proposals seek to compensate their loss within the new Green Infrastructure, close to the new entrance thus continuing the tree lined character and appearance. Two individual Category A trees are positioned away from those on the south west boundary. T23(A), an English Oak, is located in the site on the western boundary; the proposal seeks to incorporate it within a large area of Public Open Space close to the site entrance. T19(A) is located outside of, but adjacent to, the northern site boundary and should be considered at the detailed design stage.
- 1.6 Two of the three hedgerows present on site (H2 and H3) were regarded as Category B and H1 was regarded as Category C. All existing hedgerows are retained; the proposals provide an opportunity to improve their strength and condition through future management and supplementary planting, where required and appropriate. Of the nine tree groups present on site G3 and G7 were assessed as Category C. Tree groups G1, G2, G6 and G8 as Category B and G4 as Category A. G4(A) is located outside of the northern site boundary but is buffered from the proposed development by an area of Public Open Space.
- 1.7 Due to the peripheral positions of the existing trees and hedgerows, it is possible to retain most of the existing tree cover, thus maintaining the landscape amenity currently being provided which shall help to soften views from surrounding vantage points, as well as maintain benefits for biodiversity and habitat connections.
- 1.8 The loss of three individual trees needed to facilitate site access will be mitigated for through the delivery of new landscaping including tree and hedgerow planting, and other supporting Green Infrastructure. As such, there is significant opportunity to not only off-set the losses with new tree planting but plant additional trees and hedgerows, which will result in a net gain of tree cover across the site.
- 1.9 The overall concept layout is considered to be arboriculturally sound as it will be possible to retain the vast majority of the existing tree cover without resulting in any significant losses. The layout for the proposed development will also reduce commonly experienced conflicts between a residential development and retained tree cover by providing landscape buffering between high quality trees and development.

1.10 Providing that retained trees are protected during construction work by the requisite tree protection barriers, the existing tree cover should be successfully integrated with the development proposals. The development also provides an ideal opportunity to increase the amount of local tree cover and thereby ensuring continuation of that tree cover into the future.

Prepared by: **Helen Kirk** *ND Arb Arboriculture MICFor MArborA* | Associate Director

FPCR Environment and Design Limited

24<sup>th</sup> April 2020

## Appendix A - Tree Schedule

Measurements	Age Classes	Quality Assessment of BS Category	ULE (relates to BS Category)
<b>Height</b> - Measured using a digital laser clinometer (m)	<b>YNG:</b> Establishing, typically with good vigour and fast growth rates and strong apical dominance; c. less than 1/3 life expectancy	<b>Category U</b> - Trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	<10 years
<b>Stem Dia.</b> - Diameter measured (mm) in accordance with Annex C of the BS5837	<b>SM:</b> Semi-mature trees less than 1/3 life expectancy	<b>Category A</b> - Trees of high quality with an estimated remaining life expectancy of at least 40 years.	40+ years
<b>Crown Radius</b> - Measured using a digital laser clinometer radially from the main stem (m)	<b>EM:</b> Established, typically vigorous and increasing in apical height and lateral spread; 1/3 - 2/3 life expectancy. Offers landscape significance	<b>Category B</b> - Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.	20-40 years
<b>Abbreviations</b>  est - Estimated stem diameter avg - Average stem diameter for multiple stems upto - Maximum stem diameter of a group	<b>M:</b> Fully established over 2/3 life expectancy, generally good vigour and achieving full height potential with crown still spreading	<b>Category C</b> - Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.	10-20 years
	<b>OM:</b> Fully mature, at the extremes of expected life expectancy, vigour decreasing, declining or moribund	Sub-categories: (i) - Mainly arboricultural value (ii) - Mainly landscape value (iii) - Mainly cultural or conservation value	
	<b>V:</b> biological, cultural or aesthetic value comprising niche saproxylic habitat. Individuals of large proportions (stem girth) in comparison to trees of the same species/surviving beyond the typical age range for their species.	<b>The BS category particular consideration has been given to the following:</b> <ul style="list-style-type: none"> <li>• The presence of any structural defects in each tree/group and its future life expectancy</li> <li>• The size and form of each tree/group and its suitability within the context of a proposed development</li> <li>• The location of each tree relative to existing site features e.g. its screening value or landscape features</li> <li>• Age class and life expectancy</li> </ul>	

Structural Condition	Physiological Condition
<b>Good</b> - No significant structural defects	<b>Good</b> - No significant health problems
<b>Fair</b> - Structural defects that can be remediated	<b>Fair</b> - Symptoms of ill-health that can be remediated
<b>Poor</b> - Significant defects beyond remediation, present a risk of failure in the foreseeable future	<b>Poor</b> - Significant ill-health. Unlikely the tree will recover in the long term
<b>Dead</b> - Dead tree with structural integrity of tree severely compromised	<b>Advanced Decline / Dead</b> - Advanced state of decline and unlikely to recover or Dead

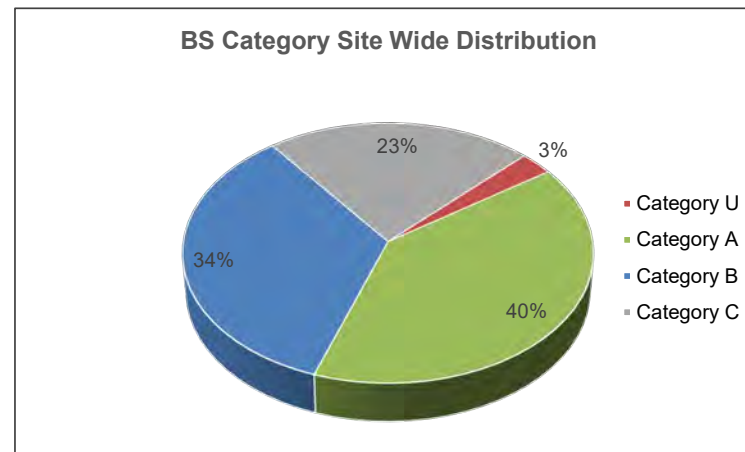
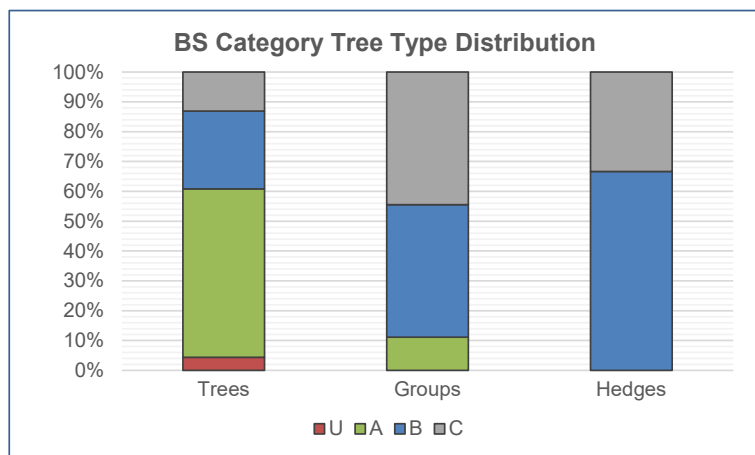
Root Protection Area (RPA)
<ul style="list-style-type: none"> <li>• The RPA Radius column provides the extent of an equivalent circle from the centre of the stem (m).</li> <li>• The RPA is calculated using the formulae described in paragraph 4.6.1 of British Standard 5837: 2012 and is indicative of the rooting area required for a tree to be successfully retained. Tree roots extend beyond the calculated RPA in many cases and where possible a greater distance should be protected.</li> <li>• Where veteran trees have been identified the RPA has been calculated in accordance with Natural England guidance i.e. 15x the stem diameter, uncapped.</li> </ul>

### Appendix Summary

	Individual Trees	Totals	Tree Groups and Hedgerows	Totals
Category U	T16	1		0
Category A	T1, T2, T3, T4, T5, T6, T8, T9, T10, T11, T12, T19, T23	13	G4	1
Category B	T13, T14, T17, T18, T20, T22	6	G1, G2, G6, G8, H2, H3	6
Category C	T7, T15, T21	3	G3, G5, G7, G9, H1	5
	<b>Total</b>	<b>23</b>	<b>Total</b>	<b>12</b>

**BS Category Tree Type Distribution** displays the proportion of trees assessed in each type to enable a better understanding of the category distribution.

**BS Category Site Wide Distribution** shows the proportion of trees assessed in each category across the whole site which allows an interpretation of the site's overall quality.



Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
<b>INDIVIDUAL TREES</b>										
T1	Beech Fagus sylvatica	16	8x 345	8	M	G	Light ivy cover Low crown form Multi leadered form Pruning wounds noted Slightly raised ground around base	431	11.7	A (ii)
T2	Beech Fagus sylvatica	16	440	N - 5 S - 5 E - 3 W - 5	M	G	Epicormic growth evident within the crown Pruning wounds noted Part of group	88	5.3	A (ii)
T3	Beech Fagus sylvatica	18	820	N - 8 S - 7 E - 6 W - 7	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Multi leadered form Pruning wounds noted Part of group	304	9.8	A (ii)
T4	Beech Fagus sylvatica	18	590	N - 6 S - 8 E - 5 W - 5	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Pruning wounds noted Part of group	157	7.1	A (ii)
T5	Beech Fagus sylvatica	18	1050	N - 8 S - 7 E - 5 W - 6	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Multi leadered form Pruning wounds noted Part of group	499	12.6	A (ii)
T6	Beech Fagus sylvatica	18	500	N - 8 S - 4 E - 5 W - 5	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Pruning wounds noted Part of group Twin leadered from 1.5m	113	6.0	A (ii)
T7	Holly Ilex aquifolium	5	80	N - 0.2 S - 2 E - 2 W - 2	EM	G	Characteristic for species	3	1.0	C (ii)
T8	Beech Fagus sylvatica	17	760	N - 10 S - 8 E - 9 W - 7	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Multi leadered form Pruning wounds noted Part of group	261	9.1	A (ii)
T9	Beech Fagus sylvatica	17	540	N - 9 S - 10 E - 6 W - 7	M	G	Bark wounds noted Light ivy cover Minor dead wood evident in the crown (<75mm) Pruning wounds noted Part of group	132	6.5	A (ii)

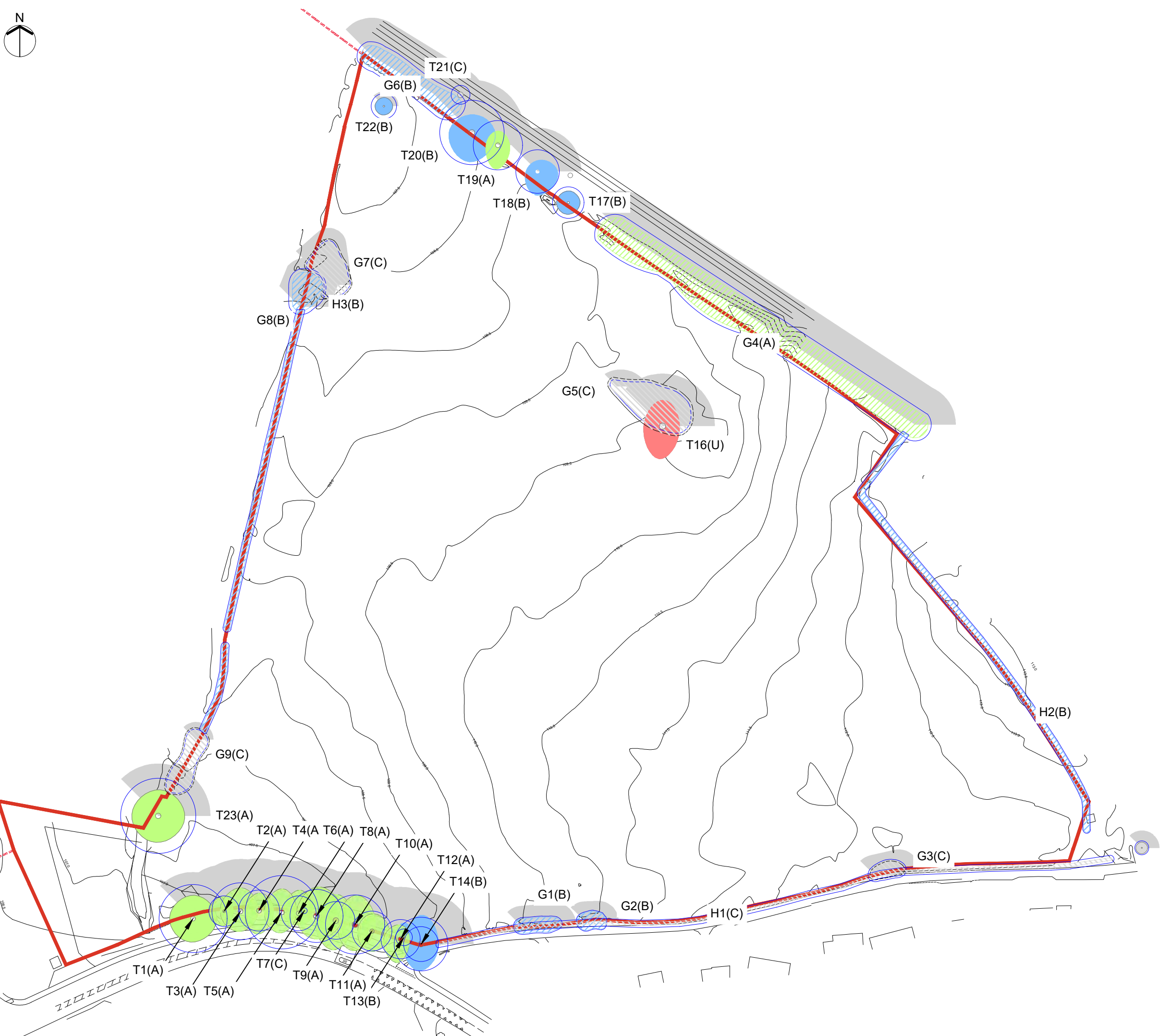
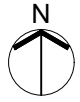
Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
T10	Beech Fagus sylvatica	18	850	N - 10 S - 9 E - 7 W - 6	M	G	Light ivy cover Minor dead wood evident in the crown (<75mm) Multi leadered form Pruning wounds noted Part of group	327	10.2	A (ii)
T11	English Oak Quercus robur	17	570	N - 6 S - 7 E - 6 W - 5	M	G	Characteristic for species Light ivy cover Minor dead wood evident in the crown (<75mm) Pruning wounds noted	147	6.8	A (ii)
T12	Beech Fagus sylvatica	18	360 430	N - 5 S - 8 E - 3 W - 6	M	G	Minor dead wood evident in the crown (<75mm) Pruning wounds noted Part of group Twin leadered from 0.5m	142	6.7	A (ii)
T13	English Oak Quercus robur	15	240	N - 5 S - 0 E - 3 W - 3	M	G	Light ivy cover Pruning wounds noted Suppressed crown form Part of group	26	2.9	B (ii)
T14	Sycamore Acer pseudoplatanus	18	370 450 500	N - 10 S - 9 E - 6 W - 6	M	F	included bark union Light ivy cover Minor dead wood evident in the crown (<75mm) Multi leadered form Pruning wounds noted	267	9.2	B (ii)
T15	Holly Ilex aquifolium	6	est 200	2	M	G	Characteristic for species Part of hedge	18	2.4	C (ii)
T16	Crack Willow Salix fragilis	18	820	N - 9 S - 11 E - 5 W - 6	OM	P	Characteristic for species Major dead wood evident in the crown (>75mm) Storm damage present Woodpecker holes observed Open stem cavity at 1m south west facing	N/A	N/A	U
T17	Hawthorn Crataegus monogyna	6	est 450	4	M	G	Characteristic for species Established ivy cover	92	5.4	B (ii)
T18	Ash Fraxinus excelsior	15	est 360 360 360	N - 4 S - 8 E - 7 W - 4	M	F	Characteristic for species Established ivy cover Situated offsite	176	7.5	B (ii)

Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
T19	English Oak Quercus robur	13	est 500 500	N - 5 S - 8 E - 4 W - 4	M	G	Characteristic for species Established ivy cover Situated offsite Set back from fence 2m	226	8.5	A (ii)
T20	Ash Fraxinus excelsior	18	est 570 450 320 300	N - 6 S - 10 E - 8 W - 8	M	F	Coppiced form Light ivy cover Multi stemmed from base	388	11.1	B (ii)
T21	Hawthorn Crataegus monogyna	5	est 270	1	M	F	Characteristic for species Light ivy cover	33	3.2	C (ii)
T22	Hawthorn Crataegus monogyna	5	est 150 150 150 180	3	M	F	Characteristic for species	60	4.4	B (ii)
T23	English Oak Quercus robur	18	1080	9	M	G	Branch stubs evident Broken branches evident Characteristic for species Epicormic growth evident within the crown Major dead wood evident in the crown (>75mm)	528	13.0	A (ii)









Group No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
<b>GROUPS OF TREES</b>										
G1	Hawthorn Crataegus monogyna English Elm Ulmus procera Holly Ilex aquifolium	7	upto 200	2	M	F	Characteristic for species Interlocking crowns Part of hedgerow	18	2.4	B (ii)
G2	Holly Ilex aquifolium	7	upto 280	2	M	F	Characteristic for species Interlocking crowns	35	3.4	B (ii)
G3	Hawthorn Crataegus monogyna English Elm Ulmus procera	7	upto 250	2	M	F	Characteristic for species Interlocking crowns Part of hedgerow	28	3.0	C (ii)
G4	Ash Fraxinus excelsior Elder Sambucus nigra English Oak Quercus robur Goat Willow Salix caprea Wild Cherry Prunus avium English Elm Ulmus procera	14	upto 450	7	M	G	Branch stubs evident Broken branches evident Characteristic for species Established ivy cover Interlocking crowns Major dead wood evident in the crown (>75mm) Minor dead wood evident in the crown (<75mm) Multi stemmed from base Single stem forms Situated offsite Twin stemmed from base Typical crown form	92	5.4	A (ii)
G5	Crack Willow Salix fragilis Goat Willow Salix caprea	6	upto 180	3	M	P / F	Group round pond Collapsed forms	15	2.2	C (ii)
G6	Hawthorn Crataegus monogyna	6	upto 200 200 200 200	3	M	G	Basal suckers present Characteristic for species Flail damage evident Interlocking crowns	72	4.8	B (ii)
G7	Elder Sambucus nigra Goat Willow Salix caprea	6	upto 200	3	M	P / F	Group round pond Collapsed forms	18	2.4	C (ii)
G8	Ash Fraxinus excelsior Hawthorn Crataegus monogyna	13	420 160 200 200	6	M	F	Characteristic for species Coppiced form Interlocking crowns Multi stemmed from base	128	6.4	B (ii)
G9	Damson Prunus insititia	6	upto 290	3	OM	F	Characteristic for species	38	3.5	C (ii)



Hedge No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
<b>HEDGEROWS</b>										
H1	Hawthorn Crataegus monogyna Sycamore Acer pseudoplatanus English Elm Ulmus procera Hazel Corylus avellana Holly Ilex aquifolium	1	upto 50 60 70	0.5	M	F	Maintained hedgerow	5	1.3	C (ii)
H2	Hawthorn Crataegus monogyna English Elm Ulmus procera Hazel Corylus avellana	2	40 60 60 60	1	M	G	Maintained hedgerow Old laid forms	6	1.3	B (ii)
H3	Elder Sambucus nigra Hawthorn Crataegus monogyna	2	60 60 60 60	1	M	G	Maintained hedgerow Old laid forms Note present are some coppiced ash stools within the hedge larger stems but no increase in RPA needed	7	1.4	B (ii)



**KEY**

-  Category U - Trees / Groups Unsuitable for Retention (BS 5837:2012)
-  Category A - Trees / Groups of High Quality (BS 5837:2012)
-  Category B - Trees / Groups of Moderate Quality (BS 5837:2012)
-  Category C - Trees / Groups of Low Quality (BS 5837:2012)
-  Hedgerow (Colour indicates BS5837:2012 Category)
-  Root Protection Area (The RPA has been altered where appropriate to reflect underground constraints)
-  Individual / Group Number and BS5837:2012 Category
-  Indicative Shade Pattern (in accordance with BS5837:2012 where appropriate)

Scale 1:1250 @ A3



**NOTES**

All dimensions to be verified on site. Do not scale this drawing, use figured dimensions only. All discrepancies to be clarified with project Arboriculturalist. Drawing to be read in conjunction with Arboricultural Assessment and Appendix A - Tree Schedule.

