SUPPLEMENTARY PLANNING DOCUMENT
TO THE BLACK COUNTRY CORE STRATEGY AND
THE WALSALL UNITARY DEVELOPMENT PLAN

CONSERVING WALSALL'S NATURAL ENVIRONMENT

Adopted : 24 July 2013

Walsall Council

SUPPLEMENTARY PLANNING DOCUMENT (SPD) REVISION MATTERS

Title of SPD: **Conserving Walsall's Natural Environment**.

Subject: **This SPD expands on 'saved' policies: ENV8, ENV10, ENV14, ENV15, ENV16, ENV17, ENV18, ENV23, ENV24, ENV26, ENV30, ENV32, ENV33, ENV40, JP4.1, and LC1, of the Walsall Unitary Development Plan 2005, and policies: CSP3, CSP4, of the Black Country Core Strategy 2011 in respect of the conservation of the natural environment in Walsall borough.**

Consultation: **Consultation on the SPD Revisions took place between 11 February and 25 March 2013.**

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Adoption: **Representations may be accompanied by a request to be notified of the adoption of this SPD at a specific address.**

The ~~is~~ original SPD was adopted by the Walsall Council Cabinet on 16 April 2008. The revised SPD was ~~is expected to be~~ adopted by Walsall Council Cabinet ~~in~~ on 24 July 2013.

Evidence: **The evidence base for this SPD is drawn from the species and habitats records collected between 1986 and 2012 by Walsall Council and EcoRecord, the ecological database for the Black Country and Birmingham.**

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CHAPTER 1:
INTRODUCTION: THE PURPOSE AND STATUS OF THIS SUPPLEMENTARY PLANNING DOCUMENT

1.1 Walsall Council expects all new development in Walsall to be designed to a high standard. In many cases this requirement will present designers with obligations and opportunities to protect, conserve and enhance the natural environment. The natural environment includes all plants and animals, the habitats where they are found and the underlying rocks, soils and landforms. The Black Country Core Strategy and the Council's Unitary Development Plan describe how new development should respect the natural environment. The policies apply to development of all sizes from alterations to private houses to large developments changing whole neighbourhoods.

1.2 The Conserving Walsall's Natural Environment Supplementary Planning Document (SPD) supports policies in the Council's statutory development plan (Local Plan). The Local Plan is currently made up of the following documents:

- West Midlands Regional Spatial Strategy 2008;
- Black Country Core Strategy 2011;
- Walsall Unitary Development Plan 2005 – 'saved' policies;
- Walsall Unitary Development Plan 2005 - adopted Proposals Map and Town and District Centre Inset Maps.

The national, regional and local policy context for the SPD is explained in more detail in Chapter 2.

1.3 The SPD provides guidance on complying with the Black Country Core Strategy and Unitary Development Plan policies for the protection of the natural environment to ensure it is properly considered in the development management process. This guidance is written for anyone who is contemplating development of any scale which may either adversely affect trees, important species, habitats and geological features or which offers the opportunity to enhance the natural environment.

1.4 Walsall Council is committed to improving the local environment by securing high quality design resulting in development which respects existing natural features of value as well as restoring and extending the resource. It is vital to ensure that populations of wild plants and animals survive and flourish for future generations to enjoy and for trees and woodlands to be sustained throughout the borough. It is also important to conserve the visual quality of the natural environment for all people currently living or working in Walsall as well as for visitors and prospective investors.

1.5 New development brings new opportunities and it is important that development makes a positive contribution to Walsall's natural environment and does not detract from or erode it. This document has been prepared following wide consultation and is adopted as a Supplementary Planning Document (SPD). It will therefore be a material

consideration in determining planning applications. Planning applications which disregard this guidance may not be granted planning permission.

1.6 Wildlife does not respect human administrative boundaries and this SPD has been written to complement similar SPD already adopted by Dudley Metropolitan Borough Council. Currently there is no other SPD relating to the natural environment adopted by any neighbouring authority.

1.7 The Black Country Core Strategy and Unitary Development Plan policies relevant to this guidance are listed in Annex 6. They are key policies which address major topics within this SPD and are therefore central. There are also more peripheral policies which extend natural environment-related considerations into other areas of policy. This guidance must be read in conjunction with all policies listed in Annex 6.

