



Small copper by Matt Berry



Cheshire

People taking action for wildlife

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Wirral Council  
PO Box 290,  
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Dear Sir/Madam,

6<sup>th</sup> April 2020

### RE: Issues and Options Consultation

The Cheshire Wildlife Trust would like to respond to the Issues and Options review for Wirral. Below is a copy of our online submission.

#### **Question 2.16 Do you agree with the classification of sites set out within the 2019 Green Belt Review? If not please state your answer.**

The green belt appraisal is limited in scope to green belt functionality and consequently the review of land parcels completely fails to encompass the environmental objective of the NPPF (objective c) by not giving it the prominence it should within the appraisal.

Because we disagree with the assessment methodology for potential development sites/parcels it is self-evident that the classification of sites will be flawed.

Information on statutory and non-statutory sites and ecological networks should be considered in parallel with the green belt review and carry equal weight in the final decision process (or greater weight for statutory sites). Guidance for this is explicitly set out in paragraph 171 of the NPPF that *"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework"*

Furthermore as set out in paragraph 174 of the NPPF *"To protect and enhance biodiversity and geodiversity, plans should:*

*a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation"*

There is little or no reference to this crucial policy guidance in the green belt review. This is unacceptable (see NPPF paragraph 170a - *protecting and enhancing valued landscapes, sites of biodiversity ... in a manner commensurate with their statutory status or identified quality in the development plan*)

Of the sites suggested for GB release, 3 have major wildlife objections and 5 have wildlife concerns. For "weakly-performing Greenbelt" out of 33 sites there are serious objections on wildlife grounds to 14 and concerns for another 7.

Further site specific information is provided in the appendix to this letter.

Working for wildlife across **Cheshire East, Cheshire West & Chester, Halton, Stockport, Tameside, Trafford, Warrington & Wirral.**

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### Question 2.17 Evidence based conclusions

We do not agree with the key messages as set out in this section as they fail to acknowledge that there is a strategic requirement to consider environmental issues (particularly impacts on the natural environment). Indeed this was one of the key concerns that came out of the consultation and is one of the three main objectives of the NPPF.

We question why the evidence for environmental issues such as non-statutory sites/ecological networks being ignored? Why are environmental issues missing from the list?

The context of the local plan MUST reflect the three main objectives (social, economic and environmental) of the NPPF in order to achieve sustainable development. It is unacceptable that key environmental issues are missing from the messages.

### Question 3.1 Do you agree with vision?

We do not agree with the vision as it does not adequately reflect the three overarching objectives of the planning system as set out in the NPPF. Objective c (Environment) of the NPPF explicitly describes **protecting and enhancing our natural, built and historic environment** in the third pillar of sustainable development. Failing to have any reference this in the vision is unacceptable and a serious oversight which must be addressed.

We suggest the following wording should be included:

*Our natural environment will be protected, enhanced and better connected, helping to provide natural solutions to the climate and ecological emergencies.*

### Question 3.2 Do you agree with objectives?

Whilst we support Objective 5 the wording is outdated as it reflects that in the 2012 NPPF and not the revised 2018 NPPF.

Specifically we refer to the inclusion of the caveat 'where possible' when describing biodiversity net gain. This caveat does not appear in the 2018 version and should be removed. The new guidance refers to securing measurable gains for biodiversity in three sections of the NPPF:

- Paragraph 174b) - *identify and pursue opportunities for securing **measurable net gains for biodiversity**.*
- Paragraph 175 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 170d) - *minimising impacts on and providing **net gains for biodiversity**, including by establishing coherent ecological networks that are more resilient to current and future pressures*

We suggest this revised wording for **Objective 5**:

*Protect and improve the quality and accessibility of green space, green infrastructure and nature, whilst protecting and enhancing biodiversity and ensuring that development delivers MEASURABLE net ~~environmental~~ gains FOR BIODIVERSITY ~~where possible~~.*

### Questions 4.12 and 4.15

**4.12 Do you have any views on the sites that have been currently identified under the Dispersed Green Belt Release option, shown in Table 4.5 and on Figure 4.6?**

**4.15 Do you have any views on the areas that have been currently identified for the single large scale urban extension, shown in Table 4.7 and on Figure 4.7?**

While considering option 2A and 2B the council has failed to take into account constraints other than the 5 functions of the green belt. Decisions based upon the categorisation of potential development land into either strong or weak green belt performance does not consider other environmental issues (such as statutory and non-statutory designations and ecological networks).