Drawing has been produced in colour and is based on digital information in .dwg format, aerial images and/or GPS location where appropriate. A monochrome copy should not be relied upon. The exact position of individual trees or species included as part of a tree group, woodland or hedgerow should be checked and verified on site prior to any decisions for foundation design, tree operations or construction activity being undertaken. Further survey work would be required for calculating foundation depths.


Trees are living organisms that change over time, the condition of all trees illustrated herein, are to be checked by the project Arboriculturalist should works commence 12 months after the date of this survey.

SOME TREES MAY BE SUBJECT TO STATUTORY CONSTRAINTS. IT IS THEREFORE ADVISED THAT NO WORKS SHOULD BE UNDERTAKEN TO ANY TREES ILLUSTRATED HEREIN WITHOUT FIRST OBTAINING THE RELEVANT AUTHORISATION TO DO SO UNLESS AGREED AS PER THE APPROVED PLANS THROUGH PLANNING CONSENT.

This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd. FPCR Environment and Design Ltd accept no liability for third party use.

Ordnance Survey material is used with the permission of The Controller of HMSO, Crown copyright 100018896.

rev	date	description	by
-	18.12.2019	First Issue	PT / JPF



masterplanning ■  
 environmental assessment ■  
 landscape design ■  
 urban design ■ FPCR Environment and Design Ltd  
 ecology ■ Lockington Hall  
 architecture ■ Lockington  
 arboriculture ■ Derby DE74 2RH

t: 01509 672772  
 f: 01509 674565  
 e: mail@fpcr.co.uk  
 w: www.fpcr.co.uk

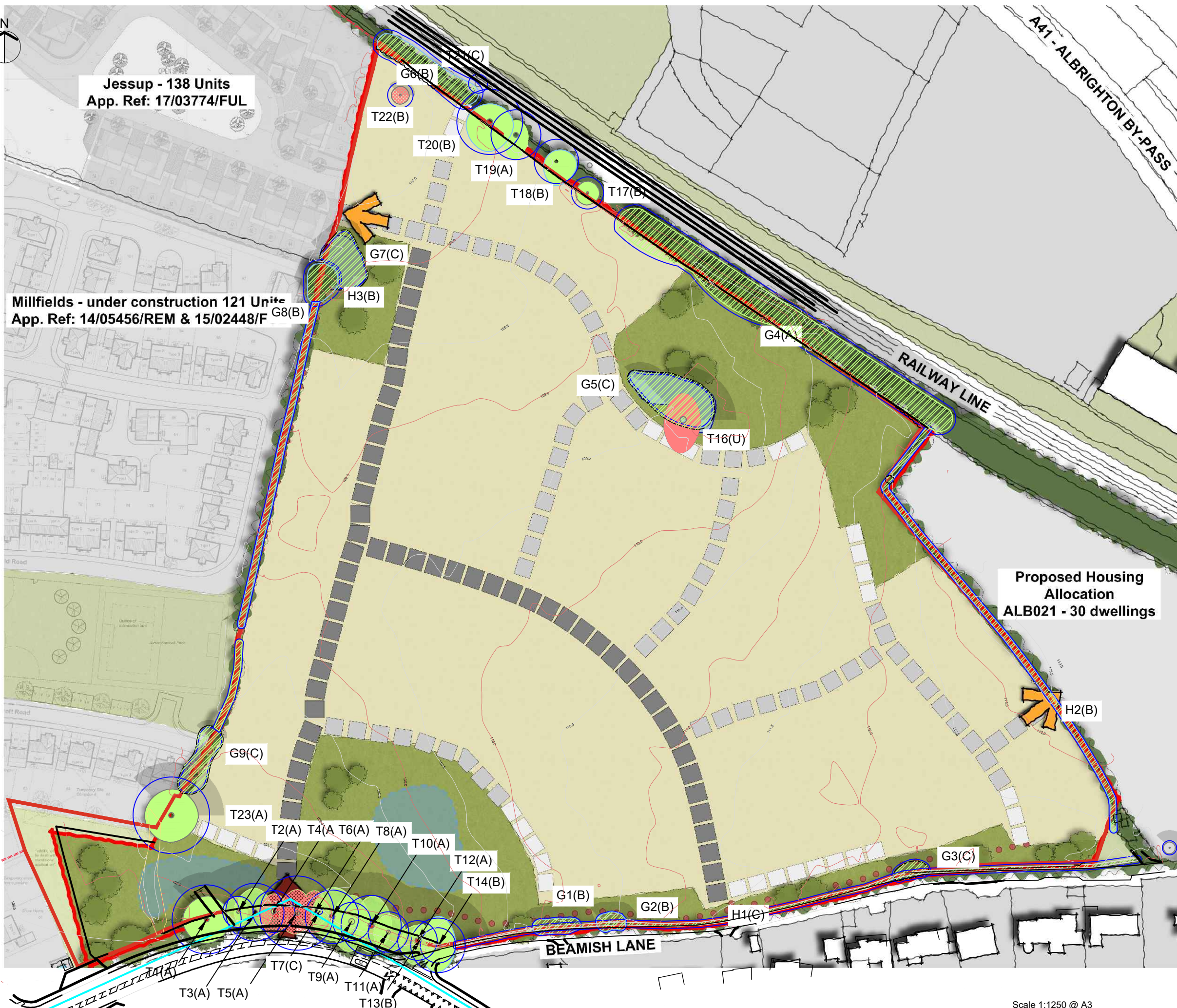
client  
**Himore**

project  
**Kingswood Road  
Albrighton**

drawing title  
**TREE SURVEY PLAN**

scale 1:1250 @ A3      drawn/checked PT / JPF      date 18th December 2019

drawing number  
**9323-T-01**



Jessup - 138 Units  
App. Ref: 17/03774/FUL

Millfields - under construction 121 Units  
App. Ref: 14/05456/REM & 15/02448/F

Proposed Housing Allocation  
ALB021 - 30 dwellings

- KEY**
- Tree/Group to be Retained
  - Tree/Group to be removed to facilitate the proposals
  - Category U - Unsuitable for retention on arboricultural grounds
  - Hedgerow Proposed to be Retained and Incorporated into the New Development
  - Hedgerow Proposed to be Removed to Facilitate the Development upon Approval of the Application
  - Root Protection Area (Shown for retained trees only)
  - Veteran Tree Root Protection Area (in accordance with Ancient and Other Veteran Trees: Further Guidance on Management)
  - Individual / Group Number and BS Category
  - Individual / Group Number to be Removed and BS 5837:2012 Category
  - Indicative Shade Pattern (in accordance with BS5837:2012 where appropriate)
  - Access road visibility splay

**NOTES**

All dimensions to be verified on site. Do not scale this drawing, use figured dimensions only. All discrepancies to be clarified with project Arboriculturalist. Drawing to be read in conjunction with Arboricultural Assessment and Appendix A - Tree Schedule.

Drawing has been produced in colour and is based on digital information in .dwg format, aerial images and/or GPS location where appropriate. A monochrome copy should not be relied upon. The exact position of individual trees or species included as part of a tree group, woodland or hedgerow should be checked and verified on site prior to any decisions for foundation design, tree operations or construction activity being undertaken. Further survey work would be required for calculating foundation depths.

Trees are living organisms that change over time, the condition of all trees illustrated herein, are to be checked by the project Arboriculturalist should works commence 12 months after the date of this survey.

SOME TREES MAY BE SUBJECT TO STATUTORY CONSTRAINTS. IT IS THEREFORE ADVISED THAT NO WORKS SHOULD BE UNDERTAKEN TO ANY TREES ILLUSTRATED HEREIN WITHOUT FIRST OBTAINING THE RELEVANT AUTHORISATION TO DO SO UNLESS AGREED AS PER THE APPROVED PLANS THROUGH PLANNING CONSENT.

This drawing is the property of FPCR Environment and Design Ltd and is issued on the condition it is not reproduced, retained or disclosed to any unauthorised person, either wholly or in part without written consent of FPCR Environment and Design Ltd. FPCR Environment and Design Ltd accept no liability for third party use.

Ordnance Survey material is used with the permission of The Controller of HMSO, Crown copyright 100016896.

B	21.04.2020	Updated base plan	JPF
A	26.03.2020	Updated IMP	JPF
-	18.12.2019	First Issue	PT / JPF

rev	date	description	by

masterplanning ■  
 environmental assessment ■  
 landscape design ■  
 urban design ■  
 ecology ■  
 architecture ■  
 arboriculture ■

FPCR Environment and Design Ltd  
 Lockington Hall  
 Lockington  
 Derby DE74 2RH

t: 01509 672772  
 f: 01509 674565  
 e: mail@fpcr.co.uk  
 w: www.fpcr.co.uk

client  
**Himore**

project  
**Kingswood Road  
Albrighton**

drawing title  
**TREE RETENTION PLAN**

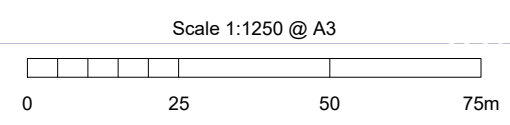
scale  
1:1250 @ A3

drawn/checked  
JPF

date  
21.04.20

drawing number  
**9323-T-02**

rev  
**B**





# Land North of Kingswood Road, Albrighton

## Update Ecological Appraisal



For HIMOR

May 2020

Quay West at Media City UK, Trafford Wharf Road, Trafford Park, Manchester, M17 1HH

Tel: 0161 874 8737

Email: [ecology@wyg.com](mailto:ecology@wyg.com)



## Document Control

Project: Land North of Kingswood Road, Albrighton  
 Client: HIMOR  
 Job Number: A107238-1  
 File Origin: L:\Projects\Projects A107000\A107238-1 Land North of Kingswood Road, Albrighton\REPORTS\Updated PEA

Version 3	May 2020	FINAL
Prepared by:	Jessica Yorke ACIEEM Consultant Ecologist	
Checked By:	Laura Holmes MCIEEM Principal Ecologist	
Verified By:	Rachel Kerr CEnv/CIEEM Associate Ecologist	

Version:	Date:	Updated by:	Verified by:	Description of changes:
2	20.05.2020	JY	RK	Client comments
3	26.05.2020	JY	RK	Client comments

*WYG Environment Planning Transport Ltd. accept no responsibility or liability for the use which is made of this document other than by the Client for the purpose for which it was originally commissioned and prepared.*



# Contents

Executive Summary ..... 1

Glossary ..... 3

1.0 Introduction ..... 4

1.1 Background ..... 4

1.2 Site Location ..... 4

1.3 Development Proposals ..... 4

1.4 Purpose of the Report ..... 4

2.0 Methodology ..... 6

2.1 Desk Study ..... 6

2.2 Field Surveys ..... 6

2.3 Limitations ..... 9

3.0 Baseline Conditions ..... 11

3.1 Designated Sites ..... 11

3.2 Habitats ..... 11

3.3 Protected & Notable Species ..... 12

3.4 Importance of Ecological Features ..... 19

4.0 Relevant Planning Policy & Legislation ..... 21

4.1 Revised National Planning Policy Framework (NPPF) ..... 21

4.2 **Biodiversity 2020: A strategy for England’s Wildlife & Ecosystem Services** ..... 22

4.3 Local Biodiversity Action Plan ..... 22

4.4 Local Plan ..... 23

4.5 Legislation ..... 24

5.0 Discussion ..... 26

5.1 Designated Sites ..... 26

5.2 Habitats ..... 26

5.3 Protected & Notable Species ..... 28

6.0 Summary ..... 34

6.1 Habitats ..... 34

6.2 Protected & Notable Species ..... 34

7.0 References ..... 36

FIGURES

- Figure 1 – Site Location Plan
- Figure 2 – Updated Phase 1 Habitat Plan
- Figure 3 - Pond Location Plan

- Appendix A – Report Conditions
- Appendix B – Key Legislation
- Appendix C – Target Notes
- Appendix D – Habitat Suitability Index
- Appendix E – eDNA Results
- Appendix F – Invertebrate Friendly Planting



## Executive Summary

Contents	Summary
Site Location	The site is on land located north of Kingswood Road in Albrighton, Wolverhampton (centred at Ordnance Survey National Grid Reference SJ 82233 04117) and is approximately 5.85 hectares in area.
Proposals	It is understood that a new residential development is proposed with associated hard and soft landscaping. The proposals also include three public open spaces.
Existing Site Information	Updated Badger Report (WYG, 2019) Ecological Appraisal (WYG, 2018) Great Crested Newt eDNA (WYG, 2018) Badger Report (WYG, 2018)
Scope of this Survey(s)	Update extended Phase 1 habitat survey including desktop study, HSI and eDNA sampling of five ponds.
Results	<p>Designated Sites: one designated site (Donington &amp; Albrighton Local Nature Reserve (LNR)) lies within 2 km of the site.</p> <p>Habitats: NERC S41 and LBAP habitats 'hedgerows' are present on site. Two waterbodies present on site.</p> <p>Protected Species:</p> <ul style="list-style-type: none"> <li>• GCN – eDNA of two onsite and three offsite connected ponds returned negative results. Three further ponds were inaccessible.</li> <li>• Bats - one tree with high bat roost potential and one tree with low bat roost potential. Field boundaries provide foraging/commuting habitat.</li> <li>• Badgers – <u>see separate Confidential Badger Field Signs Report.</u></li> <li>• Birds – suitable habitat for nesting birds, including farmland birds, on site.</li> <li>• Invertebrates – plant food of notable species recorded within 2km recorded on site.</li> <li>• Notable species – habitat for common toad and hedgehog recorded on site.</li> </ul>
Recommendations	<p>Habitats:</p> <p><i>Mitigation</i></p> <ul style="list-style-type: none"> <li>• A Construction Environmental Management Plan (CEMP) should be produced for use by contractors for the proposed site preparation and construction works.</li> <li>• Retained hedgerows on site should be protected with clearly marked buffer zones during the construction phase of development to prevent any adverse impacts.</li> <li>• Retained trees should be protected from direct impact and from severance or asphyxiation of the roots in accordance with BS5837: 2012 "Trees in Relation to Design, Demolition and Construction – Recommendations".</li> <li>• Ponds on site should be protected from any adverse impacts during construction and operational phases of development.</li> </ul>



	<p>Protected Species:</p> <p><i>Further Surveys / Mitigation</i></p> <ul style="list-style-type: none"> <li>• An Ecological Clerk of Works (ECoW) will deliver a toolbox talk to site personnel regarding best practice with regard to ecological issues in advance of working.</li> <li>• Roosting bats – TN7, if to be felled, requires three emergence/re-entry surveys within the bat survey season (May to September). If TN6 is to be felled, this will require soft felling.</li> <li>• Foraging and commuting bats – A sensitive lighting scheme is required to protect existing boundary features and any newly created features.</li> <li>• Badger – Please refer to the Confidential Badger Field Signs Report. Pre-commencement surveys have been recommended.</li> <li>• Birds - Vegetation clearance works should be avoided during the nesting bird season (March to September inclusive) or if necessary, preceded by a search for nesting birds by an ecologist.</li> </ul> <p><i>Enhancements</i></p> <p>An Ecological Management Plan (EMP) will be produced which will contain detail of the habitat and protected/notable species enhancement measures.</p>
--	--





## Glossary

Badger Act	Protection of Badgers Act 1992
BCT	Bat Conservation Trust
BoCC	Bird(s) of Conservation Concern
BSI	British Standard Institute
BTO	British Trust for Ornithology
CEnv	Chartered Environmentalist
CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW Act	Countryside and Rights of Way Act 2000
DEFRA	Department for the Environment, Food and Rural Affairs
EclA	Ecological Impact Assessment
ECoW	Ecological Clerk of Works
EMP	Ecological Management Plan
EPS	European Protected Species
EPSL	European Protected Species Licence
GCN	Great Crested Newt
Habitat Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HAP	Habitat Action Plan
HPI	Habitat(s) of Principal Importance
JNCC	Joint Nature Conservation Committee
LBAP	Local Biodiversity Action Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
LWS	Local Wildlife Site
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
Natura 2000 site	A European site designated for its nature conservation value
NE	Natural England
NERC Act	Natural Environment and Rural Communities Act 2006
NPPF	National Planning Policy Framework
SAC	Special Area of Conservation
SAP	Species Action Plan
SEDN	Shropshire Ecological Data Network
SPA	Special Protection Area
SPI	Species of Principal Importance
SSSI	Site(s) of Special Scientific Interest
W&CA	Wildlife & Countryside Act 1981 (as amended)



## 1.0 Introduction

### 1.1 Background

WYG was commissioned by HIMOR on 4<sup>th</sup> March 2020 to undertake an update Ecological Appraisal, including eDNA surveys, of the site known as Land North of Kingswood Road, Albrighton.

This report has been prepared by Consultant Ecologist Jessica Yorke ACIEEM and the conditions pertinent to it are provided in Appendix A.

This report should also be read in conjunction with the separate Confidential Badger Field Signs Report (WYG, 2020).

### 1.2 Site Location

The site is on land located north of Kingswood Road in Albrighton, Wolverhampton (centred at Ordnance Survey National Grid Reference SJ 82233 04117) and is approximately 5.85 hectares in area – see Figure 1.

The site is dominated by an arable farmland monoculture with scrub, hedgerows and scattered trees predominantly along site boundaries. There are two waterbodies on site (refer to Figure 2).

The site is bordered to the east by an agricultural field, beyond which is the Albrighton By-Pass (A41); to the north by a railway line with the A41 beyond; and to the south by a row of detached residential properties with associated gardens. Land formally of arable land-use bounds the site to the west and is currently subject to a separate housing development, part of which has been completed.

Within the wider landscape, the land to the north, east and south is dominated by pasture and arable farmland with sporadic woodland parcels and mature tree-lines. To the west consists mainly of residential buildings, hard standing (e.g. roads, pedestrian pavements and car parking areas) and urban green spaces (e.g. residential gardens) with associated hardstanding.