1.8 This SPD is in conformity with national planning guidance, the Black Country Core Strategy, the Unitary Development Plan and the Community Strategy. It has been subject to a Sustainability Appraisal and Screening for Strategic Environmental Assessment (SEA). It has also been screened to determine the need for a Habitats Regulations Assessment. After consultation with Natural England, this was found to be unnecessary. Public consultation has taken place in line with the Council's Statement of Community Involvement. A statement of the consultation undertaken, the representations received and the authority's responses to these representations can be found in the Consultation Summary Report.

1.9 In order to secure development that meets policy requirements, officers of the Council are available to discuss the advice in this guidance with planning applicants before they submit a planning application. This may involve discussion with an individual officer or, for more complex projects, a meeting of the Council's Development Team. The early submission of supporting information is recommended.

1.10 In implementing the policies covered by this guidance, the authority will consider the use of planning conditions, planning obligations or agreements and Article 4 Directives.

CHAPTER 2:
BACKGROUND TO THE SUPPLEMENTARY PLANNING DOCUMENT

SUSTAINABLE DEVELOPMENT AND CARE OF THE NATURAL ENVIRONMENT

2.1 The Council is committed to sustainable development and the conservation of the natural environment. The Council believes that the provision and maintenance of a healthy, sustainable and attractive natural environment is essential to quality of life and maintaining perceptions of the borough as a desirable place in which to live and invest, thus encouraging. The Council also recognises the vital importance of conserving the diversity of the borough's natural environment together with the range of plants and animals it supports. It is not only the visible features which must be conserved but also the underlying soils, rocks, landforms and the essential natural processes which take place.

2.2 The Council must encourage development which is crucial to the regeneration and general well-being of the borough, both now and in the future. New development must make a contribution to the maintenance and enhancement of the natural heritage of the area. To achieve this objective, the Council will continue to work in partnership with the development and regeneration sectors to secure high quality development contributing to environmental conservation and enhancement.

NATIONAL POLICY CONTEXT

2.3 The Government's national objectives for the conservation of biodiversity and geodiversity through planning are set out in the National Planning Policy Framework (NPPF) which came into force in March 2012.

2.4 The NPPF sets out key principles for planning authorities to ensure that biodiversity and geological heritage are fully considered in the decision-making process. The ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System continues to give guidance on how the legal provisions for site and species protection and local authority duties for nature conservation need to be taken into account.

2.5 The NPPF explains that '*the purpose of the planning systems is to contribute to the achievement of sustainable development'*. In addition, the planning systems has an environmental role in '*contributing to protecting and enhancing our natural … environment; and, as part of this, helping to improve biodiversity, use natural resources prudently … and mitigate and adapt to climate change*'. The planning system should also '*play an active role in guiding development to sustainable solutions'* and move *'from a net loss of biodiversity to achieving net gains for nature*'. The NPPF states that the planning system should enhance the natural environment by:

- protecting and enhancing landscapes, geological features and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible;
- establishing coherent and resilient ecological networks, and;
- remediating and mitigating degraded and derelict land.

2.6 The NPPF also sets out principles for Local Planning Authorities determining planning applications. A summary of these principles is set out below:

- if significant harm cannot be avoided through avoidance of impacts, mitigation or (as a last resort), compensation, planning permission should be refused;
- planning permission should be refused for development resulting in loss or deterioration to irreplaceable habitats (including ancient woodland and veteran trees);
- where proposed development would adversely affect a Site of Special Scientific Interest (SSSI), planning permission should only be given where the benefits of the development outweigh the impacts on both the individual site and the national network of SSSIs;
- opportunities to incorporate biodiversity within developments should be encouraged, and;
- development where the primary objective is to conserve or enhance biodiversity should be permitted.

This SPD is in full conformity with this recent planning guidance.

2.7 The NPPF and Circular 06/2005 complement national and international legislation such as the Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. European Union (EU) Directives on the Conservation of Wild Birds (1979) and on the Conservation of Natural Habitats and of Wild Fauna and Flora (1992) are also relevant.

