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Nottinghamshire
 Wildlife Trust

10th November 2017

The Old Ragged School
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 Nottingham
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Dear Planning Policy Team

Email
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Consultation on the Nottingham City Council Local Plan Part 2 LAPP Document – Revised Publication Version September 2017

Website
 www.nottinghamshirewildlife.org

Thank you for consulting Nottinghamshire Wildlife Trust on the Nottingham City land and planning policies (Revised Publication Version September 2017) Development Plan Document, Local Plan Part 2.

Given the scale of our response which considers multiple parts of the document, our response is set out below. We have clearly marked which policy, site or section of text we are referring to and our position (support or 'not support') and any suggested changes /amendments.

Policy CC1 Sustainable Design and Construction

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At paragraph 3.2, we **support** the addition of '*changing distribution of species*' in relation to defining the impacts of Climate Change.

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At paragraph 3.11 we **support** the amendment, which highlights the biodiversity benefits of green and brown roofs.

Policy CC3: Water

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At paragraph 3.24, we **support** the amendment to include reference to bioiversity benefits of Suds.

Policy RE1: Facilitating Regeneration

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We **support** the amendment to paragraph 3.147, to include references to protection of biodiversity and brownfield regeneration:

"It is also recognised that brownfield land can have significant biodiversity value and the potential to create/enhance Green Infrastructure networks. Where relevant these issues have been drawn out in the Development Principles. Any loss of brownfield land with biodiversity value through development will be subject to Policy EN6".

On this basis, we **withdraw** our objection to the wording of this policy.

Policy RE7: Stanton Tip

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Whilst we welcome scope for retention of existing habitats, including the LWS and the additional reference to providing links to existing open space, alongside comments about creation new ones, we are concerned what, if

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any of the existing habitats will remain post-reclamation. It is extremely

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important that existing habitats can be retained, as it takes many years for such habitats to develop and mature.

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However, we would still wish to see the entire tip remain undeveloped and be used as nature reserve and managed as such in perpetuity. The site is currently well used and valued by local people for informal recreation and has clearly developed wildlife interest. Such sites, especially on the urban fringe are becoming increasingly rare as many brownfield sites, which have often been abandoned for many years, are now being developed. Any

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development proposals that come forward will need to be informed by detailed ecological assessment and provide an adequate mitigation/compensation scheme, in line with policy ENV6.

Policy EN1: Development affecting open space

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Paragraph 5.6 states, “Some areas of open space can be threatening to use or not easily accessible, ‘left over’ space from previous development or located in areas which are otherwise adequately provided with better alternative spaces. Where these problems cannot be resolved, allowing limited development could help to consolidate or upgrade facilities and the quality of the Open Space network as a whole, by providing finance to upgrade other open spaces, modernise facilities, and ensure ongoing maintenance to a high standard. The benefits of such releases would need to be outweighed by any loss”.

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Whilst we see in principle this could be beneficial in some circumstances, we are concerned about possible misuse of this to facilitate otherwise inappropriate development on green space.

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EN1 Policy wording –we welcome amendment to part 2 (development effecting greenspace) “...should not have a detrimental effect on the open space, environmental, landscape character or wildlife value of the Network as a whole”, which previously applied to part 1a is now extended to parts 1b and c. We **withdraw** our previous objection to the policy wording.

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Policy EN2: Open Space in New Development

We welcome recognition of ‘informal’ open space for wildlife in the supporting paragraphs and withdraw our objection.

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At paragraph 5.19 we welcome addition of presence of ‘wildlife sites’ may preclude creation of new open space; therefore, we would like to **withdraw** our objection.