This is totally unacceptable as these constraints should be given equal or higher weighting, as clearly set out in the NPPF. Indeed, unlike the Green Belt specifically, protecting and enhancing the natural and historic environment is listed in one of the three key objectives of the NPPF (objective c environment, paragraph 8 NPPF).

It is absolutely critical that these wider environmental constraints are considered in parallel to green belt performance. Without this the Local Plan could be considered unsound.

Unfortunately this situation has occurred partly because the Green Infrastructure review and Ecological Network study are still incomplete. These studies should be used to inform strategic planning and not to be commissioned as an afterthought.

**The Cheshire Wildlife Trust is seriously concerned that the decision process is ill-informed and not evidence based.**

We can illustrate this by the information we have uploaded as supporting evidence. These examples demonstrate serious environmental constraints which should have been flagged as being of paramount importance by the Interim Sustainability Appraisal. The Interim Sustainability Appraisal relies on a flawed assumption that impacts to these sites could be mitigated on other green belt land. This is entirely without basis as measurable Biodiversity Net Gain relies on the long term management of habitat by a suitable habitat provider. It cannot be assumed that Biodiversity Net Gain can be achieved on privately owned land by landowners who have little or no expertise in managing wildlife habitat.

**Question 4.19 If it was necessary to supplement urban intensification by releasing land from the Green Belt, would you prefer to see a dispersed release of land, a single larger urban extension, or a hybrid of the two options, and why?**

It is absolutely crucial that the ability to protect and enhance the natural environment has to inform this decision. The forthcoming GI review and Ecological Network study should be key documents used for this purpose, therefore we propose that no decisions are made until the appropriate studies are complete.

**Question 6.11 Do you agree with our preferred approach for planning for tourism within Wirral?**

Tourism needs to protect and enhance the **natural, built and historic environment** as set out in the third pillar of sustainable development (NPPF 2018 Objective c). The tourism vision only describes the protection of European Sites and their supporting habitat. This is not considered sustainable development and measures/plans should set out how to protect all natural habitats/biodiversity from any damage that is likely to be caused by increased recreational activities associated with tourism (i.e. disturbance, pollution).

**Question 8.3 Do you think there is anything else that the Council could do to address or plan for Climate Change within the Local Plan?**

We are pleased that Wirral Council acknowledge that increasing tree cover and protecting soils and natural habitats will capture more carbon, but what is missing is that habitat creation and habitat restoration of all semi-natural habitats has an enormous capacity to capture and store carbon. For example 124 t carbon/ha of carbon is stored in semi-natural grasslands and 151 t carbon/ha for marshes, 273 t/ha for broadleaved woodlands (Cantarello *et al* 2011).

Working with landowners/farmers to protect and restore semi-natural habitats will not only help address climate change but will help address the ecological crisis too by slowing the loss of biodiversity.

**Question 8.4 Do you have any views on our preferred approach for planning for Green and Blue Infrastructure in Wirral?**

The Cheshire Wildlife Trust is disappointed that this evidence based approach is not being used to inform the allocation, planning and development of sites. It is essential that planning to protect, enhance and create more blue and green infrastructure is strategic, exactly in the way planning for built infrastructure must be strategic.

It is clear that the Green Infrastructure review and the Ecological network review may have been commissioned too late to inform the crucial decisions being taken in regards to land allocation. Nevertheless we are pleased that these important evidence based studies (including a Phase 1 survey of the borough) will be undertaken and we hope that they will be considered alongside other evidence as soon as they are released.