### 1.3 Development Proposals

It is understood that a new residential development is proposed with associated hard and soft landscaping. The proposals also include three public open spaces, please refer to the Development Framework Plan.

WYG understand that the two existing waterbodies, hedgerows and most of the mature trees within the site will be retained.

### 1.4 Purpose of the Report

The purpose of this report is to complete an update of the following:

- A desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;



- An extended Phase 1 habitat Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species;
- eDNA surveys of onsite ponds and offsites ponds with connectivity to the site; and
- An assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and (if possible) any recommendations for any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

A summary of the key legislation is also provided in Appendix B.



## 2.0 Methodology

### 2.1 Desk Study

#### 2.1.1 Previous Reports

The following previous reports have been reviewed and used to inform this report:

- Land North of Kingswood Road, Albrighton: Ecological Appraisal (WYG 2018);
- Land North of Kingswood Road, Albrighton: Badger Report (WYG, 2018);
- Land North of Kingswood Road, Albrighton: Great Crested Newt eDNA Survey (WYG, 2018); and
- Land North of Kingswood Road, Albrighton: Updated Badger Report (WYG, 2019).

#### 2.1.2 Local Ecological Records Centre

Information was requested from the Shropshire Ecological Data Network (SEDN) for information on any nature conservation designations and protected or notable species records within 2 km of the site, filtering out records outside of the last 10 years.

The data search covered:

- Statutory designated sites for nature conservation, namely SACs, SPAs, Ramsar sites, SSSIs, NNRs and LNRs;
- Non-statutory designated sites for nature conservation, namely LWS;
- Legally protected species, such as great crested newt *Triturus cristatus*, badger *Meles meles* and bats;
- Notable habitats and species, such as those listed as Habitats or Species of Principal Importance (HPIs or SPIs); and
- Priority habitats or species within the Shropshire LBAP.

The data search did not cover:

- Tree Preservation Orders (TPOs); or
- Conservation Areas designated for their special architectural and historic interest.

#### 2.1.3 Online Resources

A search for relevant information was also made on the following websites:

- MAGIC [www.magic.gov.uk](http://www.magic.gov.uk) - DEFRA's **interactive, web-based** database for statutory designations and information on any EPSL applications that have been granted in the local area.

## 2.2 Field Surveys

The following methodologies have been used to identify the ecological receptors present on or near the site, which are relevant to the proposed development.



### 2.2.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on 23<sup>rd</sup> April 2020 by WYG Consultant Ecologist Jessica Yorke ACIEEM and Consultant Ecologist Tom McClellan-West ACIEEM. The weather conditions were dry, warm and sunny.

The vegetation and broad habitat types within the site were noted during the survey in accordance with the categories specified for a Phase 1 Vegetation and Habitat Survey (JNCC, 2010). Dominant plant species were recorded for each habitat present using nomenclature according to Stace (2019). The site was also appraised for its suitability to support notable flora, with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017).

### 2.2.2 Protected & Notable Species (including eDNA surveys)

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations, Schedule 5 of the W&CA, the CRoW Act, those given extra protection under the NERC Act, and species included in the Shropshire LBAP.

#### Great Crested Newt (GCN)

The site was appraised for its suitability to support GCN. The assessment was based on Guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Becket & Foster, 2001).

The eDNA sampling was carried out in accordance with the stringent survey methodologies defined **within Natural England's accepted protocol (Biggs et al, 2014 - WC1067 Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (*Triturus cristatus*) environmental DNA)** by licensed GCN surveyors Jessica Yorke ACIEEM (GCN licence reference 2017-27728-CLS-CLS) and Tom McClellan-West ACIEEM (GCN licence reference 2017-30356-CLS-CLS) on 23<sup>rd</sup> April 2020.

#### Bats

##### Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) – hereafter referred to as the 'BCT Guidelines'. The categories used to classify the bat roost suitability of any features found, are explained in Table 1 below.

Table 1 Categories of Bat Roost Suitability (BCT Guidelines)

Suitability	Typical Roosting Features
Negligible	Negligible habitat feature on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).



Suitability	Typical Roosting Features
	A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis & potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

### Foraging/commuting Bats

The BCT Guidelines use the criteria in Table 2 below to categorise the potential value of habitats and features for use by foraging and commuting bats and these have been used to characterise the value of this site.

Table 2 Categories of Habitat Suitability (BCT Guidelines)

Suitability	Typical Foraging & Commuting Features
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

### Reptiles

The site was appraised for its suitability to support reptiles. The assessment was based on guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003).



## Badgers

The site was surveyed for evidence of badger setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to published criteria (Harris, Cresswell & Jefferies, 1989).

## Other Species

The site was also appraised for its suitability to support other protected or notable fauna including mammals, amphibians, birds and invertebrates with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017) and *BS42020:2013 Biodiversity – Code of Practice for Planning and Development* (BSI, 2013). Evidence of any current or historical presence of such species was recorded.

### 2.2.3 Invasive Species

The site was searched for evidence of invasive plant species, such as Japanese knotweed *Reynoutria japonica* (formerly *Fallopia japonica*), Indian (Himalayan) balsam *Impatiens glandulifera*, giant hogweed *Heracleum mantegazzianum*, wall cotoneaster *Cotoneaster horizontalis* and rhododendron *Rhododendron ponticum* × *Rhododendron maximum*. A full list of all invasive plant species is provided in Appendix B.

## 2.3 Limitations

The optimal period to undertake an extended Phase 1 habitat survey is April-September. The survey was completed in April which is inside the optimal survey window. As such this is not considered to be a limitation to the accurate assessment of the habitats and the dominant species of the respective vegetation types were visible and identifiable.

The entire site could be accessed in full, however a full 50m site buffer around the site could not be accessed. The buffer could not be accessed: to the north due to the presence of the railway line; to the south due to private residential housing; and to the west due to a residential development site. The buffer could be accessed to the east.

Waterbodies WB05, WB06 and WB07 were not accessed and therefore were not subject to eDNA. Significant barriers to dispersal were present between these ponds and the site in the form of high brick walls. WB05 was also separated from the site by a new housing development. Therefore lack of access is not considered to have been a limitation to the conclusions of this assessment.

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

The details of this report will remain valid for a period of 18 months from the date of the survey, after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if



necessary) should there be any changes to the red line boundary or development proposals which this report was based on.





## 3.0 Baseline Conditions

### 3.1 Designated Sites

There is only one statutory designated site within a 2 km radius of the site boundary, the Donington & Albrighton Local Nature Reserve (LNR), approximately 0.8 km north west. The site has habitats including a large pool, grassland, marshy areas and wet woodland. It supports a range of mammal, bird, invertebrate and plant species.

The nearest Natura 2000 site is Mottley Meadows Special Area of Conservation (SAC), approximately 8 km north of the site boundary. This site is designated for the presence of the habitat lowland hay meadows.

Additionally, the site is within the Impact Risk Zone (IRZ) of the Big Hyde Rough Site of Special Scientific Interest (SSSI) which lies 5.6km north east of the site. This is an 11 hectare area of ancient woodland.

### 3.2 Habitats

The following Habitats of Principal Importance were identified through a MAGIC search of 2km surrounding the site:

Table 3 Habitats of Principal Importance

Habitat of Principal Importance	Number within 2km	Nearest distance to site (km) and direction
Ancient and Semi-Natural Woodland	1	2.0km NE
Deciduous woodland	<10	0.2km SW
Lowland Meadows	1	0.3km S
Traditional orchards	2	0.3km SW
Woodpasture and Parkland	1	0.05km SW

The following habitats have been identified through our assessment, with detailed Target Notes included in Appendix C, as appropriate:

#### 3.2.1 Arable

The site was predominantly arable land, currently still being farmed (Figure 2; Target Note 1). The land had small field margins, ranging from 1m to less than 10cm. During the site visit the field consisted of bare ploughed soil.

#### 3.2.2 Dense Scrub

The scrub on site was concentrated around the two waterbodies present within the site boundary. Both ponds on site were heavily shaded by the dense willow scrub *Salix* (Figure 2; Target Note 2 and 3). Two patches of dense scrub were located along the northern boundary; these were dominated by bramble *Rubus fruticosus agg.*

#### 3.2.3 Tall Ruderal

Two areas of tall ruderal vegetation were located within the site; within the south west corner and the north east corner. Both areas were dominated by common nettle *Urtica dioica*.



#### 3.2.4 Broad-leaved Scattered trees

Scattered trees on site were mainly confined to linear tree lines along the northern and southern site boundaries. The trees lining the northern site boundary was dominated by beech *Fagus sylvatica*, pedunculate oak *Quercus robur* and ash *Fraxinus excelsior* (Figure 2; Target Note 4), whilst along the southern site boundary the tree line was dominated by beech and sycamore *Acer pseudoplatanus* (Figure 2; Target Note 5).

There were also two mature trees on site, one pedunculate oak on the western site boundary (Figure 2; Target Note 6) and one willow adjacent to Pond 2 (Figure 2; Target Note 7).

#### 3.2.5 Intact Species-Poor Hedgerows

Intact species-poor hedgerows bound the site to the west, east and south. The hedgerow along the western site boundary was dominated by hawthorn *Crataegus monogyna*, with occasional holly *Ilex aquifolium*, ash and elder *Sambucus nigra* (Figure 2; Target Note 8). The hedgerow bounding the eastern and southern site boundaries was dominated by *Prunus sp* (Figure 2; Target Note 9).

#### 3.2.6 Poor Semi-Improved Grassland

A small area of poor semi-improved grassland was located within the south west of the site (Figure 2; Target Note 10). The grassland was dominated by perennial ryegrass *Lolium perenne* and cock's-foot grass *Dactylis glomerata*, a number of tall ruderal species were also present including broad-leaved dock *Rumex obtusifolius*, carrot sp. *Daucus sp.* and greater willowherb *Epilobium hirsutum*.

#### 3.2.7 Standing Water

Two waterbodies were present on site:

- Waterbody 1 (WB01): Approximately 7m x 4m in size. Heavily shaded by bank-side willow scrub, with large amounts of algal growth on the surface (Figure 2; Target Note 11).
- Waterbody 2 (WB02): Approximately 15m x 4m in size. Heavily shaded by bank-side willow, blackthorn *Prunus spinosa* and elder scrub, with large amounts of algal growth on the surface (Figure 2; Target Note 12).

### 3.3 Protected & Notable Species

#### 3.3.1 Great Crested Newt

The desk study found no records for GCN within a 2 km radius of the site boundary.

There were two permanent standing waterbodies on site:

- WB01 c. 7m x 4m was heavily shaded by willow scrub, lacked aquatic macrophyte species suitable for egg laying, and had a layer of algal growth over much of the surface at the time of surveying.
- WB02 was c. 15m x 4m and heavily shaded by willow, blackthorn and elder scrub, with no visible aquatic macrophyte species suitable for egg laying, and had a layer of algal growth over much of the surface at the time of surveying.

The site offers limited suitable terrestrial habitat for GCN in the form of linear hedgerows and tree lines along the site boundaries, along with the very narrow (almost non-existent along the east boundary)



field margins. The railway line immediately to the north of the site provides suitable terrestrial habitat for foraging, commuting and resting/hibernating, and may provide a commuting route allowing dispersal in the site.

#### *HSI Assessment*

There were seven ponds identified within the surrounding 500m of the site (Figure 3).

Habitat Suitability Index (HSI) assessments of both on-site ponds WB01 and WB02 and ponds within 500m (where access allowed) was undertaken to determine habitat suitability to support GCN – summarised in Table 4, with the 2018 scores where available for comparison. Full details are given in Appendix D.

- WB03 located 245m north-west of the site. The pond was c.20m x 15m and was heavily shaded by mature sycamore, willow and oak, as well as willow and hawthorn scrub. There was little visible emergent aquatic vegetation considered suitable for egg laying other than a small amount of willow herb. Connectivity to the site in the form of the field margins could facilitate movement of newts through the landscape.
- WB04 located 280m west of the site within an improved grassland field with evidence of intense sheep grazing. The pond was c. 20m x 15m and located along the field edge adjacent to a hedgerow/tree-line bounding a school playground to the north. The land between the waterbody and the site was improved grassland and an active development site, however there are boundary hedgerows linking the waterbody to the site that could facilitate movement of newts through the landscape.
- WB08 located 75m north west of site within an improved grassland field heavily grazed by horses. The pond was c. 7m x 3m with very little visible emergent aquatic vegetation considered suitable for egg laying. The pond was located adjacent to the railway line which was considered to link the waterbody to the site and therefore facilitate movement of newts through the landscape.
- WB09 was a newly created waterbody within the residential development to the west of the site, located 100m south west of the site boundary; it does not appear on any aerial mapping. The pond was approximately 20m x 7m in size and no visible aquatic vegetation and very sparsely vegetation terrestrial habitat. Due to the ponds location within a new housing development, connectivity to the site was considered to be limited by the amount of hard standing.
- WB05 located 263m west of the site within a residential cluster. This pond could not be accessed by surveyors. From aerial images the pond appears to be walled and is now also separated from the site by a new development; it is considered that these form significant barriers to dispersal for any newts within.
- WB06 and WB07 could not be accessed by surveyors. They are separated from site by the substantial boundary wall of Albrighton Hall which has been considered a significant boundary to movement of any newts potentially present in either of these ponds towards the site.



Table 4 Habitat Suitability Index

Pond reference	HSI score (2020)	HSI Category (WYG, 2020)	HSI Category (WYG, 2018)
WB01	0.44	Poor	Below Average
WB02	0.50	Below Average	Below Average
WB03	0.66	Average	Average
WB04	0.45	Poor	No Access
WB05	-	No Access	No Access
WB06	-	No Access	No Access
WB07	-	No Access	No Access
WB08	0.6	Average	No Access
WB09	0.44	Poor	N/A

### *eDNA Surveys*

Waterbodies WB01, WB02, WB03, WB04 and WB08 were all subject to eDNA surveys.

It was considered that WB05, WB06 and WB07 were situated so that there were sufficient barriers to movement of any newts potentially present in these ponds towards the site. These waterbodies were therefore scoped out of the eDNA process. The existence of waterbody WB09 was not known until the survey. However, due to its recent creation within the housing development, it was not considered suitable to support GCN, nor was it considered likely that GCN could have accessed the pond to inhabit it.

The results of eDNA analysis are displayed in Table 5, full results can be found in Appendix E. All samples passed the control checks on sample integrity, degradation and inhibition factors.

Table 5 eDNA Survey Results

Pond Number	eDNA analysis result
WB01	Negative
WB02	Negative
WB03	Negative
WB04	Negative
WB08	Negative

### 3.3.2 Reptiles

The desk study found no records of reptiles within a 2 km radius of the site boundary.

No signs of reptiles were found during the walkover survey. It is considered that much of the site, dominated by arable land-use, is largely unsuitable for reptile species as the monoculture habitat offers none of the dynamic variations required in micro-habitats preferred by reptiles. The field margins are very limited in extent, and in some places (the eastern boundary) barely exist due to the arable farming practices ploughing to the very edge of the field.

It is considered that the railway embankments along the northern boundary of the site may potentially provide suitable habitat for reptile species at sections along its course, however, the embankment



immediately bounding the site was heavily vegetated offering little opportunity for thermoregulatory behaviour.

Reptiles are considered highly unlikely to be present on site and are not considered further in the assessment.

### 3.3.3 Bats

The desk study found bat records for five species within a 2 km radius of the site boundary, shown in Table 6.

Table 6 Bat records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	LBAP	SPI	Habitats Regulations
Brown Long-eared Bat	<i>Plecotus auritus</i>	2017	1	-	Yes	Sch 2
Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	2017	5	Yes	-	Sch 2
Noctule Bat	<i>Nyctalus noctula</i>	2013	1	-	Yes	Sch 2
Leisler's Bat	<i>Nyctalus leisleri</i>	2011	1	Yes	-	Sch 2
Soprano Pipistrelle	<i>Pipistrellus pygmaeus</i>	2010	1	-	Yes	Sch 2

A review on MAGIC revealed that three EPSLs had been granted within a 2 km radius, shown in Table 7.

Table 7 Bat EPSLs granted within 2 km of site

Species	Date	Description
Common pipistrelle & soprano pipistrelle	2014	Destruction of a resting place
Common pipistrelle & brown long-eared	2014	Destruction of a resting place
Common pipistrelle & brown long-eared	2014	Destruction of a resting place

#### *Roosting bats*

There were no buildings or structures within the site.

Two scattered trees within the site boundary were assessed as offering some bat roost suitability. Tree lines along the northern and south-western site boundaries (dominated by beech and sycamore) were assessed as providing negligible potential to support roosting bats.

Details of the assessment can be found in Table 8 below, photos can be found in the relevant target note in Appendix C.



Table 8 Ground Level Tree Roost Assessment results

Tree Target Note	Species	Description of Roost Features	2020 Bat Roost Suitability Rating	2018 Bat Roost Suitability Rating
TN6	Pedunculate oak	Few features seen from ground level. Of note there was a southern branch which had a small hole on the east facing side, approximately 5m off the ground. In addition there was a missing branch approximately 5m from ground level, however, it was not possible to see if this led to any ingress points.	Low	Low
TN7	Willow sp.	Primary limb failure had created a cavity at the base of the tree. This cavity was 1m from the ground and faced south west. There were a number of channels leading up into the tree, by eye up to 0.5m in length, but possibly further. A woodpecker hole was present on a south west facing limb, approximately 6m off the ground. Three limbs were missing from the trunk on the south, south west and south east sides of the trunk. The south west missing limb had left a number of splits and cracks in the remaining part of the limb.	High	Low

*Foraging and commuting bats*

The monoculture arable habitat which dominates the site will generally support less invertebrate species and thus has lower suitability for foraging bats. However the hedgerows, trees and ponds offer higher suitability as these will attract insects and provide sheltered areas. The site was assessed overall as providing low quality habitat for foraging bats.

The hedgerows and trees lines along site boundaries provide links for bats to commute through the site and beyond.

The site was assessed overall as providing low quality habitat for foraging and commuting bats.

3.3.4 Badger

The desk study returned records of badger activity are noted within 2km of the site (location confidential - information provided in separate Confidential Badger Field Signs Report 2020).

All information regarding to badgers is provided in a separate confidential report and should not be allowed into the public domain.

3.3.5 Otter & Water Vole

The desk study returned one historic record of water vole *Arvicola amphibius* in 2006. No records of otter *Lutra lutra* were returned within a 2 km radius of the site boundary.



No signs of otter or water vole were recorded, nor any habitat considered potentially suitable for either species were found during the walkover survey. It is therefore considered that otter / water vole are unlikely to be present within the proposed development site and are not considered further in this assessment.

### 3.3.6 Birds

The desk study found bat records for 20 species within a 2km radius of the site boundary, shown in Table 9.