Policy EN6: Biodiversity

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We welcome the amendments to the wording of biodiversity policy wording and supporting text. Including:

- Policy wording - Addition of protection for geological sites
- Policy wording - References to mitigation and, as a last resort, compensation being pulled out separately/ elevated in the number hierarchy
- Paragraph 5.37 – Addition of reference to ecological networks
- Paragraph 5.39 – Recognition of River Trent as a strategic Green Infrastructure corridor

5385	<ul style="list-style-type: none"> Paragraph 5.42- Removal of 'in the first instance try to'
5386	<ul style="list-style-type: none"> Paragraph 5.43 – We welcome inclusion of, where impacts cannot be avoided, <i>permissions may be refused</i>, in line with NPPF and the updates when referring to the Defra Biodiveristy Offsetting pilot.
5387	We suggest the following grammatical correction at paragraph 5.40: The Conservation of Habitats and Species Regulation <u>s</u> 2010
5388	<p>With reference to paragraph 5.40, whilst the developer clearly has a role to ensure that they do not contravene the regulations that aim to protect the species, there is still no reference to the Local Authority's 'Biodiversity Duty' under the NERC Act and the role they have to play in this regard. For urther information see https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity. We recognise that the NERC Act is mentioned in the document but this is in the context of species/ habitats of 'principal importance'.</p>
5389	We advise that paragraph 5.44 should include a reference to both protected <u>and</u> priority species and habitats (also referred to as 'species and habitats of principal importance'), as well as 'notable species' and habitats, as guided by the Nottinghamshire Biodiversity Action Plan's lists of species and habitats of concern in Nottinghamshire. All these 'designations' are correctly identified and explained at paragraph 5.40.
5390	We wish to reiterate that, whilst we support the text at paragraphs 5.44 and 5.45, we recommend including a reference to British Standard BS42020 Biodiversity - Code of Practice for Planning and Development and the use of planning conditions or agreements to secure mitigation and compensation (as advised in the BS).
5391	We would also expect to see adequate monitoring and enforcement will be carried out, to ensure compliance with any agreed biodiversity mitigation or compensation scheme.
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5393	We are happy with the majority of the modifications to EN6 so we withdraw our objection.
	Policy EN7: Trees
5394	In relation to development resulting in the loss or deterioration of Ancient Woodland (part 4), we remain of the view that clear guidance should be provided on how the benefits of the development would be assessed to see if they outweigh the value of ancient woodland, as otherwise this cannot act as a protective policy.
5395	In relation to ancient woodland, we welcome the addition to paragraph 5.51 in relation to recognising their high value and that any losses to ancient woodland and veteran trees are irreversible.
5396	We query whether a paragraph is required to explain two important issues currently being managed are tree diseases and impact of climate change on trees and woodlands. We would wish to see the council proactively working towards overcoming such significant challenges which we are currently facing, in order to make Nottingham City's woodlands more resilient.
5397	We still recommend that specific reference is made to wildlife and bat /bird surveys.



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Policy MI2: Restoration, After-use and Aftercare

We welcome the amendments made and **withdraw** our objections to the policy

Our comments on particular site allocations are reiterated below, with any additional comments submitted at the September 2017 consultation being highlighted in blue.

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PA1 Bestwood Road - Former Bestwood Day Centre

As well as three Local Wildlife Sites (two disused railways and one river) there are many mature trees on site, so we consider it to be a sensitive site in terms of biodiversity. Common lizards and common toads occur locally. This is recognised within the development principles.

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PA2 Blenheim Lane

This is a sensitive site, being located adjacent to numerous local wildlife sites. Bulwell Hall Park is mentioned but Hucknall Airfield (a significant calcareous grassland site) is situated immediately to the north. The southern boundary hedge mentioned in the site description is also Local Wildlife Site and we agree it must be protected/ enhanced. There are numerous other LWSs and a SSSI (Bulwell Wood) close by, further along the lane from PA2. The LWSs are recognized in the development principles but we recommend reference is included to the other features of ecological interest/ sensitivity.

5403

PA3 Eastglade, Top Valley - Former Eastglade School Site

We welcome proposal to retain a proportion of site as open space.

