Written representation in respect of the Staffordshire Minerals Local Plan ‘matters and issues’

PROCEDURAL AND CONFORMITY MATTERS

Issue: Whether the Plan has been prepared in accordance with the relevant legal and procedural requirements

6. Does the Plan have regard to national policies and advice contained in guidance issued by the Secretary of State including the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)?

Concluding written representations regarding the Staffordshire Minerals Local Plan’s soundness with regard to compliance with national policy (NPPF paras 143 and 156)

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1.0 Our representations have focused on para 143 and para 156 of the NPPF.

1.1 Para 143 – Natural England is satisfied that the Council’s proposed changes with regard to environmental criteria (policy 4 ‘Minimising the impact of mineral development’) meet our stated concerns. We are satisfied that this potential soundness issue has been adequately addressed.

1.2 Para 156 – Natural England notes the proposed changes to the MLP (para 6.12 including existing natural environment projects and the insertion of references to e.g. Local Nature Partnership priorities and the RSPB ‘Bigger and Better’ report). On balance we are satisfied that these changes go just far enough for the MLP to be considered sound in respect of NPPF para 156.

2.0 We remain of the opinion that the chosen format for the MLP has prevented it from presenting an aspirational approach to the natural environment. (as described in NPPF para 154). Other MLPs have approached this theme differently and we refer the Council to the following plan for information and as an example of good practice with respect to the natural environment:

2.1 The counterpart MLP in Nottinghamshire (currently out to consultation at submission stage) offers a valuable comparison setting out an overview of the plan area together with a strategic objective and strategic policy, further supported by a separate development management policy:

Excerpt from ‘Overview of Plan area’

Nature
2.13. Nottinghamshire supports a wide range of important sites for nature conservation, including a Special Area of Conservation within Sherwood Forest, near Edwinstowe, that is of international importance. A large part of central Nottinghamshire is also being considered as a possible Special Protection Area for birds which would provide protection at the international level under European regulations. The quality of Nottinghamshire’s natural environment has suffered in the past from the impacts of development and there has been a significant decline in biodiversity, with losses of ancient woodland, heathland, species-rich grassland, hedgerow and wetland habitats, as well as the species that these habitats support. Some of these historic declines are now being halted, and in some cases reversed, with neglected sites brought into positive management and new areas of habitat created as a result of the activities of partner organisations in the Nottinghamshire Biodiversity Action Group, by initiatives such as Environmental Stewardship and the English Woodland Grant Scheme, and as a result of restoration schemes. This action is being co-ordinated and quantified through the Nottinghamshire Local Biodiversity Action Plan.

Strategic Objective SO6 - Protecting and enhancing natural assets

Conserve and enhance Nottinghamshire’s natural environment, including its distinctive landscapes, habitats, geology, wildlife species and ecological health of water bodies by avoiding, minimising and mitigating potential negative impacts. Maximise biodiversity gain by creating new habitats at a landscape-scale through mineral restoration schemes which take in to account the Council’s priority for biodiversity-led restoration, focusing on priorities set out in the Nottinghamshire Local Biodiversity Action Plan, in particular meeting reed bed and floodplain grazing marsh targets through sand and gravel restoration schemes, and heathland targets through sandstone restoration schemes, and achieving the targets set out in the Water Framework Directive objectives. Support minerals development that will provide long term
enhancements to landscape character and which avoids damaging the highest quality landscapes. Appropriate restoration will result in a net gain for biodiversity through the creation of new ecologically valuable habitats, and will contribute to the delivery of biodiversity at a landscape scale and the enhancement of ecological networks.

**Strategic policy SP3 Biodiversity-led restoration**

1. Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan and Biodiversity Opportunity Mapping Project will be supported.

2. Where appropriate, schemes will be expected to demonstrate how restoration will contribute to the delivery of Water Framework Directive objectives.

3. Restoration schemes for allocated sites should be in line with the relevant Site Allocation Development Briefs contained within Appendix 3.

**Development management policy DM4 Protection & Enhancement of biodiversity and geodiversity**

1. Proposals for minerals development will be supported where it can be demonstrated that:

   a) They will not give rise to any likely significant adverse effects on the integrity of a European site (either alone or in combination with other plans or projects, including as a result of changes to air or water quality, hydrology, noise, light and dust), unless there are no alternative solutions, imperative reasons of overriding public interest and impacts can be fully mitigated;

   b) They are not likely to give rise to a significant adverse effect on a Site of Special Scientific Interest, except where the benefits of the development clearly outweigh the importance of the site and where no suitable alternative exists;

   c) They are not likely to give rise to the loss or deterioration of Local Sites (Local Wildlife Sites or Local Geological Sites) except where the need for and benefits of the development in that location outweigh the impacts;

   d) They would not result in the loss of populations of a priority species or areas of priority habitat, including ancient woodland or veteran trees, except where the need for and benefits of the development in that location clearly outweigh the loss.

2. Where impacts on designated sites or priority habitats or species cannot be avoided, then adequate mitigation relative to the scale of the impact and importance of the resource must be put in place, with compensation measures secured as a last resort.

AM 11.3.16