High quality, well planned green and blue infrastructure (natural capital) is essential for the cultural, provisioning and regulating services it provides (ecosystem services) as well as its intrinsic value. It should be given the highest possible priority in the decision making process.

Green Infrastructure in the built environment (multi-functional greenspace) should adopt approved quality standards such as BREEAM or Building with Nature in order to secure tangible benefits to the community and the environment.

**Question 8.6 Do you have any ideas as to where the Council should promote new tree planting as part of its Tree Planting strategy?**

The Cheshire Wildlife Trust is extremely pleased to see the council has a tree planting strategy and we hope that planting the 'right tree in the right place' approach will be adopted. All significant areas of tree planting must be informed by ecological advice. The Cheshire Wildlife Trust is currently working on a tree planting opportunity map to highlight the best and least desirable places to plant trees in terms of the potential benefits or possible negative impacts on existing biodiversity. We would welcome the opportunity to work with Wirral Borough Council on this.

**Question 8.14 Do you have any views on the Council's approach to ensuring biodiversity is properly addressed within the Local Plan and that important species and habitats are protected?**

Whilst we support this approach the wording is outdated as it reflects that in the 2012 NPPF and not the revised 2018 NPPF.

Specifically we refer to the inclusion of the caveats 'where possible' and 'seek to' when describing biodiversity net gain and protecting the environment. These caveats do not appear in the 2018 version and should be removed. The new guidance refers to securing measurable gains for biodiversity in three sections of the NPPF:

- Paragraph 174b) - *identify and pursue opportunities for securing **measurable net gains for biodiversity**.*
- Paragraph 175 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 170d) - *minimising impacts on and providing **net gains for biodiversity**, including by establishing coherent ecological networks that are more resilient to current and future pressures*

We suggest revised wording for **Habitats and Biodiversity**:

*The council will ~~seek to~~ protect and enhance the natural Environmental Assets of the borough, including the designated biodiversity and geodiversity sites; priority habitats and species; ancient woodland; and ancient and veteran trees found outside ancient woodland; and ~~wherever possible~~ provide net gains in biodiversity and establish coherent ecological networks.*

Of crucial importance to achieving the environmental objectives as set out in the NPPF 2018 is to have a Biodiversity Net Gain policy adopted as part of the Local Plan which sets out specific guidance and reflects the ten Biodiversity Net Gain - good practice principles for development (Ciria, CIEEM, IEMA 2016).

A Biodiversity Net Gain approach is based upon:

- Evidence based decisions (core sites - statutory and non-statutory, supporting habitat, priority habitat/species and ecological networks are mapped and incorporated into the strategy)
- Mitigation hierarchy is followed (avoid, mitigate and only as a last resort compensate)
- Measurable Biodiversity Net Gain is secured long term for all development (at least 10% uplift)

First and foremost should be avoiding impacts to biodiversity assets which involves evidence based decisions, strategic mapping of assets, buffering sites from impacts such as disturbance and light/water pollution (this should be 50m for the most sensitive habitats). Ways to secure measurable Biodiversity Net Gain include increasing the total amount of wildlife habitat in the borough, restoring existing areas of high-value habitat, linking up areas of high-value habitat that may currently be fragmented. It is essential that losses and gains of natural assets are measured using a standard Biodiversity Net Gain calculation. As set out in the Biodiversity Net Gain good practice principles all Biodiversity Net Gain should be documented and transparent.

#### **Preferred Approach - Internationally Important Sites**

We welcome the approach to create a recreation mitigation policy to help protect internationally important sites and their supporting habitats.

I hope you will act in the public interest by taking into account our serious concerns as you consider the various options.

Yours faithfully,

Rachel Giles Ph.D.

**Evidence and Planning Manager**

**Cheshire Wildlife Trust**

## **Appendix – Site specific information**

### **1. Environmental constraints for specific sites – 2A Dispersed Green Belt Release option:**

#### **Major concerns:**

6.15 This parcel lies immediately adjacent to Caldly Hill and Stapleton Wood Local Wildlife Site important for lowland heath, birds, insects and badgers. Development would risk damage through significantly increased disturbance, pollution (including light pollution).