5404

The text mentions improvement of local LWS/LNRs, but we cannot see any nearby –the nearest is almost 1km to the north. Having looked again, we think the nearest is Sandy Banks LWS/ LNR, but this is over 600m south east. There certainly appears to be no such sites in the immediate vicinity of PA3

5405

PA4 Linby Street/Filey Street

We welcome the proposals for a buffer area of semi-natural habitat to be created along the eastern boundary of site to protect and enhance the adjacent River Leen Local Wildlife Site.

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Measures should be secured to fund the management of this in perpetuity

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PA5 Ridgeway - Former Padstow School Detached Playing Field

We welcome proposal to retain proportion of site as open space.

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The text mentions improvement of local LWS/LNRs, but we can't see any nearby –the nearest is over 1km to the north. Our previous comment is incorrect - Sandy Banks LWS and LNR is less than 250m south east but there appears to be no habitat connectivity between PA5 and this site.



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PA6 Beckhampton Road - Former Padstow School Detached Playing Field

We would welcome opportunity to improve biodiversity value of the site and retain much of it as open space.

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PA7 Hucknall Road/Southglade Road - Southglade Food Park

We previously highlighted (November 2011 consultation) that the proposed site is a 'private nature reserve area'. We are unaware of the ecological detail of the site but aerial photography suggests that there may be some ecological interest there. In addition the site currently buffers and extends the designated Hucknall Road Linear Walkway LNR and this function would be lost through the development of the site. Careful consideration should be given to the impact that this allocation could have on the existing LNR through loss of adjacent habitat. [We wish to object to this allocation](#)

5411

PA8 Eastglade Road - Former Padstow School Site

This open space area is adjacent to Sunrise Hill Local Nature Reserve and LWS. If any development is taken forward we would wish to see retention of much open space and strong GI links provided to the LNR and LWS. Unless this is provided, the sites would be cut off, which would adversely affect the ecological function of the LWS and could harm the recognised features of this site (acid grassland/ scrub).

Management agreements should be secured to ensure that the LNR and LWS and areas surrounding it are managed to enhance their ecological value.

5412

PA9 Edwards Lane - Former Haywood School Detached Playing Field

Any development should have strong GI links with Sandy Banks LNR and create habitats to complement those on the LNR. ~~These should~~ [The habitats which occur on the LNR](#) include lowland dry acid grassland, mixed deciduous woodland, broom and gorse scrub and recently created heather scrapes. Such habitats support a wide variety of butterfly and moth species, solitary bees and common bird species [and creation of such habitats could be considered for any open space land within PA9.](#)

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PA11 Stanton Tip

Object

Also see our comments on the relevant regeneration policy.

During the 2011 consultation we made the following points, which still stand:

- The tip has experienced considerable natural regeneration over some years with the result that a number of areas on the periphery of the site have satisfied the criteria for designation as LWS
- Habitats are of LBAP and UK BAP (now known as 'habitats of principal importance').
- In an ideal world we would like to see the site retained as a biodiversity resource, as it is likely to continue to improve over time

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and is, we understand, a well-used recreational resource for the local community.

- If necessary to develop it, it should only be partially developed and the LWSs should be retained. Links should be provided between the existing on-site and nearby SINC's by creating green corridors through the development to allow species to migrate between areas of high ecological value and also out into the wider countryside to ensure that they can migrate in response to changes in conditions and disturbance.
- We would expect mitigation or compensation to be provided for any habitats lost.

5413

PA17 Woodhouse Way - Woodhouse Park

We think that the wording should be updated to reflect that the majority of the site has been developed with houses – there are no references to this under the 'development principles'.

5414

We welcome that "The water course in the north east corner of the site should be retained and its wildlife value enhanced" but feel that "opportunities to enhance biodiversity and habitat corridors to Stone Pit Plantation LWS to the south west" could be improved. Stonepit Wood, a valuable woodland with biological and geological interest is a Nottinghamshire Wildlife Trust reserve. We consider that, if design / layout and management of the open space land to the south and west of the new housing estate, including soak ways and retained parkland, could be altered, there could be an opportunity to create strengthened and more robust Green Infrastructure corridors, with increased biodiversity value.