Table 9 Bird records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	Annex 1 Birds	BOCC	SPI	W&CA
Barn Owl	<i>Tyto alba</i>	2013	1	-	-	-	Sch 1
Bullfinch	<i>Pyrrhula pyrrhula</i>	2013	12	-	Amber	-	-
Cuckoo	<i>Cuculus canorus</i>	2013	1	-	Red	Yes	-
Dunnock	<i>Prunella modularis</i>	2013	12	-	Amber	-	-
Herring Gull	<i>Larus argentatus</i>	2013	5	-	Red	-	-
House Sparrow	<i>Passer domesticus</i>	2013	12	-	Red	Yes	-
Kingfisher	<i>Alcedo atthis</i>	2013	1	Yes	Amber	-	Sch 1
Lapwing	<i>Vanellus vanellus</i>	2013	5	-	Red	Yes	-
Lesser Redpoll	<i>Carduelis cabaret</i>	2013	4	-	Red	Yes	-
Lesser Spotted Woodpecker	<i>Dendrocopos minor</i>	2013	1	-	Red	-	-
Linnet	<i>Linaria cannabina</i>	2013	9	-	Red	-	-
Reed Bunting	<i>Emberiza schoeniclus</i>	2013	7	-	Amber	Yes	-
Skylark	<i>Alauda arvensis</i>	2013	9	-	Red	Yes	-
Song Thrush	<i>Turdus philomelos</i>	2013	12	-	Red	-	-
Spotted Flycatcher	<i>Muscicapa striata</i>	2013	1	-	Red	Yes	-
Starling	<i>Sturnus vulgaris</i>	2013	11	-	Red	-	-
Tree Sparrow	<i>Passer montanus</i>	2013	1	-	Red	Yes	-
Yellow Wagtail	<i>Motacilla flava</i>	2013	3	-	Red	-	-
Yellowhammer	<i>Emberiza citrinella</i>	2013	12	-	Red	Yes	-

Mature hedgerows bounding the western, eastern and part of the southern site boundary provide suitable nesting habitat for species such as the farmland birds yellowhammer and linnet, whilst the



ploughed arable field provides suitable nesting habitat for lapwing (depending on farming practices). The trees and scrub also provide suitable nesting habitat for common nesting birds. The trees on site were assessed for their suitability to support the Schedule 1 species barn owl, of which there was a record of within the desk study. No trees were found to have suitable features to support nesting barn owl.

### 3.3.7 Invertebrates

The desk study found invertebrate records for two species within a 2 km radius of the site boundary, shown in Table 10.

Table 10 Invertebrate records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	SPI
Centre-barred Sallow	<i>Atethmia centrago</i>	2011	1	Yes
Rosy Rustic	<i>Hydraecia micacea</i>	2011	1	Yes

The monoculture arable habitat which dominates the site will generally support a low invertebrate species assemblage and diversity. The hedgerows, tree lines, scrub and waterbodies may provide some suitable habitat to support invertebrates. The hedgerow along the western boundary and the tree line along the northern boundary support occasional ash trees; ash is the main plant food for centre-barred sawfly moth, of which a single record was returned within the desk study records. The only other notable invertebrate record was for the rosy rustic moth, and their food plant is primarily dock sp. *Rumex sp.* Broad-leaved dock was recorded in the very small area of poor semi-improved grassland in the south west of the site.

### 3.3.8 Other Notable/Protected Fauna

The desk study found records for two notable/protected species within a 2 km radius of the site boundary, shown in Table 11.

Table 11 Notable/Protected fauna records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	SPI
European Hedgehog	<i>Erinaceus europaeus</i>	2016	2	Yes
Polecat	<i>Mustela putorius</i>	2010	1	Yes

The hedgerows, tree lines and scrub provide a limited extent of suitable habitat for commuting, foraging, resting and hibernating European hedgehog and common toad *Bufo bufo*. The ponds on site provide suitable habitat for common toad to breed in. The site is not considered suitable to support polecat due to it being predominantly arable land.

### 3.3.9 Notable/Protected Flora

The desk study revealed nine notable/protected plants within a 2 km radius of the site boundary, shown in Table 12.





Table 12 Notable/Protected flora records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	LBAP	W&CA
Hairy Brome	<i>Bromopsis ramosa</i>	2011	Present	Yes	-
Large Bitter-cress	<i>Cardamine amara</i>	2011	Present	Yes	-
Water Horsetail	<i>Equisetum fluviatile</i>	2011	Present	Yes	-
Spindle	<i>Euonymus europaeus</i>	2011	Present	Yes	-
Bluebell	<i>Hyacinthoides non-scripta</i>	2011	Present	Yes	Sch 8
Purple Willow	<i>Salix purpurea</i>	2011	Present	Yes	-
Great Burnet	<i>Sanguisorba officinalis</i>	2012	2	Yes	-
Marsh Woundwort	<i>Stachys palustris</i>	2011	Present	Yes	-
Wood Speedwell	<i>Veronica montana</i>	2011	Present	Yes	-

No notable or protected flora species were recorded during the walkover. As the site is predominantly monoculture arable habitat with only very narrow field margins, it is not considered likely that it will support notable or protected flora, and are therefore not considered further in this assessment.

### 3.3.10 Non-native Invasive Species

The desk study found two records for invasive non-native species within a 2 km radius of the site boundary, shown in Table 13.

Table 13 Invasive non-native species records within a 2 km radius of the site boundary

Common Name	Scientific Name	Latest Year	No. of Records	W&CA
Indian balsam	<i>Impatiens glandulifera</i>	2011	1	Sch 9
Water fern	<i>Azolla filiculoides</i>	2011	1	Sch 9

No invasive species were recorded on site or adjacent to site boundaries.

## 3.4 Importance of Ecological Features

In line with the CIEEM PEA Guidelines, and based on the above baseline information, the importance of each ecological feature recorded within the study area is given in Table 14 below. The categories used are those which are defined in Section 4 of the CIEEM EclA Guidelines (2018 v1.1):

Table 14 Importance of Ecological Features

Feature	Importance	Rationale
Mottley Meadows Special Area of Conservation	International	An internationally designated site.
Donington & Albrighton LNR	County	A Local Nature Reserve; designated site on a county-wide scale
Arable	Negligible	The dominant habitat on site is arable; comprised of one large field with little or no marginal vegetation and little potential to support rare or notable species. This monoculture habitat is of negligible importance in terms of the diversity of plant species.



Feature	Importance	Rationale
Dense Scrub	Negligible	This habitat itself is of negligible importance in terms of the diversity of plant species but can support protected and notable species.
Tall Ruderal	Negligible	This habitat itself is of negligible importance in terms of the diversity of plant species but can support protected and notable species.
Broadleaved Scattered Trees	Local	Tree lines on site provide ecological connectivity across the site and within the wider landscape. The two mature standalone trees provide ecological value to bats.
Species-poor Hedgerows	Local	Hedgerows are a S41 habitat and LBAP. Although species-poor, they provide ecological connectivity across the site and within the wider landscape.
Poor Semi-improved Grassland	Negligible	This habitat itself is of negligible importance in terms of the diversity of plant species but can support protected and notable species.
Standing Water (Waterbodies)	Local	The ponds onsite are unlikely to qualify as a S41 habitat. However, they may support protected and notable species.
GCN	Negligible	eDNA results of onsite ponds and ponds connected to the site were returned as negative.
Roosting Bats	Unknown	Two trees within the site were considered to have <b>bat roost potential: one 'low' pedunculate oak and one 'high' willow. Further surveys required.</b>
Foraging and Commuting Bats	Local	<b>Overall, the site is considered to have 'low' suitability</b> for foraging and commuting bats. The trees and hedgerows within the site are the most suitable habitats.
Badgers	-	Refer to Confidential Badger Field Signs Report.
Birds (nesting, including farmland)	Local	Habitats (hedgerows, mature trees, arable crop field and scrub) suitable to support common and farmland breeding birds.
Invertebrates	Local	A limited extent of habitat with the potential to support invertebrate species.
Other Notable Species; European Hedgehog and Common Toad	Local	The site provides a limited extent of habitat suitable to support European hedgehog and common toad.
Either: International (incl. European) / National / Regional / County / Local / Negligible Or: Unknown (i.e. further surveys/information needed)		

The potential for the proposals to have adverse or beneficial impacts on these features, along with the need for any mitigation or enhancement measures are discussed in detail below.



## 4.0 Relevant Planning Policy & Legislation

### 4.1 Revised National Planning Policy Framework (NPPF)

A revised NPPF was issued on 19<sup>th</sup> February 2019 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 170 of the NPPF also states that:

*'Planning policies and decisions should contribute to and enhance the natural 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)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The conservation and enhancement of wildlife is also specifically referenced re: development within the National Parks or the Broads.

Paragraph 174 then goes on to confirm that:

*When determining planning applications, local planning authorities should apply the following principles:*

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*



- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 180 is also relevant as;

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:...

- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

## 4.2 Biodiversity 2020: A strategy for England’s Wildlife & Ecosystem Services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act (see Appendix B for further details).

## 4.3 Local Biodiversity Action Plan

Local Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The Shropshire LBAP, launched in 2002, last updated 2009, is the relevant document for this site and it contains the following relevant Habitat and Species Action Plans:

Table 15 LBAP SAPs

Species Action Plans	
Generic bird species	Argent and sable <i>Rheumaptera hastata</i>
Barn owl <i>Tyto alba</i>	Black poplar <i>Populus nigra</i>
Brown hare <i>Lepus europaeus</i>	European curlew <i>Numenius arquata</i>
Dingy skipper <i>Erynnis tages</i>	Club tailed dragonfly <i>Gomphus vulgatissimus</i>
White-throated dipper <i>Cinclus cinclus</i>	Grayling <i>Thymallus thymallus</i>
Hazel dormouse <i>Muscardinus avellanarius</i>	Farmland birds
GCN	Grizzled skipper <i>Pyrgus malvae</i>
Pearl bordered fritillary <i>Boloria euphrosyne</i>	Lapwing



Species Action Plans	
Silver studded bee <i>Plebejus sp.</i>	Ring ouzel <i>Turdus torquata</i>
Song thrush <i>turdus philomelos</i>	Snipe <i>Gallinago gallinago</i>
Small pearl bordered fritillary <i>Boloria selene</i>	<i>Leucorrhinia dubai</i>
Wood white <i>Leptidea sinapis</i>	Water vole

Table 16 LBAP HAPs

Habitats Action Plans	
Grazing Marsh	Lowland woods pasture parkland and veteran trees
Lowland species rich grassland	Semi-improved upland rough grazing
Hedgerows	Urban areas
Semi-natural broadleaved woodland	

It should be noted that the existence of a SAP or HAP does not always infer an elevated level importance for those features. These plans may be designed to encourage an increase in these habitats/species, rather than to protect a county-scarce feature (for example).

#### 4.4 Local Plan

Relevant policies are contained within the Shropshire Local Development Framework : Adopted Core Strategy (March 2011):

CS17 : Environmental Networks

*Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:*

- *Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors;*
- *Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge;*
- *Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites;*
- *Secures financial contributions, in accordance with Policies CS8 and CS9, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.*

Additional relevant policies are contained within the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (Adopted 2015).

MD12 Natural Environment



*In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration will be achieved by:*

1. *Requiring a project-level Habitats Regulations Assessment for all proposals where the Local Planning Authority identifies a likely significant effect on an internationally designated site. Permission will be refused where a HRA indicates an adverse effect on the integrity of a designated site which cannot be avoided or fully mitigated. Where mitigation can remove an adverse effect, including that identified by the HRA for the Plan or the Minerals HRA, measures will be required in accordance with: CS6, CS8, CS9, CS17, CS18, MD2; remedial actions identified in the management plan for the designated site and the priorities in the Place Plans, where appropriate.*
2. *Ensuring that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on any of the following:*
  - a. *the special qualities of the Shropshire Hills AONB;*
  - b. *locally designated biodiversity and geological sites;*
  - c. *priority species;*
  - d. *priority habitats*
  - e. *important woodlands, trees and hedges;*
  - f. *ecological networks*
  - g. *geological assets;*
  - h. *visual amenity;*
  - i. *landscape character and local distinctiveness.*

*will only be permitted if it can be clearly demonstrated that:*

- a) *there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;*
- b) *the social or economic benefits of the proposal outweigh the harm to the asset.*

*In all cases, a hierarchy of mitigation then compensation measures will besought.*

3. *Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition.*
4. *Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.*

## 4.5 Legislation

Full details of the UK legislation and offences which are relevant to the ecological receptors identified are included in Appendix B. However, based on the findings of our assessment, it is considered that the proposals will need to consider the following legal provisions:

- Disturbance or killing of an EPS or UK protected species (bats and badger);
- Disturbance of nesting wild birds; and



- Disturbance or killing NERC Act S41 species (hedgehog and common toad).



## 5.0 Discussion

### 5.1 Designated Sites

#### Natura 2000 Sites

The nearest Natura 2000 site is the Mottley Meadows SAC, located 8 km north of the site. The site is designated for the presence of the Annex I habitat lowland hay meadows. The proposed development will not result in the direct loss or degradation of the qualifying feature of the SAC. Indirect effects (noise, vibration, dust) are not considered likely as the site is a sufficient distance, with no direct routes of connectivity (e.g. hydrological), from the designated site. The indirect effect of increased public pressure due to an increase in footfall at the SAC was considered. However, it was considered that there are a number of alternative designated sites at similar or less distances from the site, such as Smestow Valley LNR, Donington and Albrighton LNR, as well as large areas of rural spaces with public **footpaths, including the Monarch's Way, Cross Britain Way and Staffordshire Way** bridleways. It is therefore considered that any increase in public pressure caused by an increase in people within the area, would be distributed across a large number of designated sites and public rights of way, it would not all be concentrated on the Mottley Meadows SAC. It is therefore considered that the proposed development will not have a direct or indirect impact on the Mottley Meadows SAC.

#### Sites of Special Scientific Interest

The site is within the IRZ of the Big Hyde Rough SSSI, designated for ancient woodland. According to the IRZ, no further consultation with Natural England is needed as the proposed development does not match the development descriptions which would likely result in an impact on the designation. Big Hyde Rough SSSI is 5.6km north east of the site and is considered a sufficient distance from the site to be subject to any direct or indirect effects from the proposed development.

#### Local Nature Reserves

The Donington and Albrighton Local Nature Reserve (LNR) is located approximately 0.8 km north west. The site has habitats including a large pool, grassland, marshy areas and woodlands. The LNR is wholly outside of the site, therefore it is considered there will be no direct loss or degradation of the habitats present within the LNR. It is considered that the LNR is buffered from the site by the residential and commercial area of Albrighton village. It is therefore considered that there will be no indirect effects (such as noise, vibration, dust) on the LNR. However, as the proposed development will result in an increase in the local population and its close proximity to the LNR, there may be an indirect effect on the LNR of an increase in public pressure due to an increase in the footfall into the LNR. However, the Development Framework Plan shows that there will be three areas of public open space on site which will ultimately enhance biodiversity and reduce recreational pressure that this application may have on the LNR.

### 5.2 Habitats

It is recommended that an Ecological Management Plan (EMP) for the construction period and the first five years post construction is produced to detail the retained habitat protection, the new habitat creation and maintenance and all site enhancements, as detailed below.





### *Hedgerows and Trees*

Species-poor hedgerows were present along the western, eastern and southern site boundaries; hedgerows are a NERC S41 habitat and Shropshire LBAP habitat. Where there is a living field boundary (hedgerow or line of trees), any herbaceous vegetation within 2m from the centre of the living boundary is considered to be part of the living boundary habitat. The hedgerows associated base vegetation on site provides wildlife with foraging, commuting and refuge opportunities. Tree lines present along the northern and southern site boundary are also of value as they provide wildlife with foraging, commuting and refuge opportunities.

To remain in line with policy MD12 Natural Environment from the Shropshire Local Development Framework it is recommended that hedgerow and tree lines are retained on site. It is recommended that retained hedgerows and tree lines on site be protected with clearly marked buffer zones during the construction phase of development in accordance with BS 5837: 2012 *Trees in relation to design, demolition and construction*, to prevent these retained habitat features being subjected to any adverse impacts. If any section of hedgerow or scattered tree is to be lost, it is recommended that these are replaced by species-rich hedgerows planting and native tree planting respectively at a ratio of 2:1.

### *Ponds*

The ponds on site should be retained. The Development Framework Plan indicates that the two ponds will be retained on site within open public areas. Ponds on site should be protected from any adverse impacts during construction and operational phases of development. During the construction phase buffer fencing should be used including heras fencing and catch net to prevent encroachment of construction traffic, windblown litter and storage of materials, as well as silt traps. During the operational phase protective fence lines are recommended to collect any windblown rubbish or fly tipping and prevent interference from the public. If one or both ponds are to be lost, then these should be replaced elsewhere on the site at a ratio of 1:1.

### *General*

To prevent any adverse impacts on biodiversity within and adjacent to the site as a result of construction it is recommended that an Construction Environmental Management Plan (CEMP) be produced for use by contractors. The CEMP should include the following guidance:

- A safe system for the correct storage of materials/chemicals should be implemented to ensure that materials are stored in a suitable manner as to avoid potential impacts on retained hedgerows, trees and ponds on site.
- A system to ensure ponds on site are not subjected to pollution or siltation through run-off during works.
- A system to ensure waste is removed at the earliest opportunity is implemented to avoid contamination of ground and possible disturbance to wildlife and soil quality. Contractors should also avoid leaving construction waste within the site.
- Methods to adequately protect all features of ecological value from damage during site clearance, site preparation and construction activities (hedgerows, mature trees and ponds).



- Site operations and plant should take into account wide and tall loads to prevent them coming into contact with trees off-site, trees to be retained and with trees adjacent to and overhanging the site boundaries. These should all be clearly marked both on the ground and on any plans produced.
- Trees and hedgerows to be retained should be protected by barriers. Barriers must prohibit construction works in the area between itself and the tree trunk.
- Trees should be protected from direct impact and from severance or asphyxiation of the roots in accordance with BS 5837: 2012 *Trees in relation to design, demolition and construction*.

### Enhancements

It is recommended that gardens and public open space within the development are used to form green corridors across the site. Green corridors should be enhanced by the planting of species-rich hedgerow along boundaries and tree planting of native species of local provenance within the site. This will help to promote, enhance and maintain connectivity at a landscape scale.

Both on-site ponds should be enhanced for wildlife through scrub clearance and opening up the waterbodies to allow development of marginal and aquatic vegetation.

The Development Framework Plan shows three open spaces shown, free from development; one in the north, one in the south and one in the west of the site. It is recommended that these areas remain undeveloped and are used as an ecological enhancement areas where possible. This to include wildflower/meadow swales sown along margins with seed mixes to the benefit of farmland birds (Shropshire LBAP species). **There are two 'infiltration ponds'** on the Development Framework Plan within the area in the south, it is recommended that these waterbodies are managed to enhance the area for amphibians such as common toad.

## 5.3 Protected & Notable Species

It is recommended that an Ecological Management Plan (EMP) for the construction period and the first five years post construction is produced to detail the species specific mitigation and enhancement measurements, as detailed below.

### GCN

GCN are fully protected through their inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and in Schedule 2 of the Conservation of Habitats & Species Regulations 2017 (as amended) as European protected species. Under the legislation, it is an offence to intentionally kill, injure or take GCN as well as intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a GCN or disturb an animal while it is occupying a structure or place which it uses for that purpose. GCN are also a NERC S41 and Shropshire LBAP species.

