



Consultation on Planning Application

From Development Management

Date: 11/01/2019

Reference: OUT/2019/0022

CONSULTATION UNDER TOWN AND COUNTRY PLANNING ACT 1990

Proposal: Outline application for the demolition of all existing buildings and the erection of up to 550 dwellings and creation of associated vehicular accesses to Tamworth Road and Fivefield Road, pedestrian/cycle and emergency accesses, diversion of public rights of way, highway improvements to Fivefield Road, parking, landscaping, drainage features, open space and associated infrastructure, with all matters to be reserved except access points into the site..

At: Land at Fivefield Road and Tamworth Road

The application will be available to view online by holding down the control key and **clicking here** to view.

Or paste the link below into your internet browser

<http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=800254>

In line with established practice you are requested to respond with your comments, using the pro forma below, within 14 days of the date of this notice.

Any comments proposing pre-commencement conditions must be received within 14 days in order to allow for sufficient time to give notice to the applicant in accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

Please email complete pro forma response to planning@coventry.gov.uk

IN CASE THE MEMBER OF STAFF IS OUT OF THE OFFICE. THANK YOU

The Personal Data being provided to you via this link is being disclosed to enable you to fulfil your role as a member of the Council. Please remember that Personal Data should only be used in accordance with the requirements of the Data Protection Act 1998 and related regulations.

If you require any further information please contact the case officer:

Nigel Smith

Tel: **024 7683 1246**

Email: nigel.smith@Coventry.gov.uk

Date: 03.05.19
Comments from: Ecology Officer
Re: OUT/2019/0022

No Comments	
No Objection	
No Objection Subject to Conditions	
Objection	
Further information Requested	x

Comments
<p>PART₁ COMMENTS RELATING TO ANCIENT WOODLAND</p> <p>Ancient Woodland material considerations:</p> <p>I note that objections have been submitted from Warwickshire Wildlife Trust and The Woodland Trust to this outline application, in relation to the buffer distance surrounding the ancient woodland of Pikethorne Wood and The Alders, which is adjacent to the development site.</p> <p>For clarification, the Natural England Standing Advice for Ancient Woodland should be treated as the material consideration in planning ecology terms and should carry significant weight in decision-making. Natural England states that this advice replaces the need for individual planning advice for each planning application with respect to ancient woodland.</p> <p>This current Standing Advice recommends a minimum of 15m buffer for Ancient Woodland, specifically in relation to root protection. However, it states that "where assessment shows that other impacts are likely to extend beyond this distance, you are likely to need a larger buffer zone". It gives no guidance on the content of that assessment. This is reinforced within the NPPF paragraph 175c, which states that applications should be refused where they lead to loss or deterioration of irreplaceable habitats (including ancient woodland). This national framework is another important material consideration. Good practice guidance for planners from the Woodland Trust (October, 2017) recommends widening of buffer zones to 50m.</p> <p>Minimum 15m buffer:</p> <p>I am pleased to note that the minimum 15m buffer appears to be in place on indicative plans. However, there is a lack of detail regarding the planted, created habitat of the ancient woodland buffer zone within this 15m minimum buffer; this needs to be provided as soon as possible. This buffer zone needs to be in place prior to construction, protected throughout the construction phases and beyond. The added value of a buffer zone is to "screen" the ancient woodland from any disturbance, including noise, dust and light, during construction stage. It is for this reason that any buffer vegetation would need to be established before any works take place and it is not obvious that this will be the case from the information so far submitted. Recommendations from the Standing Advice is as follows:</p> <p><i>"Where possible, a buffer zone should:</i></p> <ul style="list-style-type: none"> • <i>contribute to wider ecological networks</i> • <i>be part of the green infrastructure of the area</i> <p><i>It should consist of semi-natural habitats such as:</i></p> <ul style="list-style-type: none"> • <i>woodland</i> • <i>a mix of scrub, grassland, heathland and wetland planting</i> • <i>You should plant buffer zones with local and appropriate native species.</i> • <i>You should consider if access is appropriate and can allow access to buffer zones if the habitat is not harmed by trampling.</i> • <i>You should avoid including gardens in buffer zones."</i> <p>Direct and indirect impacts:</p>

In addition to this, I am concerned that evidence has not been provided in order to demonstrate that direct and indirect impacts can be entirely absorbed within this minimum 15m buffer. The Standing Advice provides us with the ability to query this position: there may be a need for some additional buffer width between the 15m minimum and the wider suggested distance of 50m- either overall along the adjacent woodland boundary or at specific parts of that boundary.

I am not sufficiently satisfied **based upon the information that has been provided so far** that it has been adequately demonstrated that impacts on the ancient woodland of Pikehorne Wood and The Alders will be avoided. If this is not provided, then it would lead to an objection on ecology grounds, based upon a failure to demonstrate no harm to protected species and habitats.