7.25 This parcel lies immediately adjacent to Thurstaston Common SSSI and has a high potential to significantly impact, for example by alterations in the hydrology as well as the potential for greater disturbance to this fragile habitat.

7.27 Harrock Wood Local Wildlife Site and ancient woodland would be surrounded by development effectively cutting the habitat off from its surrounds (habitat fragmentation). There are likely to be significant impacts caused by increased disturbance and pollution (including light pollution) unless the woodland is protected.

#### **Additional concerns:**

5.9 Arrowe brook runs through the area and would require significant buffering to protect the river corridor from disturbance and pollution.

7.18 Important for badgers.

7.26 This area requires more detailed investigation as it lies close to Thurstaston Common SSSI and Backford Road pond Local Wildlife Site. Greasby brook would require buffering to protect from disturbance and pollution.

### **2. Environmental constraints for specific sites – 2B Dispersed Green Belt Release option:**

7.15 – 7.18 These parcels lie adjacent to Barnstondale Local Wildlife Site and ancient woodland. Without significant buffering of at least 50m there is potential for significant impacts especially through disturbance and pollution of the Prenton Brook. Light pollution could negatively impact the bat population that uses the brook for foraging.

Furthermore parcels SP061 and SP064 are known to be important for BoCC red listed birds including lapwing, herring gull, skylark, linnet, house sparrow and Schedule 1 listed barn owl. Wintering curlew is also found here suggesting that the fields may be functionally linked to the internationally designated sites. A HRA assessment would be required.

### **3. Weakly performing sites not currently suggested for release:**

**CWT would be opposed to the release of the following sites due to major wildlife implications should they be developed:**

1.4 Part of North Wirral Coastal Park. There is a risk of disturbance to birds on North Wirral Foreshore SSSI/SPA/Ramsar

4.8 (SP043) This lies adjacent to Dibbindale SSSI which could be potentially impacted through disturbance and/or pollution (including light pollution and the spread of invasive garden species).

4.10 (SP044) This lies adjacent to Dibbindale SSSI which could be potentially impacted through disturbance and/or pollution (including light pollution and the spread of invasive garden species).

4.11 (SP045) This lies adjacent to Dibbindale SSSI which could be potentially impacted through disturbance and/or pollution (including light pollution and the spread of invasive garden species).

4.12 (SP046) This parcel includes Plymyard Dale Local Wildlife Site, Bromborough golf course ponds Local Wildlife Site, Hargreave House ponds Local Wildlife Site, all of which could be damaged through inappropriate development (disturbance, pollution and the spread of invasive garden species).

4.18 This site is currently allotments. There are potential impacts on priority and protected species that favour allotments such as reptiles, invertebrates and the European hedgehog.

4.19 This parcel includes Eastham woods Local Wildlife Site which could be damaged through inappropriate development (disturbance, pollution and the spread of invasive garden species).

5.1 Leasowe Lighthouse site. This site lies close to the North Wirral Foreshore SSSI/SPA/Ramsar and there is a risk of disturbance to the birds on this highly protected site.

6.1 North of Park Lane Meols. This site includes Leasowe Common Local Wildlife Site which could be damaged through inappropriate development (disturbance, pollution and the spread of invasive garden species). It also lies close to the North Wirral Foreshore SSSI/SPA/Ramsar and there is a risk of disturbance to the birds on this highly protected site.

6.20 This parcel includes Cubbins Green which is part of the Wirral Way Local Wildlife Site which could be damaged through inappropriate development (disturbance, pollution and the spread of invasive garden species).

7.2-7.5 This land is potentially functionally linked to the Dee Estuary SSSI/SPA/Ramsar. A HRA assessment would be required before this is considered for release.

**There are also potential wildlife implications for the following sites:**

2.6, 4.4, 4.6, 5.3, 5.11, 5.13, 7.26 These include issues related to great crested newts, birds, and water courses all of which would need to be addressed should the land be put forward for release.