The results of the eDNA of waterbodies WB01, WB02, WB03, WB04 and WB08 indicate that GCN are likely to be absent from the site and surrounding area. Therefore, it is considered that future development on site is extremely unlikely to have any adverse impact upon GCN. Therefore no further works are required in relation to this species prior to commencing development of the site.



It is not expected that the ponds which were ruled out due to significant barriers to dispersal (WB05, WB06 & WB07) support populations of GCN given their isolated nature and the absence of any GCN records within 2km of the site. It is not expected that the new pond within the adjacent residential development (WB09) supports GCN due to it being a newly established pond and the absence of any GCN records within surrounding 2km of the site.

In the highly unlikely event that GCN are recorded on site or the surrounding area prior to or during construction works then works should cease immediately and advice should be sought from a suitably qualified ecologist to determine the requirement for further assessment/mitigation works.

#### Enhancements for Amphibians

It is recommended that both retained ponds on-site are enhanced through scrub clearance to open up the waterbodies, helping to naturally develop aquatic vegetation and subsequently enhance future potential for amphibians on site. Cleared scrub should be used to create log piles at the sides of both on-site ponds.

#### Bats

All bats and their roosts receive full protection both under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to:

- Intentionally kill, injure or take a bat;
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat; or
- Disturb a bat while it is occupying a structure or place which it uses for that purpose.

In addition the provisions of the Natural Environment and Rural Communities Act 2006 require local authorities to have due regard to protected species when determining planning applications. The UK BAP, which details conservation plans for the biological resources of the UK, lists seven bat species as conservation priorities, including soprano pipistrelle, noctule and brown long-eared bat.

Additionally the ODPM Circular for Biodiversity and Geological conservation 2005, protects foraging and commuting bats.

#### Roosting

Two trees were identified with potential to support roosting bats; TN6 had 'low' potential and TN7 had 'high' potential. It is recommended that both these trees are retained on site if possible. The Development Framework Plan appears to show that TN6 will be retained and TN7 will be lost. The Tree Retention Plan (FPCR Environment and Design Limited, 2020) show that TN7 is a 'Category U tree' which was assessed as 'unsuitable for retention on arboricultural grounds', on this basis it is assumed tree TN7 will require removal.

If TN7 is to be removed, then further survey work will be required. Due to the tree being classified as **having 'high' bat roost potential, three emergence/re-entry surveys are required.** Emergence/re-entry surveys can only be undertaken during the bat survey season which is May to September (weather dependent) with at least two of the surveys before the end of August, surveys must be separated by



at last a 2-week time period. If a roost is confirmed within the tree, then in order to fell the tree, it will be necessary to obtain an EPSL from Natural England. The EPSL will include appropriate mitigation for the loss of the roost.

If TN6 is to be retained, this will require a suitable buffer zone (1.5 times the canopy diameter) in order to maintain the microclimate and avoid any disturbance to potential roosting features. In addition, any direct illumination during both construction and operational phases of development should be avoided around the tree.

It should be noted that if proposals change, and TN6 also requires felling, it is recommended this is **done by 'soft felling'** in case of the presence of an opportunistic bat roosting within the crevice or feature. Soft felling involves checking feature(s) for the presence of bats, then, if likely absent, removing branches with cavities or any potential feature and lowering them slowly to the ground and leaving them on the ground for at least 24 hours with the potential roosting feature facing upwards to allow any bats to escape. This should be undertaken in March/April or September/October, outside the bat breeding and hibernation periods. If a bat is found present during the initial check then felling cannot commence until an EPSL has been granted. If soft felling is undertaken during the breeding bird season (March to September inclusive) then a check for nesting/breeding birds should be undertaken to determine presence/absence of any breeding avifauna. This can be carried out up to 24 hours prior to felling by a suitability qualified ecologist.

#### Foraging/Commuting

The site was assessed as providing 'low' foraging and commuting potential. The habitat features which likely provide potential for bats include the site boundaries of tree lines and hedgerows plus the two ponds. The Development Framework Plan shows that these features are to be retained.

It is recommended that a sensitive lighting scheme, designed in line with current guidance produced by the BCT, 2018, *Bats and Artificial Lighting in the UK (2018)*, is designed to be implemented during and post construction to reduce the impact of light pollution on bats foraging and / or commuting within and adjacent to the site boundaries. All lighting systems used within the proposed development should avoid illuminating retained tree lines, hedgerows and ponds as this could potentially disrupt valuable bat commuting and foraging areas. Any new features such as hedgerows and trees planted as enhancements should likewise be kept unilluminated. It is considered that by retaining the hedgerows, tree lines and pond, combined with a sensitive lighting design, would negate the need for activity surveys. Should designs change then activity surveys might be required.

#### Enhancements for Bats

The following enhancements are recommended with relation to bats, to be included within the EMP:

- Six bat boxes (3 Schwegler 1FF, 2 Schwegler 2F or similar design) be installed on retained trees within the development at a south/south-eastern orientation, to provide additional roosting features. Installed at least 3-4m high, higher if possible to protect from predators such as cats
- Native trees and hedgerows be planted across the site to create green corridors and promote, enhance and maintain connectivity for commuting bats at a landscape scale.



- The existing and new waterbodies on site to include open areas to provide additional foraging habitat by planting with insect attracting native species.

### Badger

Please refer to the Confidential Badger Field Signs Report for full details of the updated situation with regard to badgers.

### Nesting Birds

All breeding wild birds, their nests and eggs are protected by the Wildlife and Countryside Act 1981 (as amended) against intentional disturbance, damage and destruction during the nesting season (generally considered to be March to September inclusive although some species are known to breed throughout the year). General and farmland birds are also included within the Shropshire LBAP.

It is considered likely that the proposed works will have an impact on nesting birds in the absence of appropriate working measures.

To prevent a breach in UK or European wildlife legislation it is recommended that any future works (e.g. vegetation clearance / site preparation works) that will likely disturb, damage or destroy an active nest be avoided during the bird breeding season. Please note that birds can nest outside the main bird breeding season therefore should any active nests be identified or suspected to be present on site at any time, then works should cease and an ecologist contacted to attend site and provide advice on appropriate working methods.

Should site works require to be undertaken during the bird breeding season, then it is recommended that an ECoW (Ecological Clerk of Works) conducts a check for nesting birds across the site in advance of any works commencing. If a nesting bird is identified, the Ecological Clerk of Works will advise on suitable working methods and an appropriate buffer zone. Measures will depend on the nature of the works in that area as well as any bird species identified to be nesting. Note that suitable working methods may result in delay(s) to undertaking site works within specific areas of site. Delays may be avoided by including allowance for conducting a search for nesting birds and potential phasing of the works in certain areas should this be required.

The Development Framework Plan shows that the hedgerows and tree lines on site are to be retained. These features will be protected by buffers in accordance *BS 5837: 2012 Trees in relation to design, demolition and construction*, as described in *Section 5.2*. This is especially important during the bird breeding season if works are to be undertaken. If works are required within this buffer, then an ECoW will be required as detailed above.

### Enhancements for Birds

The following enhancements are recommended with relation to birds, to be included within the EMP:

- Four bird boxes suitable for dunnock (Schwegler 1B or similar design) to be installed on retained trees within the development at a north-eastern orientation, approximately 2-3m high will enhance the nesting habitat availability for birds.
- Four bird boxes suitable for house sparrows (Schwegler 1SP Sparrow Terrace or similar design) to be installed on newly built structures within the development at a north-eastern orientation, approximately 2-3m high will enhance the nesting habitat availability for birds.



- Hedgerows and tree lines around the site boundaries to include buffer strips which are enhanced floristically to provide a food resource for birds such as dunnock and yellowhammer. Plants, such as teasel *Dipsacus*, field scabious *Knautia arvensis*, common knapweed *Centaurea nigra*, yarrow *Achillea millefolium* and hawkbit *Leontodon hispidus*, as well as arable flowers such as corn cockle *Agrostemma githago*, corn marigold *Glebionis segetum*, poppy *Papaveroideae*, cornflower *Centaurea cyanus*, and a small amount of spring wheat and barley should also be incorporated into proposed development plans at the base of retained and newly planted hedgerows.

### Invertebrates

The site does not offer much in the way of habitats suitable for notable invertebrates. However, the food plant of the two notable invertebrates returned in the desk study were found on site. These two food plants are ash (centre-barred sallow moth) and dock species (rosy rustic moth). Due to the very limited extent of these two species with the site, it is not considered likely that the site supports a significant population of these two species. However, it is recommended that enhancement measures are included within the development to increase the suitability locally for invertebrates. Replanting with ash trees is not permitted due to the current embargo on ash plant movements (Forestry Commission, 2019).

### Enhancements for Invertebrates

The following enhancements are recommended with relation to invertebrates, to be included within the EMP:

- Areas of general invertebrate **friendly species to be included within 'open space' areas** shown on the Development Framework Plan, including sympathetic management regimes, suggested planting list provided in Appendix F.
- Log **piles to be left within the 'open space' to create habitats for invertebrates.**
- Insect houses to be incorporated into the open spaces to encourage and enhance the area for invertebrates.

### Other Notable Species

During any clearance of vegetation on site, the personnel involved should be made aware of the potential presence of hedgehog and common toad and measures required to avoid harming them. This can be achieved by the provision of a tool box talk to site operatives.

Any hedgehog or common toad found should be carefully placed using gloved hands (where capture is possible and humane) into a ventilated box and released into suitable habitat adjacent / nearby to the site that will be unaffected by the proposed works. If injured or sickly animals are found then the animal should be admitted to a wildlife rescue, rehabilitation and release organisation. It should be noted that by conducting site preparation works at an appropriate time of year i.e. between March and October, outside the hibernation period, would avoid disturbance of these notable species during periods when they would be most vulnerable to harm.



Enhancements for Notable species

The following enhancements are recommended with relation to notable species, to be included within the EMP:

- Artificial residential boundaries (walls and fences) should have gaps at ground level to allow the continued movement of these species throughout the site.
- Areas of rough grassland habitat and areas of scrub habitat along with brash and log piles incorporated into the 'open spaces' to enhance its suitability for foraging and hibernating hedgehog and common toad.
- Both retained ponds on-site to be enhanced through scrub clearance to open up the waterbodies, helping to naturally develop aquatic vegetation and subsequently enhance future potential for amphibians on site. Cleared scrub should be used to create log piles at the sides of both on-site ponds.
- **The 'infiltration ponds'** be designed to enhance the site for amphibians, as well as invertebrates and local plant species; by designing them with gentle sloping sides that cover a large area rather than steep sides, hummocky undulating margins will also increase the habitat value. They should be allowed to naturally colonise, allowing the area to be exploited by self-colonising local species. Nutrient rich top soil should not be used within the catchment area as this will lead to eutrophication and therefore, a reduction in the water quality. They should be kept clear of invasive species and the level of aquatic and marginal vegetation managed to ensure they are not choked by vegetation and can continue to hold water.



## 6.0 Summary

### 6.1 Habitats

#### *Mitigation*

- A Construction Environmental Management Plan (CEMP) should be produced for use by contractors for the proposed site preparation and construction works.
- Retained hedgerows on site should be protected with clearly marked buffer zones during the construction phase of development to prevent any adverse impacts.
- Retained trees should be protected from direct impact and from severance or asphyxiation of **the roots in accordance with BS5837: 2012 "Trees in Relation to Design, Demolition and Construction –Recommendations"**.
- Ponds on site should be protected from any adverse impacts during construction and operational phases of development using fence lines and silt traps, for example.

#### *Enhancements*

- It is recommended that an Ecological Management Plan (EMP) for the construction period and the first five years post construction is produced.
- Native trees and hedgerows planted across the site will create green corridors and promote, enhance and maintain connectivity at a landscape scale.
- Both on-site ponds should be enhanced for wildlife through scrub clearance, opening up the waterbodies to allow development of marginal and aquatic vegetation.
- It is recommended that proposed open space areas remain undeveloped and be used as an ecological enhancement area to include wildflower/meadow swales sown with seed mixes to the benefit of farmland birds (SBAP species).
- **It is recommended that the two 'infiltration ponds' are managed to enhance the area for amphibians such as common toad.**

### 6.2 Protected & Notable Species

- ECoW will deliver a toolbox talk to site personnel regarding best practice with regard to ecological issues in advance of working.
- Roosting bats – TN7, if to be felled, requires three emergence/re-entry surveys within the bat survey season (May to September). If TN6 is to be felled, this will require soft felling.
- Foraging and commuting bats – A sensitive lighting scheme is required to protect existing boundary features and any newly created features.
- Badger – Please refer to the Confidential Badger Field Signs Report.
- Birds - Vegetation clearance works should be avoided during the nesting bird season (March to September inclusive) or if necessary, preceded by a search for nesting birds by an ecologist.

#### *Enhancements*

The following enhancements should be covered within the EMP:

- Six bat boxes on retained trees;
- Native trees and hedgerows in linear configurations to form green corridors for foraging and commuting bats;
- Waterbodies managed to create habitat for foraging bats;





- Four bird boxes suitable for dunnock on retained trees;
- Four bird boxes suitable for house sparrow on new buildings;
- Hedgerows and tree lines on site to include 3-5m buffer strips enhanced floristically to provide a food resource for birds.
- Invertebrate friendly planting included in areas of open space;
- Log piles created to create habitats for invertebrates;
- Insect houses to be incorporated into open spaces;
- Boundaries (where not hedgerows) to have gaps in at ground level to allow movement through site;
- Rough grassland, scrub, log piles and brash piles created as habitat for hedgehog and common toad;
- Retained ponds be managed for amphibians, including scrub clearance and creation of log piles; and
- Infiltration ponds be designed and managed for amphibians, invertebrates and local plant species.



## 7.0 References

- BSI Group, (2013), BS 42020 – a code of practice for biodiversity in planning and development, [online] Available at <https://www.bsigroup.com/LocalFiles/en-GB/biodiversity/BS-42020-Smart-Guide.pdf>, Accessed August 2019.
- BSI, (2012). BS5837: 2012 Trees in relation to design, demolition and construction.
- CIEEM, (2017), Guidelines for Preliminary Ecological Appraisal, 2nd Edition, CIEEM: Winchester.
- CIEEM, (2018 v1.1), Guidelines for Ecological Impact Assessment, CIEEM: Winchester.
- Collins, J. (ed.), (2016), Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition, The Bat Conservation Trust: London.
- DEFRA, (2011), **Biodiversity 2020: A strategy for England's wildlife and ecosystem services**, [online] Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf), Accessed May 2020.
- Eaton, M., Aebischer, N., Brown, A., Hearn, R. Lock, L. Musgrove, A., Noble, D. Stround, D. and Gregory, R. (2015) Birds of conservation concern 4: the population status of birds in the UK, channel islands and isle of man. *British birds*, 108:708-746.
- FCPR Environment and Design Limited, (2020). Kingswood Road, Albrighton: Tree Retention Plan.
- Forestry Commission, (2019). The management of individual ash trees affected by ash dieback. V1. Grants and Regulations Operations Note.
- **Gent, T. & Gibson, S. (2003). Herpetofauna Workers' Manual. JNCC, Peterborough.**
- Harris, S., Cresswell, P. and Jeffries, D., (1989), *Surveying badgers. An occasional publication of the mammal society – No. 9.*, Mammal Society: London.
- ILP, (2018). *Bats and artificial lighting in the UK: Bats and the Built Environment series*
- JNCC, (2010), Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit, JNCC: Peterborough.
- Langton, T.E.S., Beckett, C.L. and Foster, J.P., (2001), *Great Crested Newt Conservation Handbook*, Froglife: Halesworth.
- Ministry of Housing Communities and Local Government, (2019), *National Planning Policy Framework*, [online] Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779764/NPPF\\_Feb\\_2019\\_web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf), Accessed May 2020.
- ODPM, (2005), Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System, [online] Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7692/147570.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf), Accessed May 2020.
- Oldham R.S., Keeble J., Swan M.J.S. and Jeffcote M., (2000), Evaluating the Suitability of Habitat for the Great Crested Newt (*Triturus cristatus*), *Herpetological Journal*, 10 (4), 143-155.
- Stace, C., (2019), *New Flora of the British Isles*, 4<sup>th</sup> Edition, C&M Floristics Middlewood Green, Suffolk.
- Shropshire Council, (2011). Shropshire Local Development Framework : Adopted Core Strategy.
- Shropshire Council, (2015). Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (Adopted 2015).
- WYG, (2018). Land North of Kingswood Road, Albrighton: Ecological Appraisal.
- WYG, (2018). Land North of Kingswood Road, Albrighton: Badger Report.
- WYG, (2018). Land North of Kingswood Road, Albrighton: Great Crested Newt eDNA Survey.



- WYG, (2019). Land North of Kingswood Road, Albrighton: Updated Badger Report.
- WYG, (2020). Land North of Kingswood Road, Albrighton: Confidential Badger Field Signs Report.

Please note that the legislation which is relevant to this report is not included in the list above, but details are included in Appendix B below.