It has been made clear in the responses from the applicant that this adjacent woodland is outside the ownership and it also sits outside the red line boundary. For this reason, they are proposing entirely fencing the area off. This approach, whilst not ideal for movement of species and woodland isolation, will provide some protection to the wood from impacts which arise as a result of formal public access. However, ownership does not determine whether or not an adjacent habitat will be impacted by development. Fencing will not necessarily avoid all other impacts that result from an increase in nearby residential development such as predation by pets and those resulting from informal access such as flytipping, informal path creation and vandalism. Similarly, the buffer zone minimum of 15m may not entirely remove the indirect impacts of noise, dust, lighting and air pollution.

During the scoping stage, I requested the following:

*"It is noted that cumulative impact for biodiversity will be considered in terms of loss, fragmentation and recreational pressure. However, **ancient woodland also needs to be specifically considered within the scope of the assessment, including how any indirect impacts will be avoided / mitigated. This includes fly tipping, noise, dust and light pollution and increased recreational impacts such as trampling of ground flora.**"*

I would therefore repeat that there needs to be **a specific assessment of the impact upon the ancient woodland** as a result of adjacent development in close proximity- such as impacts upon any delicate ground cover and seedbank; and disturbance to breeding birds and other wildlife during occupation as a result of noise and excess lighting. This needs to include the requested details on buffer zones as part of proposed mitigation and their justification.

In order to make such an assessment of an ancient woodland, it is entirely reasonable and proportionate for the applicant's ecological consultant to survey at least part, if not all, of this adjacent woodland site. It would be difficult to assess impact and make suggestions for mitigation without first establishing current condition. It is important to take habitats into consideration surrounding any development site and this often involves obtaining permission to survey land outside the applicant's ownership. This is, in my view, an entirely proportionate requirement in terms of ecology, particularly considering the scale of this development, its cumulative impact with other developments within the SUE and the fact that this assessment has already been requested at scoping stage.

I would suggest a way forward might be to include within this specific assessment an "enhanced and combined" ancient woodland and tree survey of the woodland area. If this has not already been undertaken then this will need to take place as soon as possible due to the survey season. This should outline any trees, in discussion with the Tree Officer, that may be close to the red line boundary but within the woodland where root systems and canopy extends into the buffer zone. This can be combined with a survey of the understorey and ground flora within the woodland, with a focus on the parts (such as within 20m of the woodland edge) which are most likely to be affected by direct and indirect impact.

Offset:

It is possible that some opportunity for additional conservation management, monitoring and enhancement planting of the adjacent woodland could be negotiated through the biodiversity offset

process for the Keresley SUE. This would need to be explored with the applicant and also with the adjacent landowner.

Additional information:

I understand that there has been some wider discussion about woodland mapping and the status of this woodland as Ancient Woodland. I am aware of planning appeals where this has had a bearing on the result of the appeal decision, based upon whether a woodland is included on historic mapping and more recent Woodland Inventories. For some sites, there can be discrepancies in historic maps and Woodland Inventories and this needs to be assessed on a case-by-case basis. In the event of a planning appeal, this would be explored more fully in combination with ecological information. Coventry has a considerable amount of historic land management documentation available for research. A detailed woodland survey of this woodland and others in the immediate area (likely to have been linked historically) would highlight historic features and biological assemblages, again adding to the information available.

However, for the purpose of this allocated site, we are focussed on finding solutions for the adequate protection and mitigation for the woodland concerned. The applicant has taken the status of the woodland as ancient in its approach so far and there is no reason why any future treatment of the woodland should revert from this sensible approach. For this reason, I have taken the ancient woodland status as my accepted starting point.

In hindsight, it would have perhaps been helpful if some prescriptive guidance on the treatment of the adjacent woodland and its protective buffers had been provided at the point of allocation. The Local Plan allocation policy could include some prescriptive guidelines. I would recommend this as a future approach on the next Local Plan revision.

Further information (if any)

Having examined the masterplan, I am concerned that it is not clear whether the boundary of the woodland is “softened” or “screened” in any way by additional buffer planting, or the species mix or quantity of that planting. Where residential development appears to fit snugly into the “fingers” of the woodland, consideration also needs to be given to the quality of the buffer, whether the width can be increased and its proposed future management.

The degree of access into the ancient woodland itself also needs to be clarified, including how any visitor access will be managed long-term.

At outline stage, the detail of these sensitive areas and how they will be treated needs to be provided in as much detail as possible, in order to ensure that Planning Policy GE3 is satisfied and there is no net loss to biodiversity and no harm to the ancient woodland.

If this additional information is not provided prior to determination, I would move to object to the application on ecology grounds, on the basis of a failure to demonstrate no harm to protected species and/or habitats.

BIA

Species

Amendments Recommended (if any)

Conditions Recommended (if any)

If the above issues are satisfied with regard ancient woodland and there is an approval, then I would recommend the following conditions:

- Lighting strategy in order to avoid impacts on bats, breeding birds and invertebrates.
- Conservation management plan for the green infrastructure, including the ancient woodland buffer and treatment of the ancient woodland, phasing and timings.
- Species mitigation strategies, particularly in relation to significant species on this site, such as Great Crested Newt.
- Biodiversity offset supported by a condition which ensures that, where alterations are made at reserved matters, the BIA is updated appropriately.

Manager sign off

RH

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