5415

PA18 Vernon Road - Former Johnsons Dyeworks

We support the development principle of enhancing the ecological value of the Day Brook, which flows through the center of the site and a 8 metre strip along the water course to be kept free from obstructions. We think this should be wider, at least 15m, as it would allow for a stronger green corridor to be created. We no longer object to this allocation

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PA25 Chingford Road Playing Field

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We welcome that development principles include some semi-natural open space.

5418

PA30 Bobbers Mill Bridge - Bobbers Mill Industrial Estate

This potential development provides a rare opportunity to remove culvert in order to provide continuous open space along the River Leen. Any green space corridor should be as wide as possible, in line with the 'development principles'.

5419

PA32 Beechdale Road - South of Former Co-op Dairy

This site is located adjacent to a remnant part of a once much larger ancient woodland, which is also a LWS (ref 2/981 Robin's Wood). A development in this area may have indirect effects on the woodland and the species that it supports, such as bats if lighting is not sensitive. If the site is redeveloped, we would recommend locating any open space along the woodland edge, to

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create a buffer and ensure that only bat friendly lighting (i.e. down lighting) is used in this area. We wish to see this recommendation secured in the development principles



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PA33 Chalfont Drive - Former Government Buildings

As with all allocations, this site should be subject to detailed ecological survey. Although mainly built up, we have been made aware of nesting birds being present on site, including starling within buildings and house sparrow in shrubs along Robin Wood Road. Mitigation in the form of nest boxes incorporated into any new buildings and landscaping, along with retention of existing vegetation, could help to mitigate any adverse ecological impacts. We would like to see the importance of the site for nesting birds recognised in the development principles

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PA35 Woodyard Lane - Siemens

We welcome development principles aim to retain some grassland / trees, including along northern boundary. Land alongside railways can function as important wildlife corridors and we would welcome establishment of GI along the northern boundary of PA35.

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PA36 Russell Drive - Radford Bridge Allotments

Although we understand a planning application is now currently being implemented for this site, further ecological surveys should be carried out before significant clearance as the site. Due to mature vegetation present on site, it has the potential to support a number of protected species.

As we pointed out in 2011, we wish to reiterate that Radford Bridge allotments are situated next to Martin's Pond and Harrison's Plantation Local Nature Reserve. The allotments currently provide additional habitat and therefore add value to the LNRs, as they provide habitat that is relatively undisturbed when compared to the LNRs, which are used on a regular basis as an informal recreational facility by the local community. We have always been very concerned about the allocation of this site, as not only will there be a loss of habitat as a result, but there will be a significant increase in the level of use of the adjacent LNRs, resulting in a negative impact on habitats and wildlife in this area. We are also concerned about the loss of allotment sites in general and we have already mentioned that we support the policy protection offered in this LAPP. We acknowledge some of these points are picked up on the design principles

5423

PA56 Sturgeon Avenue - The Spinney

In addition to protecting the adjacent LWS, we consider the mature trees around the periphery of PA56 as providing important habitat links to the pond / LWS and we would wish to see any redevelopment restricted to the previously developed part of the site. We would like to see reference to protection of northern boundary trees secured in design principles.

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PA59 Farnborough Road - Former Fairham Comprehensive School

We support the comments in relation to seeking opportunities to the south of the site for 'provision of improved publicly accessible greenspace and biodiversity' and a 'green corridor of semi-natural habitat should be

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established to connect the adjacent Fairham Brook Nature Reserve and Brecks Plantation, located to the west of Summer Wood Lane’.