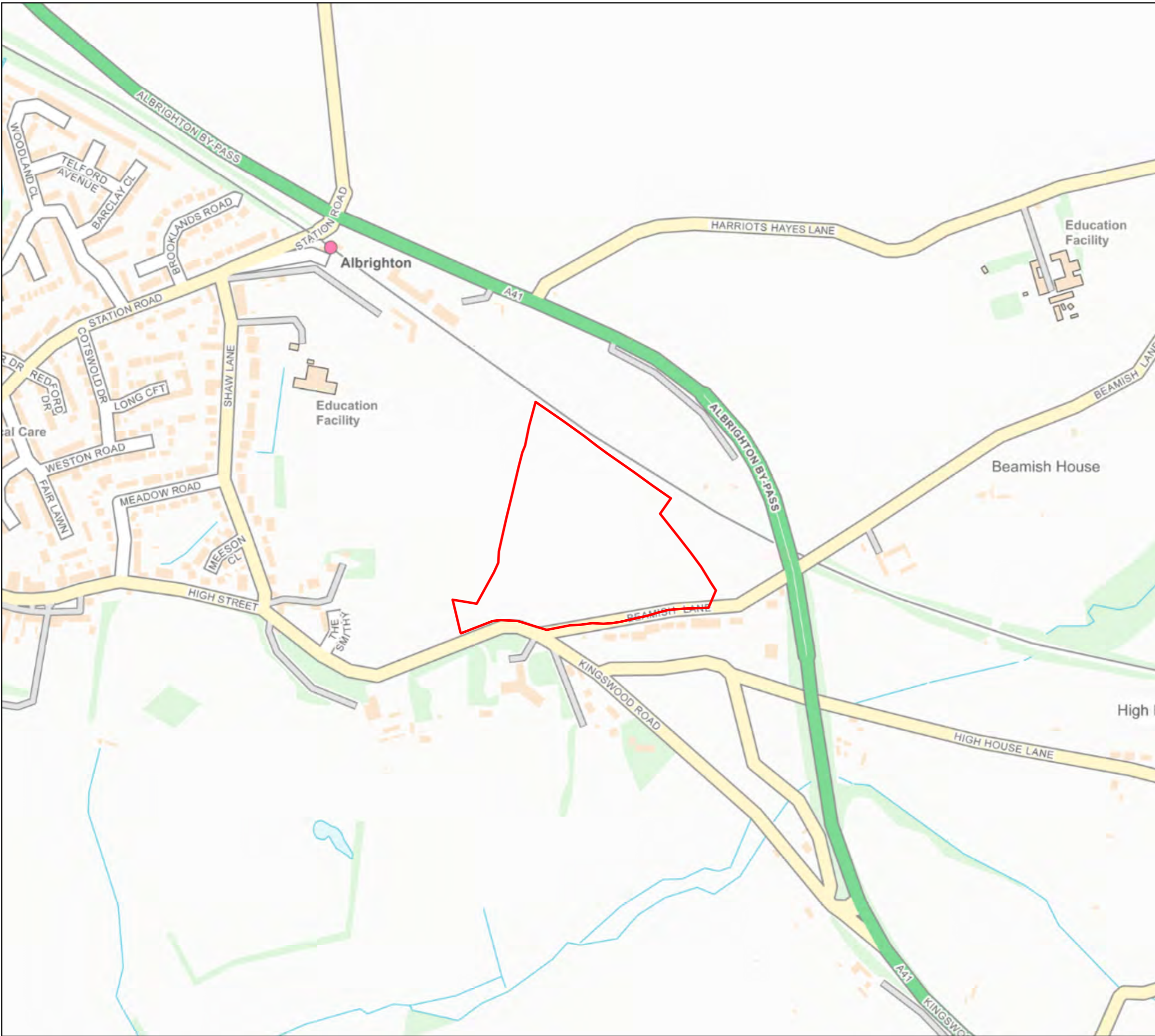


## FIGURES

Figure 1 – Site Location Plan

Figure 2 – Update Phase 1 Habitat Plan

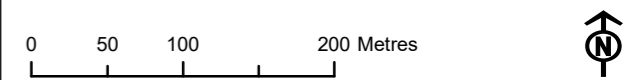
Figure 3 – Pond Location Plan



Rev	Date	Notes
A	14/05/20	Initial map production

**Legend**

 Site boundary



Site Location Plan

Land North of Kingswood Road, Albrighton  
HIMOR

Scale at A3: 1:5,000	Project No: A107238-1	Drawing No: Figure 1	Revision: A
Drawn by: Maddie Errington	Drawn date: 14/05/2020	Approved by: Jessica Yorke	

Contains Ordnance Survey Data. © Crown copyright and database right 2019. © Natural England. © Northern Ireland Environment Agency. Open Government Data reproduced contains public sector information licensed under the Open Government Licence v3.0. Other Credits: Contains OS data © Crown Copyright and database right 2019.



Rev	Date	Notes
A	14/05/20	Initial map production

Legend

- Site boundary
- Scrub - dense/continuous
- SI Poor semi-improved grassland
- Tall ruderal
- Standing water
- A Arable
- Intact hedge - native species-poor
- Line of trees
- Scattered tree
- Target note

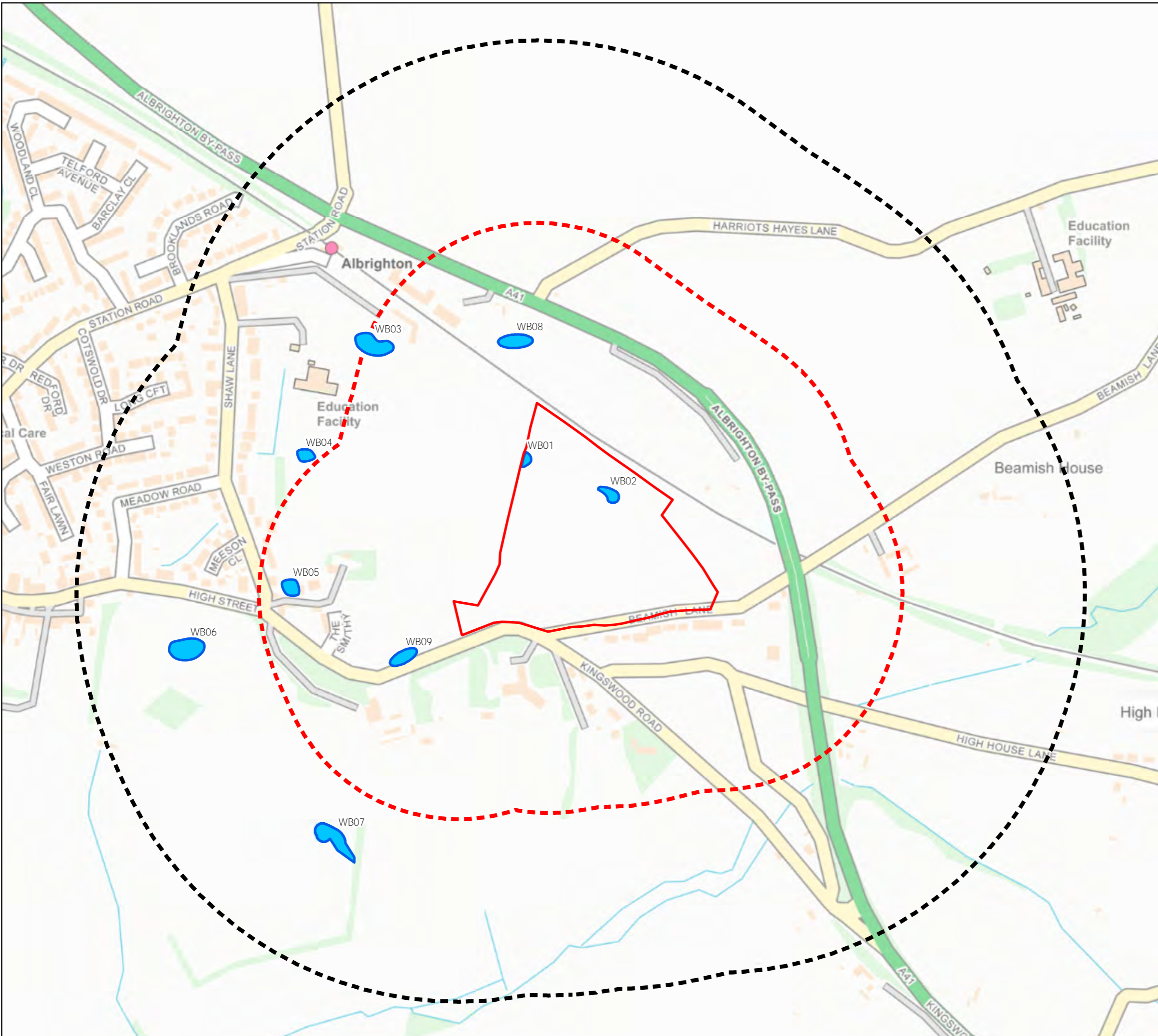


Update Phase 1 Habitat Plan

Land North of Kingswood Road, Albrighton HIMOR





Scale at A3: 1:1,300	Project No: A107238-1	Drawing No: Figure 2	Revision: A
Drawn by: Maddie Errington	Drawn date: 14/05/2020	Approved by: Jessica Yorke	

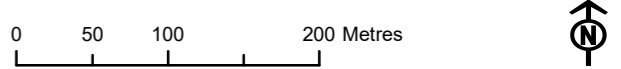
Contains Ordnance Survey Data © Crown copyright and database right 2017. © Northern Ireland Environment Agency  
Open Government Data reproduced contains public sector information licensed under the Open Government Licence v3.0  
Other Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Rev	Date	Notes
A	14/05/20	Initial map production

Legend

-  Site boundary
-  Site boundary 250m buffer
-  Site boundary 500m buffer
-  Pond



Pond Location Plan

Land North of Kingswood Road, Albrighton  
HIMOR

Scale at A3: 1:5,000	Project No: A107238-1	Drawing No: Figure 3	Revision: A
Drawn by: Maddie Errington	Drawn date: 14/05/2020	Approved by: Jessica Yorke	

Contains Ordnance Survey Data © Crown copyright and database right 2017. © Northern Ireland Environment Agency  
Open Government Data reproduced contains public sector information licensed under the Open Government Licence v3.0  
Other Credits: Contains OS data © Crown Copyright and database right 2019



## Appendix A – Report Conditions

This Report has been prepared using reasonable skill and care for the sole benefit of [HIMOR] (“the Client”) for the proposed uses stated in the report by [WYG Environment Planning Transport Limited] (“WYG”). WYG exclude all liability for any other uses and to any other party. The report must not be relied on or reproduced in whole or in part by any other party without the copyright holder’s permission.

No liability is accepted or warranty given for; unconfirmed data, third party documents and information supplied to WYG or for the performance, reliability, standing etc of any products, services, organisations or companies referred to in this report. WYG does not purport to provide specialist legal, tax or accounting advice.

The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections’. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The “shelf life” of the Report will be determined by a number of factors including; its original purpose, the Client’s instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.





## Appendix B – Key Legislation

### Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1<sup>st</sup> December 2009, European legislation has been adopted by the European Union.

### Bonn Convention

**The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention'** was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

### Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, **or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention.** Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

### Birds Directive

The EC Directive on the **Conservation of Wild Birds (791409/EEC) or 'Birds Directive'** was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.



**Conservation of Habitats and Species Regulations 2017 (as amended)**

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by Ministers, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

<https://www.legislation.gov.uk/ukxi/2018/1307/note/made>

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5 - see below:

Schedule 2 – European Protected Species of Animals	Schedule 5 – European Protected Species of Plants
Horseshoe bats <i>Rhinolophidae</i> - all species	Shore dock <i>Rumex rupestris</i>
Common bats <i>Vespertilionidae</i> - all species	Killarney fern <i>Trichomanes speciosum</i>
Large Blue Butterfly <i>Maculinea arion</i>	Early gentian <i>Gentianella anglica</i>
Wild cat <i>Felis sylvestris</i>	<b>Lady's-slipper</b> <i>Cypripedium calceolus</i>
Dolphins, porpoises and whales <i>Cetacea</i> – all sp.	Creeping marsh-wort <i>Apium repens</i>
Dormouse <i>Muscardinus avellanarius</i>	Slender naiad <i>Najas flexilis</i>
Pool frog <i>Rana lessonae</i>	Fen orchid <i>Liparis loeselii</i>
Sand lizard <i>Lacerta agilis</i>	Floating-leaved water plantain <i>Luronium natans</i>
<b>Fisher's estuarine moth</b> <i>Gortyna borelii lunata</i>	Yellow marsh saxifrage <i>Saxifraga hirculus</i>
Great crested newt <i>Triturus cristatus</i>	
Otter <i>Lutra lutra</i>	
<b>Lesser whirlpool ram's-horn snail</b> <i>Anisus vorticulus</i>	
Smooth snake <i>Coronella austriaca</i>	
Sturgeon <i>Acipenser sturio</i>	
Natterjack toad <i>Epidalea calamita</i>	
Marine turtles <i>Caretta caretta</i> , <i>Chelonia mydas</i> , <i>Lepidochelys kempii</i> , <i>Eretmochelys imbricata</i> , <i>Dermochelys coriacea</i>	

**Wildlife & Countryside Act 1981 (as amended)**

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the **chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK.** Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use; or
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.



In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to:

- intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant;
- unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or
- sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, **Schedule 5 'Animals which are Protected'** contains a total of **154** species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule **8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens.** A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

#### Schedule 1 - Birds which are protected by special penalties

Avocet	<i>Recurvirostra avosetta</i>	Osprey	<i>Pandion haliaetus</i>
Bee-eater	<i>Merops apiaster</i>	Owl, Barn	<i>Tyto alba</i>
Bittern	<i>Botaurus stellaris</i>	Owl, Snowy	<i>Nyctea scandiaca</i>
Bittern, Little	<i>Ixobrychus minutus</i>	Peregrine	<i>Falco peregrinus</i>
Bluethroat	<i>Luscinia svecica</i>	Petrel, Leach's	<i>Oceanodroma leucorhoa</i>
Brambling	<i>Fringilla montifringilla</i>	Phalarope, Red-necked	<i>Phalaropus lobatus</i>
Bunting, Cirl	<i>Emberiza cirlus</i>	Plover, Kentish	<i>Charadrius alexandrinus</i>
Bunting, Lapland	<i>Calcarius lapponicus</i>	Plover, Little Ringed	<i>Charadrius dubius</i>
Bunting, Snow	<i>Plectrophenax nivalis</i>	Quail, Common	<i>Coturnix coturnix</i>
Buzzard, Honey	<i>Pernis apivorus</i>	Redstart, Black	<i>Phoenicurus ochruros</i>
Capercaillie	<i>Tetrao urogallus</i>	Redwing	<i>Turdus iliacus</i>
Chough	<i>Pyrrhocorax pyrrhocorax</i>	Rosefinch, Scarlet	<i>Carpodacus erythrinus</i>
Corncrake	<i>Crex crex</i>	Ruff	<i>Philomachus pugnax</i>
Crake, Spotted	<i>Porzana porzana</i>	Sandpiper, Green	<i>Tringa ochropus</i>
Crossbills (all species)	<i>Loxia</i>	Sandpiper, Purple	<i>Calidris maritima</i>
Curlew, Stone	<i>Burhinus oediconemus</i>	Sandpiper, Wood	<i>Tringa glareola</i>
Divers (all species)	<i>Gavia</i>	Scaup	<i>Aythya marila</i>
Dotterel	<i>Charadrius morinellus</i>	Scoter, Common	<i>Melanitta nigra</i>
Duck, Long-tailed	<i>Clangula hyemalis</i>	Scoter, Velvet	<i>Melanitta fusca</i>
Eagle, Golden	<i>Aquila chrysaetos</i>	Serim	<i>Serinus serinus</i>
Eagle, White-tailed	<i>Haliaetus albicilla</i>	Shorelark	<i>Eremophila alpestris</i>
Falcon, Gyr	<i>Falco rusticolus</i>	Shrike, Red-backed	<i>Lanius collurio</i>
Fieldfare	<i>Turdus pilaris</i>	Spoonbill	<i>Platalea leucorodia</i>
Firecrest	<i>Regulus ignicapillus</i>	Stilt, Black-winged	<i>Himantopus himantopus</i>
Garganey	<i>Anas querquedula</i>	Stint, Temminck's	<i>Calidris temminckii</i>
Godwit, Black-tailed	<i>Limosa limosa</i>	Swan, Bewick's	<i>Cygnus bewickii</i>



Goshawk	<i>Accipiter gentilis</i>	Swan, Whooper	<i>Cygnus cygnus</i>
Grebe, Black-necked	<i>Podiceps nigricollis</i>	Tern, Black	<i>Chlidonias niger</i>
Grebe, Slavonian	<i>Podiceps auritus</i>	Tern, Little	<i>Sterna albifrons</i>
Greenshank	<i>Tringa nebularia</i>	Tern, Roseate	<i>Sterna dougallii</i>
Gull, Little	<i>Larus minutus</i>	Tit, Bearded	<i>Panurus biarmicus</i>
Gull, Mediterranean	<i>Larus melanocephalus</i>	Tit, Crested	<i>Parus cristatus</i>
Harriers (all species)	<i>Circus</i>	Tree-creeper, Short-toed	<i>Certhia brachydactyla</i>
Heron, Purple	<i>Ardea purpurea</i>	Warbler, Cetti's	<i>Cettia cetti</i>
Hobby	<i>Falco subbuteo</i>	Warbler, Dartford	<i>Sylvia undata</i>
Hoopoe	<i>Upupa epops</i>	Warbler, Marsh	<i>Acrocephalus palustris</i>
Kingfisher	<i>Alcedo atthis</i>	Warbler, Savi's	<i>Locustella luscinioides</i>
Kite, Red	<i>Milvus milvus</i>	Whimbrel	<i>Numenius phaeopus</i>
Merlin	<i>Falco columbarius</i>	Woodlark	<i>Lullula arborea</i>
Oriole, Golden	<i>Oriolus oriolus</i>	Wryneck	<i>Jynx torquilla</i>
<b>Animal (Vertebrate) Species Listed in Schedule 5 (full legal protection at all times)</b>			
Horseshoe Bats (all species)	<i>Rhinolophidae</i>	Newt – Great Crested	<i>Triturus cristatus</i>
Typical Bats (all species)	<i>Vespertilionidae</i>	Snake – Smooth	<i>Coronella austriaca</i>
Dolphin – Bottle-nosed	<i>Tursiops truncatus (tursio)</i>	Toad, Natterjack	<i>Epidalea calamita</i>
Dolphin – Common	<i>Delphinus delphis</i>	Turtles – All Species	<i>Cheloniidae</i> & <i>Dermochelyidae</i>
Dormouse – Hazel	<i>Muscardinus avellanarius</i>	Basking Shark	<i>Cetorhinus maximus</i>
Pine Marten	<i>Martes martes</i>	Burbot	<i>Lota lota</i>
Porpoise – Harbour	<i>Phocaena phocaena</i>	Goby – Giant	<i>Gobius cobitis</i>
Otter – Eurasian	<i>Lutra lutra</i>	Goby – Couch's	<i>Gobius couchii</i>
Squirrel – Red	<i>Sciurus vulgaris</i>	Seahorse – Short-snouted <sup>1</sup>	<i>Hippocampus hippocampus</i>
Walrus	<i>Odobenus rosmarus</i>	Seahorse – Spiny	<i>Hippocampus guttulatus</i>
Water Vole	<i>Arvicola amphibia</i>	Sturgeon	<i>Acipenser sturio</i>
Whales – All Species	<i>Cetacea</i>	Vendace	<i>Coregonus albula</i>
Wildcat	<i>Felis sylvestris</i>	Whitefish	<i>Coregonus lavaretus</i>
Lizard – Sand	<i>Lacerta agilis</i>		
<b>Animal (Vertebrate) Species Protected under Section 9 (1) part: Killing and Injuring &amp; Section 9 (5) Sale</b>			
Adder	<i>Vipera berus</i>	Slow-worm	<i>Anguis fragilis</i>
Lizard – Viviparous	<i>Zootoca vivipara</i>	Snake – Grass	<i>Natrix helvetica (natrix)</i>
<b>Animals (Vertebrate) Species Protected under Section 9 (5) Sale only</b>			
Frog – common	<i>Rana temporaria</i>	Newt – Smooth	<i>Lissotriton vulgaris</i>
Newt – Palmate	<i>Lissotriton helvetica</i>	Toad – Common	<i>Bufo bufo</i>
<b>Animals (Vertebrate) Species Protected under Section 9 (1) (4)(a): Killing, Injuring &amp; Taking and Damage / Destruction of place of shelter / protection only</b>			
Allis Shad	<i>Alosa alosa</i>	Shark – Angel	<i>Squatina squatina</i>
Twaite Shad	<i>Alosa fallax</i>		
<b>Butterflies &amp; Moths – Full Protection under Schedule 5<sup>2</sup> at all times</b>			
High brown fritillary	<i>Argynnis adippe</i>	Fisher's Estuarine Moth	<i>Gortyna borelii</i>
Large Blue	<i>Maculinea arion</i>	Barberry Carpet	<i>Pareulype berberata</i>
Heath Fritillary	<i>Mellicta athalea</i>	Black-veined Moth	<i>Siona lineata</i>

<sup>1</sup> Both sea horse species are protected in England only.

<sup>2</sup> Viper's Bugloss Moth *Hadena irregularis* was removed from Schedule 5 in 1996 as it is believed to be extinct.



Marsh Fritillary	<i>Eurodryas aurinia</i>	Sussex Emerald	<i>Thalera fimbrialis</i>
Swallowtail	<i>Papilio machaon britannicus</i>	Essex Emerald	<i>Thetidia smaragdaria</i>
Large Copper	<i>Lycaena dispar</i>	Fiery Clearwing	<i>Bembecia chrysidiformis</i>
Reddish-buff Moth	<i>Acosmetia caliginosa</i>	New-Forest Burnet	<i>Zygaena viciae</i>
<b>Butterflies – Protected under Section 9 (5) Sale Only</b>			
Purple Emperor	<i>Apatura iris</i>	Adonis Blue	<i>Lysandra bellargus</i>
Northern Brown Argus	<i>Aricia artaxerxes</i>	Chalkhill Blue	<i>Lysandra coridon</i>
Pearl-bordered Fritillary	<i>Boloria euphrosyne</i>	Glanville Fritillary	<i>Melitaea cinxia</i>
Chequered Skipper	<i>Carterocephalus palaemon</i>	Large Tortoiseshell	<i>Nymphalis polychloros</i>
Large Heath	<i>Coenonympha tullia</i>	Silver-studded Blue	<i>Plebejus argus</i>
Small Blue	<i>Cupido minimus</i>	Black Hairstreak	<i>Strymonidia pruni</i>
Mountain Ringlet	<i>Erebia epiphron</i>	White-letter Hairstreak	<i>Strymonidia w-album</i>
Duke of Burgundy	<i>Hamearis lucina</i>	Brown Hairstreak	<i>Thecla betulae</i>
Silver-spotted Skipper	<i>Hesperia comma</i>	Lulworth Skipper	<i>Thymelicus acteon</i>
Wood White	<i>Leptidea sinapis</i>		
<b>Other Invertebrates – Full Protection under Schedule 5 at all times</b>			
Rainbow Leaf-beetle	<i>Chrysolina cerealis</i>	Tadpole Shrimp	<i>Triops cancriformis</i>
Spangled Diving-beetle	<i>Graphopterus zonatus</i>	Trembling Sea-mat	<i>Victorella pavidia</i>
Lesser Silver Water-beetle	<i>Hydrochara caraboides</i>	De Folin's Lagoon Snail	<i>Caecum armoricum</i>
Moccas Beetle	<i>Hypebaeus flavipes</i>	Sandbowl Snail	<i>Catinella arenaria</i>
Violet Click-beetle	<i>Limoniscus violaceus</i>	Freshwater Pearl Mussel	<i>Margaritifera margaritifera</i>
Bembridge Beetle	<i>Parcymus aeneus</i>	Glutinous Snail	<i>Myxas glutinosa</i>
New Forest Cicada	<i>Cicadetta montana</i>	Lagoon Snail	<i>Paludinella littorina</i>
Wart-Biter	<i>Decticus verrucivorus</i>	Lagoon Sea Slug	<i>Tenellia adspersa</i>
Mole-Cricket	<i>Gryllotalpa gryllotalpa</i>	Northern Hatchet-shell	<i>Thyasira gouldi</i>
Field-Cricket	<i>Gryllus campestris</i>	Tentacled Lagoon-worm	<i>Alkmaria romijni</i>
Norfolk Dragonfly	<i>Aeshna isosceles</i>	Lagoon Sand-worm	<i>Armandia cirrhosa</i>
Southern Damselfly	<i>Coenagrion mercuriale</i>	Medicinal Leech	<i>Hirudo medicinalis</i>
Fen Raft Spider	<i>Dolomedes fimbriatus</i>	Marine Hydroid	<i>Clavopsella navis</i>
Ladybird Spider	<i>Eresus niger (cinaberinus)</i>	Ivell's Sea Anemone	<i>Edwardsia ivelli</i>
Fairy Shrimp	<i>Chirocephalus diaphanus</i>	Starlet Sea Anemone	<i>Nematosella vectensis</i>
Lagoon Sand Shrimp	<i>Gammarus insensibilis</i>	Atlantic Stream (White-clawed) Crayfish	<i>Austropotamobius pallipes</i>
<b>Other Invertebrates Protected under Section 9 (1) Possession &amp; 9 (2) (5) Sale only</b>			
Stag Beetle	<i>Lucanus cervus</i>	Roman Snail <sup>3</sup>	<i>Helix pomatia</i>
Fan Mussel	<i>Atrina fragilis</i>	Pink Sea-fan	<i>Eunicella verrucosa</i>
<b>Other Invertebrates Protected under Section 9 (4) (a) Damage / Destruction of Place of Shelter / Protection only</b>			
Mire Pill Beetle	<i>Curimopsis nigrita</i>		
<b>Vascular Plant Species - Full Protection under Schedule 8 at all times (previous Scientific name in brackets)</b>			
Adder's-tongue Least	<i>Ophioglossum lusitanicum</i>	Lily – Snowdon	<i>Gagea serotina (Lloydia serotina)</i>
Alison- Small	<i>Alyssum alyssoides</i>	Marsh-mallow – Rough	<i>Malva setigera (Althaea hirsuta)</i>
Broomrape – Bedstraw	<i>Orobanche caryophyllacea</i>	Milk-parsley – Cambridge	<i>Selinum carvifolia</i>

<sup>3</sup> England only



Broomrape – Oxtongue	<i>Orobanche picridis</i>	Mudwort – Welsh	<i>Limosella aquatica</i>
Broomrape – Thistle	<i>Orobanche reticulata</i> <sup>4</sup>	Naiad – Holly-leaved	<i>Najas marina</i>
Cabbage – Lundy	<i>Coincya wrightii</i> ( <i>Rhynchosinapis wrightii</i> )	Orache – Stalked	<i>Atriplex pedunculata</i> ( <i>Halimione pedunculata</i> )
Calamint – Wood	<i>Clinopodium menthifolium</i> ( <i>Calamintha sylvatica</i> )	Orchid – Early Spider	<i>Ophrys sphegodes</i>
Catchfly – Alpine	<i>Silene suecica</i> ( <i>Lychnis alpina</i> )	Orchid – Ghost	<i>Epipogium aphyllum</i>
Centaury – Slender	<i>Centaureum tenuiflorum</i>	Orchid – Lapland Marsh	<i>Dactylorhiza lapponica</i>
Cinquefoil – Rock	<i>Potentilla rupestris</i>	Orchid – Late Spider	<i>Ophrys fuciflora</i>
Clary – Meadow	<i>Salvia pratensis</i>	Orchid – Lizard	<i>Himantoglossum hircinum</i>
Club-rush – Triangular	<i>Schoenoplectus triquetus</i> ( <i>Scirpus triquetus</i> )	Orchid – Military	<i>Orchis militaris</i>
<b>Colt's-foot</b> – Purple	<i>Homogyne alpina</i>	Orchid – Monkey	<i>Orchis simia</i>
Cotoneaster – Wild	<i>Cotoneaster cambricus</i> ( <i>C. integerrimus</i> )	Pear – Plymouth	<i>Pyrus cordata</i>
Cotton-grass – Slender	<i>Eriophorum gracile</i>	Pennycress – Perfoliate	<i>Microthlaspi perfoliatum</i> ( <i>Thlaspi perfoliatum</i> )
Cow-wheat – Field	<i>Melampyrum arvense</i>	Pennyroyal	<i>Mentha pulegium</i>
Crocus – Sand	<i>Romulus columnae</i>	Pigmyweed	<i>Crassula aquatica</i>
Cudweed – Broad-leaved	<i>Filago pyramidata</i>	Pine - Ground	<i>Ajuga chamaepitys</i>
Cudweed – Jersey	<i>Gnaphalium luteoalbum</i>	Pink – Cheddar	<i>Dianthus gratianopolitanus</i>
Cudweed – Red-tipped	<i>Filago lutescens</i>	Pink – Childing	<i>Petrorhagia nanteuillii</i>
Cut-grass	<i>Leersia oryzoides</i>	Ragwort – Fen	<i>Jacobaea paludosa</i> ( <i>Senecio paludosa</i> )
Deptford Pink	<i>Dianthus armeria</i>	<b>Ramping-fumitory</b> – <b>Martin's</b>	<i>Fumaria reuteri</i> ( <i>F. martinii</i> )
Diapensia	<i>Diapensia lapponica</i>	Rampion – Spiked	<i>Phyteuma spicata</i>
Eryngo – Field	<i>Eryngium campestre</i>	Restharrow – Small	<i>Ononis reclinata</i>
Fern – <b>Dickie's</b> -bladder	<i>Cystopteris dickieana</i>	Rock-cress – Alpine	<i>Arabis alpina</i>
Fleabane – Alpine	<i>Erigeron borealis</i>	Rock-cress – Bristol	<i>Arabis scabra</i>
Fleabane – Small	<i>Pulicaria vulgaris</i>	Sandwort – Norwegian	<i>Arenaria norvegica</i> <sup>5</sup>
Galingale – Brown	<i>Cyperus fuscus</i>	Sandwort – Teesdale	<i>Minuartia stricta</i>
Gentian – Alpine	<i>Gentiana nivalis</i>	Saxifrage – Drooping	<i>Saxifraga cernua</i>
Gentian - Dune	<i>Gentianella amarella</i> subsp. <i>occidentalis</i> ( <i>Gentianella uliginosa</i> )	Saxifrage – Tufted	<i>Saxifraga cespitosa</i>
Gentian – Fringed	<i>Gentianopsis ciliata</i> ( <i>Gentianella ciliata</i> )	<b>Solomon's-seal</b> – Whorled	<i>Polygonatum verticillatum</i>
Gentian - Spring	<i>Gentiana verna</i>	Sow-thistle – Alpine	<i>Cicerbita alpina</i>
Germander – Cut-leaved	<i>Teucrium botrys</i>	Spearwort – <b>Adder's-tongue</b>	<i>Ranunculus ophioglossifolius</i>
Germander – Water	<i>Teucrium scordium</i>	Speedwell – Fingered	<i>Veronica triphyllos</i>
Gladiolus – Wild	<i>Gladiolus illyricus</i>	Speedwell – Spiked	<i>Veronica spicata</i> <sup>6</sup>
Goosefoot – Stinking	<i>Chenopodium vulvaria</i>	Spike-rush – Dwarf	<i>Eleocharis parvula</i>
Grass-poly	<i>Lythrum hyssopifolia</i>	South-stack Fleawort	<i>Tephrosieris integrifolia</i> ssp. <i>maritima</i>

<sup>4</sup> The Weeds Act 1959 does not apply to thistles *Cirsium* & *Carduus* species supporting this broomrape.

<sup>5</sup> All subspecies occurring in the UK

<sup>6</sup> Both subspecies: *spicata* & *hybrida*



Hare's-ear – Sickle-leaved	<i>Bupleurum falcatum</i>	Star-of-Bethlehem – Early	<i>Gagea bohemica</i>
Hare's-ear – Small	<i>Bupleurum baldense</i>	Starfruit	<i>Damasonium alisma</i>
Hawk's-beard – Stinking	<i>Crepis foetida</i>	Strapwort	<i>Corrigiola littoralis</i>
Hawkweed – Northroe	<i>Hieracium northroense</i>	Violet – Fen	<i>Viola persicifolia</i>
Hawkweed – Shetland	<i>Hieracium zetlandicum</i>	Viper's-grass	<i>Scorzonera humilis</i>
Hawkweed – Weak-leaved	<i>Hieracium attenuatifolium</i>	Water-plantain – Ribbon-leaved	<i>Alisma gramineum</i>
Heath – Blue	<i>Phylodoce caerulea</i>	Wood-sedge – Starved	<i>Carex depauperata</i>
Helleborine – Red	<i>Cephalanthera rubra</i>	Woodsia – Alpine	<i>Woodsia alpina</i>
Horsetail – Branched	<i>Equisetum ramosissimum</i>	Woodsia – Oblong	<i>Woodsia ilvensis</i>
Hound's-tongue – Green	<i>Cynoglossum germanicum</i>	Wormwood – Field	<i>Artemisia campestris</i>
Knawel – Perennial	<i>Scleranthus perennis</i> <sup>7</sup>	Woundwort - Downy	<i>Stachys germanica</i>
Knot-grass – Sea	<i>Polygonum maritimum</i>	Woundwort – Limestone	<i>Stachys alpina</i>
Leek – Round-headed	<i>Allium sphaerocephalon</i>	Yellow-rattle – Greater	<i>Rhinanthus angustifolius</i>
Lettuce – Least	<i>Lactuca saligna</i>		
<b>Vascular Plant Species – Partial Protection under Section 13 (2) Protection from commercial exploitation and sale</b>			
Bluebell	<i>Hyacinthoides non-scripta</i>		
<b>Bryophytes – Full Protection under Schedule 8 at all times</b>			
Anamodon – Long-leaved	<i>Anomodon langifolius</i>	Flamingo Moss	<i>Desmatodon cernuus</i>
Blackwort	<i>Southbya nigrella</i>	Frostwort	<i>Gymnomitrium apiculatum</i>
Crystalwort – Lizard	<i>Riccia bifurca</i>	Glaucous Beard Moss	<i>Barbula glauca</i>
Earwort – Marsh	<i>Jamesoniella undulifolia</i>	Green Shield Moss	<i>Buxbaumia viridis</i>
Feathermoss – Polar	<i>Hygrohypnum polare</i>	Hair Silk Moss	<i>Plagiothecium piliferum</i>
Flapwort – Norfolk	<i>Leiocolea rutheana</i>	Knobhole Moss	<i>Zygodon forsteri</i>
Grimmia – Blunt-leaved	<i>Grimmia unicolor</i>	Large Yellow Feather Moss	<i>Scorpidium turgescens</i>
Petalwort	<i>Petalophyllum ralfsii</i>	Millimetre Moss	<i>Micromitrium tenerum</i>
Lindenberg's Leafy-Liverwort	<i>Adelanthus lindenbergianus</i>	Multi-fruited River Moss	<i>Cryphaea lamyana</i>
Feather-moss Slender Green	<i>Drepanocladus vernicosus</i>	<b>Nowell's Limestone Moss</b>	<i>Zygodon gracilis</i>
Alpine Copper-Moss	<i>Mielichoferia mellichoferia</i>	Rigid Apple Moss	<i>Bartramia stricta</i>
Baltic Bog-Moss	<i>Sphagnum balticum</i>	Round-leaved feather Moss	<i>Rhynchostegium rotundifolium</i>
Blue Dew-Moss	<i>Saelania glaucescens</i>	<b>Schleicher's Thread Moss</b>	<i>Bryum schleicheri</i>
Blunt-leaved bristle-Moss	<i>Orthotrichum obtusifolium</i>	Triangular Pygmy Moss	<i>Acaulon triquetrum</i>
Bright-Green Cave-Moss	<i>Cyclodictyon laetevirens</i>	Turpswort	<i>Geocalyx graveolens</i>
Cordate Beard Moss	<i>Barbula cordata</i>	<b>Vaucher's Feather Moss</b>	<i>Hypnum vaucheri</i>
Cornish Path Moss	<i>Ditrichum cornubicum</i>	Western Rustwort	<i>Marsupella profunda</i>
Derbyshire Feather Moss	<i>Thamnobryum angustifolium</i>		
<b>Stoneworts – Full Protection under Schedule 8 at all times</b>			
Bearded Stonewort	<i>Chara canescens</i>	Foxtail Stonewort	<i>Lamprothamnium papulosum</i>

<sup>7</sup> Includes both subspecies: *perennis* & *prostratus*



Lichens – Full Protection under Schedule 8 at all times					
New Forest Lichen	Beech	<i>Enterographa elaborata</i>	Forked Hair Lichen	<i>Bryoria furcellata</i>	
Snow Caloplaca		<i>Caloplaca nivalis</i>	Golden Hair Lichen	<i>Teloschistes flavicans</i>	
Tree Catapyrenium		<i>Catapyrenium psoromoides</i>	Orange-fruited Lichen	Elm	<i>Caloplaca luteoalba</i>
<b>Laurer's Catillaria</b>		<i>Catillaria laurei</i>	River Jelly Lichen	<i>Collema dichotomum</i>	
Convolute Cladonia		<i>Cladonia convoluta</i>	Starry Breck Lichen	<i>Buellia asterella</i>	
Upright Cladonia	Mountain	<i>Cladonia stricta</i>	Caledonia Pannaria	<i>Pannaria ignobilis</i>	
Goblin Lights		<i>Catolechia wahlenbergii</i>	New Forest Parmelia	<i>Parmelia minarum</i>	
Elm Gyalecta		<i>Gyalecta ulmi</i>	Oil Stain Parmentaria	<i>Parmentaria chilensis</i>	
Tarn Lecanora		<i>Lecanora archariana</i>	Southern Grey Physcia	<i>Physcia tribacioides</i>	
Copper Lecidea		<i>Lecidea inops</i>	Ragged Pseudo-cyphellaria	<i>Pseudocyphellaria lacerata</i>	
Arctic Kidney Lichen		<i>Nephroma arcticum</i>	Rusty Alpine Psora	<i>Psora rubiformis</i>	
Ciliate Strap Lichen		<i>Heterodermia leucomelos</i>	Rock Nail	<i>Calicium corynellum</i>	
Coralloid Rosette Lichen		<i>Heterodermia propagulifera</i>	Serpentine Selanopsora	<i>Selanopsora liparina</i>	
Ear-lobed Dog Lichen		<i>Peltigera lepidophora</i>	Sulphur Tresses	<i>Alectoria ochroleuca</i>	
Lichens – Partial Protection under Section 13 (2) Commercial Exploitation and Sale Only					
Tree Lungwort		<i>Lobaria pulmonaria</i>			
Fungi – Full Protection under Schedule 8 at all times					
Royal Bolete		<i>Boletus regius</i>	Oak Polypore	<i>Buglossosporus pulvinus</i>	
Hedgehog Fungus		<i>Hericium erinaceum</i>	Sandy Stilt Ball	<i>Battaria phalloides</i>	
Invasive plant species listed in Schedule 9					
Australian swamp stonecrop or New Zealand pygmyweed		<i>Crassula helmsii</i>	Japanese rose	<i>Rosa rugosa</i>	
California red seaweed		<i>Pikea californica</i>	Japanese seaweed	<i>Sargassum muticum</i>	
Curly waterweed		<i>Lagarosiphon major</i>	Laver seaweeds (except native species)	<i>Porphyra</i> spp	
Duck potato		<i>Sagittaria latifolia</i>	Parrot's-feather	<i>Myriophyllum aquaticum</i>	
Entire-leaved cotoneaster		<i>Cotoneaster integrifolius</i>	Perfoliate alexanders	<i>Smyrniium perfoliatum</i>	
False Virginia creeper		<i>Parthenocissus inserta</i>	Pontic rhododendron	<i>Rhododendron ponticum</i>	
Fanwort or Carolina water-shield		<i>Cabomba caroliniana</i>	Purple dewplant	<i>Disphyma crassifolium</i>	
Few-flowered garlic		<i>Allium paradoxum</i>	Red algae	<i>Grateloupia luxurians</i>	
Floating pennywort		<i>Hydrocotyle ranunculoides</i>	Rhododendron	<i>Rhododendron ponticum</i> × <i>Rhododendron maximum</i>	
Floating water primrose		<i>Ludwigia peploides</i>	Small-leaved cotoneaster	<i>Cotoneaster microphyllus</i>	
Giant hogweed		<i>Heracleum mantegazzianum</i>	Three-cornered garlic	<i>Allium triquetrum</i>	
Giant kelp		<i>Macrocystis</i> spp.	Variegated yellow archangel	<i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i>	
Giant knotweed		<i>Fallopia sachalinensis</i>	Virginia creeper	<i>Parthenocissus quinquefolia</i>	
Giant rhubarb		<i>Gunnera tinctoria</i>	Wakame	<i>Undaria pinnatifida</i>	
Giant salvinia		<i>Salvinia molesta</i>	Wall cotoneaster	<i>Cotoneaster horizontalis</i>	
Green seafringers		<i>Codium fragile</i>	Water fern	<i>Azolla filiculoides</i>	
Himalayan cotoneaster		<i>Cotoneaster simonsii</i>	Water hyacinth	<i>Eichhornia crassipes</i>	
Hollyberry cotoneaster		<i>Cotoneaster bullatus</i>	Water lettuce	<i>Pistia stratiotes</i>	





Hooked seaweed	asparagus	<i>Asparagopsis armata</i>	Water primrose	<i>Ludwigia grandiflora</i>
Hottentot fig		<i>Carpobrotus edulis</i>	Water primrose	<i>Ludwigia uruguayensis</i>
Hybrid knotweed		<i>Fallopia japonica</i> × <i>Fallopia sachalinensis</i>	Waterweeds	<i>Elodea</i> spp.
Indian balsam	(Himalayan)	<i>Impatiens glandulifera</i>	Yellow azalea	<i>Rhododendron luteum</i>
Japanese knotweed		<i>Reynoutria japonica</i>		

### Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

**The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger"**

### Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

### Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

### Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.
- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed



### Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

### Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

**Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP),** which are used to guide and inform the local decision making process.