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We are also keen to secure green space/ corridors of habitat creation in the locality of the pylons at the eastern boundary of the site. As with access (footpaths and cycle ways etc), GI should strongly link in with the GI provided on the adjacent Clifton Pastures development site in Rushcliffe. We expect to see specific reference to this last point in the text. We welcome references to habitat area under pylon/ link to approved Clifton Pastures Development in Rushcliffe Borough. We also support future designation of the Fairham Brook habitat corridor as a LNR. It is important that any development does not encroach upon, or adversely effect the nature reserve. Consideration should be given to requesting developer contributions for future management of the reserve, especially if it is to be used as ‘open space’.

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Consideration should be given to requesting developer contributions for future management of the reserve, especially if it is to be used as ‘open space’.

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PA60 Victoria Centre

There is the potential for further/ additional garden roofs, green and brown roofs, green walls, wildlife boxes etc. We would like to see commitment to securing such features, by inclusion of references in the design principles.

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PA62 Creative Quarter - Brook Street East

As neighbours with our office based at The Old Ragged School (Brook Street, NG1 1EA), The Nottinghamshire Wildlife Trust is interested in commenting on proposed allocation PA62.

We have numerous access points to the rear of our buildings, off Bedford Row. There are two sets of double garage doors and within the building we keep a trailer and need regular vehicular access to enable us to perform our land management duties. Off Bedford Row, we also have the main door to our subsidiary EMEC Ecology, which is located on the first floor.

We would require continued vehicle and pedestrian access to these points during and post any development of site PA62, otherwise our land management activities would be severely impacted. Furthermore, we need a continued ability to stop on Bedford Row for loading and unloading tools and other equipment essential for our operations.

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We wish to highlight the sensitivity of our building, which is Grade 2 listed. This is both in relation to setting and also protection during the construction phase of any nearby development.

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Any new development in this area should make provision for parking, so that it does not add to the already serious parking problems in the area which are proving a constraint to the operation of local businesses such as ours.

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We would like to see references in design principles in relation to sensitivity of adjacent Grade 2 building and for any such (now we know to be residential) development to be sensitive to the needs of neighbouring local residents, businesses and others, such as ourselves, a registered charity who works closely with the local community.



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PA67 Broadmarsh Centre

As with Victoria Centre, there is the potential for further/ additional garden roofs, green and brown roofs, green walls wildlife boxes etc in order to provide for wildlife in the urban environment. There is also the need to secure any existing wildlife interest, such as plants of historic and cultural value that grow on part of the site. As with intu Victoria Centre, we would like to see our recommendations for habitat creation feature in the 'design principles' section.

Additional comments -Ecosystem Services

Within the green infrastructure and biodiversity policies, we think it is important that the LAPP should consider Ecosystem Services (e.g. provision of clean air and water quality and flood regulation, soil and nutrient recycling, climate regulation, pollination etc) and the value which can be placed on these 'services'. Further guidance is available here:

- <https://www.gov.uk/guidance/natural-environment> (see paragraph refs 013 and 028).
- Policy 25 Green Infrastructure of the Adopted Cornwall Local Plan includes strong references to ecosystem services <https://www.cornwall.gov.uk/localplancornwall>.
- As urban authority in the Midlands, Birmingham is a good case study and they have mapped ecosystem 'supply and demand' in their Green Living Spaces Plan https://www.birmingham.gov.uk/downloads/download/208/green_living_spaces_plan.
- Climate change, Green Infrastructure and Biodiversity Policies in Birmingham's adopted Local Plan link back to ecosystem services and the Green Living Spaces plan https://www.birmingham.gov.uk/downloads/file/5433/adopted_birmingham_development_plan_2031.

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Additional Comments - Biodiversity SPD

We would welcome provision of a Biodiversity SPD for Nottingham, to help protect the City's important nature sites, habitat and species and to benefit from ecosystem services provision. We would be very pleased to see a commitment to produce one made in the LPP2 main document. A Biodiversity SPD would also help the council to secure its aspirations set out in the Biodiversity Position Statement: Ambition for wildlife and Bee Friendly campaign.

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If you require further clarification in relation to any of the points raised above please do not hesitate to contact me.

Yours sincerely

Ben Driver
Southern Conservation Officer

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