### Wild Mammals (Protection) Act 1996





This Act offers protects a form of protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.



**It's application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.**



## Appendix C – Target Notes



Target Note	Description	Photograph
1	A large arable field enclosed by hedgerows or fence lines with tree lines. Very small field margins, almost none in places – 0.5m to less than 0.1m.	
2	Dense willow <i>Salix sp.</i> scrub located around pond WB01.	
3	Dense willow <i>Salix sp.</i> scrub located around the edges of pond WB02. Elder <i>Sambucus nigra</i> and blackthorn <i>Prunus spinosa</i> were also present.	
4	Trees lining the northern site boundary, dominated by beech <i>Fagus sylvatica</i> , pedunculate oak <i>Quercus robur</i> and ash <i>Fraxinus excelsior</i> . The understorey layer comprised hawthorn <i>Crataegus monogyna</i> and elder <i>Sambucus nigra</i> . A fence line ran along the site side of this tree line.	
5	The southern site boundary tree line, dominated by beech <i>Fagus sylvatica</i> and sycamore <i>Acer pseudoplatanus</i> . A fence line ran along the site side of this tree line.	No Photograph.





Target Note	Description	Photograph
6	<p>Mature pedunculate oak <i>Quercus robur</i> tree along the western site boundary. Bat roost potential – Low.</p> <p>Few features seen from ground level. Of note there was a southern branch which had a small hole on the east facing side, approximately 5m off the ground. In addition there was a missing branch approximately 5m from ground level, however, it was not possible to see if this led to any ingress points.</p>	 



Target Note	Description	Photograph
7	<p>Mature willow sp. <i>Salix sp.</i> tree adjacent to the pond WB02.                      Bat roost potential: High.                      Primary limb failure had created a cavity at the base of the tree. This cavity was 1m from the ground and faced south west. There were a number of channels leading up into the tree, by eye up to 0.5m in length, but possibly further.</p> <p>A woodpecker hole was present on a south west facing limb, approximately 6m off the ground.</p> <p>Three limbs were missing from the trunk on the south, south west and south east sides of the trunk. the south west missing limbs had left a number of splits and cracks in the remaining part of the limb.</p>	

Target Note	Description	Photograph
8	<p>Hedgerow along the western site boundary, dominated by hawthorn <i>Crataegus monogyna</i>, with occasional holly <i>Ilex aquifolium</i>, ash <i>Fraxinus excelsior</i> and elder <i>Sambucus nigra</i>. The hedgerow was maintained on the site side; approximately 2m high and neatly cut. On the off-site side it was unmanaged and growing up to 3.5m high. Approximately 1 to 1.5m wide.</p> <p>The hedgerow had an understory of cleavers <i>Galium aparine</i>, Yorkshire fog <i>Holcus lanatus</i>, <b>cock's-foot</b> <i>Dactylis glomerata</i>, nettle <i>Urtica dioica</i>, bramble <i>Rubus fruticosus</i> agg, ground elder <i>Aegopodium podagraria</i> and hogweed <i>Heracleum sphondylium</i>.</p>	
9	<p>The hedgerow bounding the eastern and southern site boundaries, dominated by <i>Prunus</i> sp. there was little to no understorey vegetation as the field was ploughed right up to the hedge base.</p>	No Photograph.
10	<p>A small area of poor semi-improved grassland was located within the south west of the site. The grassland was dominated by perennial ryegrass <i>Lolium perenne</i> and <b>cock's-foot</b> <i>Dactylis glomerata</i>, with frequent Yorkshire fog <i>Holcus lanatus</i>, tufted hair grass <i>Deschampsia cespitosa</i>, dandelion <i>Taraxacum officinale</i> agg., ribwort plantain <i>Plantago lanceolata</i>, <b>doves'-foot</b> cranesbill <i>Geranium molle</i>, daisy <i>Bellis perennis</i>, white clover <i>Trifolium repens</i>, creeping buttercup <i>Ranunculus repens</i>, and occasional cut-leaved crane's-bill <i>Geranium molle</i>, mugwort <i>Artemisia vulgaris</i>, common vetch <i>Vicia sativa</i> and field pansy <i>Viola arvensis</i>. In addition, there were some tall ruderals present including broad-leaved dock <i>Rumex obtusifolius</i>, greater willowherb <i>Epilobium hirsutum</i>, common ragwort <i>Jacobaea vulgaris</i>, spear thistle <i>Cirsium vulgare</i>, carrot sp. <i>Daucus</i> sp. and common nettle <i>Urtica dioica</i>.</p>	



Target Note	Description	Photograph
11	Waterbody 01 (WB01) - c. 7m x 4m was heavily shaded by willow scrub, lacked aquatic macrophyte species suitable for egg laying, and had a layer of algal growth over much of the surface at the time of surveying.	
12	Waterbody 02 (WB02) - c. 15m x 4m and heavily shaded by willow, blackthorn and elder scrub, with no visible aquatic macrophyte species suitable for egg laying, and had a layer of algal growth over much of the surface at the time of surveying.	



# Appendix D – Habitat Suitability Index



HSI Assessment WB01

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	28m <sup>2</sup>	0.05
Pond drying out	Rarely	1.00
Water quality	Poor	0.33
Shading	100%	0.30
Waterfowl	Minor	0.67
Fish	Possible	0.67
No of ponds within 1km	9	1.00
Terrestrial habitat	Moderate	0.67
Macrophyte cover	<5%	0.30
<b>Poor</b>	<b>Total:</b>	<b>0.44</b>

HSI Assessment WB02

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	60m <sup>2</sup>	0.10
Pond drying out	Rarely	1.00
Water quality	Poor	0.33
Shading	70%	1.00
No of waterfowl	Minor	0.67
Fish	Possible	0.67
No of ponds within 1km	9	1.00
Terrestrial habitat	Poor	0.33
Macrophyte cover	<5%	0.30
<b>Below Average</b>	<b>Total:</b>	<b>0.50</b>

HSI Assessment WB03

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	300m <sup>2</sup>	0.40
Pond drying out	Rarely	1.00
Water quality	Moderate	0.67
Shading	80%	0.60
No of waterfowl	Minor	0.67
Fish	Possible	0.67
No of ponds within 1km	9	1.00
Terrestrial habitat	Moderate	0.67
Macrophyte cover	<5%	0.30
<b>Average</b>	<b>Total:</b>	<b>0.66</b>

HSI Assessment WB04

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	21m <sup>2</sup>	0.05
Pond drying out	Dries annually	0.10
Water quality	Poor	0.33
Shading	20%	1.00
No of waterfowl	Absent	1.00
Fish	Absent	1.00
No of ponds within 1km	9	1.00
Terrestrial habitat	Moderate	0.67
Macrophyte cover	<5%	0.30
<b>Poor</b>	<b>Total:</b>	<b>0.45</b>

HSI Assessment WB08

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	100m <sup>2</sup>	0.20
Pond drying out	Sometimes dries	0.50
Water quality	Poor	0.33
Shading	30%	1.00
No of waterfowl	Absent	1.00
Fish	Absent	1.00
No of ponds within 1km	9	1.00
Terrestrial habitat	Moderate	0.67
Macrophyte cover	<5%	0.30
<b>Average</b>	<b>Total:</b>	<b>0.60</b>

HSI Assessment WB09

Description	Result	HSI Score
Geographic location	A	1.00
Pond surface area	140m <sup>2</sup>	0.30
Pond drying out	Rarely	1.00
Water quality	Poor	0.33
Shading	0%	1.00
No of waterfowl	Absent	1.00
Fish	Absent	1.00
No of ponds within 1km	9	1.00
Terrestrial habitat	None	0.01
Macrophyte cover	<5%	0.30
<b>Poor</b>	<b>Total:</b>	<b>0.44</b>



# Appendix E – eDNA Results

Folio No: E7022  
Report No: 1  
Purchase Order: 4594/20-387  
Client: WYG  
Contact: Jessica Yorke

## TECHNICAL REPORT

### ANALYSIS OF ENVIRONMENTAL DNA IN POND WATER FOR THE DETECTION OF GREAT CRESTED NEWTS (*TRITURUS CRISTATUS*)

#### SUMMARY

When great crested newts (GCN), *Triturus cristatus*, inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analysing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

#### RESULTS

**Date sample received at Laboratory:** 28/04/2020  
**Date Reported:** 06/05/2020  
**Matters Affecting Results:** None

Lab Sample No.	Site Name	O/S Reference	SIC	DC	IC	Result	Positive Replicates
0628	WB01, Kingswood Road, Albrighton	SJ 82184 04237	Pass	Pass	Pass	Negative	0
0629	WB04, Kingswood Road, Albrighton	SJ 81920 04379	Pass	Pass	Pass	Negative	0
0630	WB03, Kingswood Road, Albrighton	SJ 81861 04236	Pass	Pass	Pass	Negative	0
0631	WB05, Kingswood Road, Albrighton	SJ 82132 04392	Pass	Pass	Pass	Negative	0



---

0632	WB02, Kingswood Road, Albrighton	SJ 82265 04194	Pass	Pass	Pass	Negative	0
------	---	-------------------	------	------	------	----------	---

---

If you have any questions regarding results, please contact us: [ForensicEcology@surescreen.com](mailto:ForensicEcology@surescreen.com)

**Reported by:** Sarah Evans

**Approved by:** Chris Troth

## **METHODOLOGY**

The samples detailed above have been analysed for the presence of GCN eDNA following the protocol stated in DEFRA WC1067 'Analytical and methodological development for improved surveillance of the Great Crested Newt, Appendix 5.' (Biggs et al. 2014). Each of the 6 sub-sample tubes are first centrifuged and pooled together into a single sample which then undergoes DNA extraction. The extracted sample is then analysed using real time PCR (qPCR), which uses species-specific molecular markers to amplify GCN DNA within a sample. These markers are unique to GCN DNA, meaning that there should be no detection of closely related species.

If GCN DNA is present, the DNA is amplified up to a detectable level, resulting in positive species detection. If GCN DNA is not present then amplification does not occur, and a negative result is recorded.

Analysis of eDNA requires scrupulous attention to detail to prevent risk of contamination. True positive controls, negative controls and spiked synthetic DNA are included in every analysis and these have to be correct before any result is declared and reported. Stages of the DNA analysis are also conducted in different buildings at our premises for added security.

SureScreen Scientifics Ltd is ISO9001 accredited and participate in Natural England's proficiency testing scheme for GCN eDNA testing. We also carry out regular inter-laboratory checks on accuracy of results as part of our quality control procedures.

## **INTERPRETATION OF RESULTS**

- SIC:**            **Sample Integrity Check** [Pass/Fail]  
When samples are received in the laboratory, they are inspected for any tube leakage, suitability of sample (not too much mud or weed etc.) and absence of any factors that could potentially lead to inconclusive results.
- DC:**            **Degradation Check** [Pass/Fail]  
Analysis of the spiked DNA marker to see if there has been degradation of the kit or sample between the date it was made to the date of analysis. Degradation of the spiked DNA marker may lead indicate a risk of false negative results.
- IC:**            **Inhibition Check** [Pass/Fail]  
The presence of inhibitors within a sample are assessed using a DNA marker. If inhibition is detected, samples are purified and re-analysed. Inhibitors cannot always be removed, if the inhibition check fails, the sample should be re-collected.



**Result:****Presence of GCN eDNA** [Positive/Negative/Inconclusive]

**Positive:** GCN DNA was identified within the sample, indicative of GCN presence within the sampling location at the time the sample was taken or within the recent past at the sampling location.

**Positive Replicates:** Number of positive qPCR replicates out of a series of 12. If one or more of these are found to be positive the pond is declared positive for GCN presence. It may be assumed that small fractions of positive analyses suggest low level presence, but this cannot currently be used for population studies. In accordance with Natural England protocol, even a score of 1/12 is declared positive. 0/12 indicates negative GCN presence.

**Negative:** GCN eDNA was not detected or is below the threshold detection level and the test result should be considered as evidence of GCN absence, however, does not exclude the potential for GCN presence below the limit of detection.





# Appendix F – Invertebrate Friendly Planting



Aim at having flowers in bloom throughout the year, including both annuals and herbaceous perennials. Below are some suggestions, but this is not an exhaustive list. Flowering times are approximate, varying dependent on region. Regular dead-heading extends flowering period in many flowers.

A=annual, HA=hardy, annual, HHA=half-hardy annual, P=perennial, W=wild flower.

Flowers for borders			
<b>St. John's Wort</b>	<i>Hypericum</i>	P	March
Marigolds	<i>Calendula</i>	H/A	March-October
Aubrietia	<i>Aubrietia deltoidea</i>	P	March-June
Honesty	<i>Lunaria rediviva</i>	HB	March
Forget-me-not	<i>Myosotis</i> sp.	A/P	March-May
Elephant ears	<i>Bergenia</i>	P	April
Wallflowers	<i>Erysimum</i>	B	April-June
Cranesbills	<i>Geranium</i> sp.	P	May-September
Yarrow	<i>Achillea</i>	P	May-
Poppies	<i>Papaver</i> sp.	A	May- July
Dames violet	<i>Hesperis matronalis</i>	P	May-August
Red Valerian	<i>Centranthus ruber</i>	P	May-Sept
Poached egg plant	<i>Limnanthes</i>	HA	June-August
Knapweed	<i>Centaurea nigra</i>	P	June-September
Phacelia		HA	June-September
Ox-eye daisy	<i>Leucanthemum vulgare</i>	P	June-August
Evening primrose	<i>Oenothera biennis</i>	B	June-September
Candytuft	<i>Iberis umbellata</i>	HA	June-September
Sweet William	<i>Dianthus barbatus</i>	B	June-July
Blanket flowers	<i>Gaillardia</i>	P	June -
Verbena	<i>Verbena bonariensis</i>	HHA	June-October
Scabious	<i>Knautia arvensis</i>	P	July-August
Night-scented stock	<i>Mattiola bicornia</i>	HA	July-August
Pincushion flower	<i>Scabious</i> sp.	A/P	July-September
Cherry pie	<i>Heliotrope</i>	HHA	July-October
Mexican aster	<i>Cosmos</i> sp.	A/P	July-October
Cone flower	<i>Rudbeckia</i> sp.	A/P	August-November
Mallow	<i>Lavatera</i> sp.	P	August-October
Michaelmas daisy	<i>Aster</i> sp.	P	August-September
<b>Ice plant 'Pink lady'</b>	<i>Sedum spectabile</i>	P	September
Herbs – both leaves and flowers are fragrant			
Fennel	<i>Foeniculum vulgare</i>		July-September
Bergamont	<i>Monarda didyma</i>		June-September
Sweet Cicely	<i>Myrrhis odorata</i>		April-June
Hyssop	<i>Hyssopus officinalis</i>		July-September
Feverfew	<i>Tanacetum parthenium</i>		June-September
Borage	<i>Borago officinalis</i>		May-September





Rosemary	<i>Rosmarinus officinalis</i>	March-May	
Lemon balm	<i>Melissa officinalis</i>		
Coriander	<i>Coprianrum sativum</i>	June-August	
Lavenders	<i>Lavendula</i> sp.		
Marjoram	<i>Origanum</i> sp.		
Trees, shrubs and climbers important to insects			
Oak	<i>Quercus</i> sp.	large gardens only	
Silver birch	<i>Betula pendula</i>		
Common alder	<i>Alnus glutinosa</i>	Suitable for coppicing	
Hazel	<i>Corylus avellana</i>	Suitable for coppicing	
Elder	<i>Sambucus nigra</i>	Small	
Goat willow	<i>Salix caprea</i>	Suitable for coppicing	
Hawthorn	<i>Crataegus monogyna</i>	Suitable for coppicing	
Honeysuckle	<i>Lonicera</i> sp.	Grow a variety for succession	
Dog rose	<i>Rosa canina</i>	Climber	
Bramble	<i>Rubus fruticosus</i>	Climber	
Ivy	<i>Hedera helix</i>	Climber	
Buddleia	<i>Buddleija davidii</i>	Shrub	
Guelder rose	<i>Viburnum opulus</i>	Shrub	
Gorse	<i>Ulex</i> sp.	Shrub	
Plants for pond edges and marshy areas			
Purple loosestrife	<i>Lytrhum salicaria</i>	W	June-August
Meadow sweet	<i>Filipendula ulmaria</i>	W	June-September
<b>Lady's smock</b>	<i>Cardamine pratensis</i>	W	April-June
Water mint	<i>Mentha aquatica</i>	W	July-September
Angelica	<i>Angelica sylvestris</i>	W	July-September
Hemp agrimony	<i>Eupatorium cannabinum</i>	W	March-May
Marsh marigold	<i>Caltha palustris</i>	W	June-September
Creeping Jenny	<i>Lysimachia nummularium</i>	W	May-August
Fringed water lily	<i>Nymphoides peltata</i>	W	June-September
Water forget-me-not	<i>Myosotis scorpioides</i>	W	June-September

Allow part lawns to grow long in summer and cut in autumn, removing the clippings. Avoid using fertilisers. Compost heaps are food producers of insects too.

(Source: '*Encouraging Bats*', Bat Conservation Trust, 2015)



[ecology@wyg.com](mailto:ecology@wyg.com)

WYG Environment Planning Transport Limited.

Registered in England & Wales Number: 3050297  
3 Sovereign Square, Sovereign Street, Leeds LS1 4ER