2.8 In addition to the objectives described above, there is a statutory duty on all public authorities to conserve biodiversity in Section 40 of the Natural Environment and Rural Communities Act 2006.

2.9 National objectives for trees and woodlands are described in the Strategy for England's Trees, Woods and Forests. Although not primarily a town planning document, the development planning and control system is identified as a key mechanism for implementing the Strategy.

2.10 Section 197 of the Town and Country Planning Act 1990 (as amended) states that it is the duty of the Local Planning Authority '*to ensure whenever it is appropriate that, in granting planning permission for any development, adequate provision is made by the imposition of conditions for the preservation or planting of trees'.*

REGIONAL POLICY CONTEXT

2.11 The West Midlands Regional Spatial Strategy (RSS) published in January 2008 sets the regional planning policy context. The RSS is likely to be revoked in the near future, as the Localism Bill proposes the abolition of all existing regional strategies and to remove the legal framework for preparing new ones. Currently the RSS policies remain in force and are mentioned at the end of this section. However, it is not envisaged that the removal of the RSS will require any revision of the SPD because the protection of regionally important sites and habitats and the consideration of wildlife on a landscape scale accords with national and local planning policy.

SUB-REGIONAL & LOCAL POLICY CONTEXT

2.12 This SPD has been prepared to ensure that the Council complies with national guidance, regional policy, statutory and non-statutory obligations for the natural environment in exercising its development management function.

2.13 There are two local policy documents which, together with the RSS, comprise the Local Plan and set the context for development within Walsall. The Black Country Core Strategy sets the strategic framework for development within the wider Black Country and was adopted in February 2011. The Council's Unitary Development Plan was adopted in March 2005 and many of its policies remain in force, although others have been superseded by the Core Strategy. The main objective of this revised SPD is to reflect the new policy framework set by the Black Country Core Strategy and the remaining 'saved' UDP policies. Relevant policies within both documents relating to the natural environment are listed in Annex 6 of this guidance. The key policies and the role of this guidance in their implementation are described below.

Designated wildlife sites

2.14 The Council's commitment to protection and enhancement of Walsall's natural environment relies on the designation of important sites so they can be protected from damaging development through planning policies. These policies aim to give appropriate protection to the most important nature conservation sites. These designations are described in Chapter 5.

2.15 Some of the borough's most significant habitats, species and geological features are found within the statutory sites (Special Areas of Conservation and Sites of Special Scientific Interest) but these sites contain only a fraction of the borough's natural heritage and cannot, on their own, maintain the area's overall biodiversity or geological value. The most important sites outside the statutory system are designated Sites of Importance for Nature Conservation (SINCs) and are identified through the application of published selection criteria and endorsed by the Birmingham and Black Country Local Sites Partnership comprising representatives of Natural England, the Council, the Wildlife Trust for Birmingham and the Black Country, EcoRecord the Black Country Geodiversity Partnership and others.

2.16 Local Nature Reserve (LNRs) is a statutory designation and sites are declared by the Council in consultation with Natural England for their nature conservation interest and their value for public education and enjoyment. The borough's LNRs are usually focused on SSSIs and SINCs.

2.17 The borough's SSSIs, SINCs and LNRs receive strong protection through policy ENV1 (*Nature conservation*) of the Core Strategy. Other sites of lesser quality containing important wildlife habitat and geological features are identified as Sites of Local Importance for Nature Conservation (SLINCs). The policy ENV1 does not preclude development on these local sites in exceptional circumstances where the strategic benefits of a development clearly outweigh the importance of the site providing that damage is minimised and fully mitigated.

2.18 The process of identifying and designating sites of value for nature conservation and geology is separate to the preparation of the Development Plan and the exercise of the Council's development management function.

Safeguarding other habitats

2.19 Core Strategy policy ENV5 (*Flood Risk, Sustainable Drainage Systems and Urban Heat Island*) and UDP policy ENV40 (*Conservation, protection and use of water resources*) reflect the importance of rivers, canals, lakes and ponds for wildlife which are easily damaged by pollution and other reductions in water quality. Water bodies provide habitat for rare and protected species. Despite the urban and industrialised nature of the Black Country, water quality is improving. Past development has often marginalised water courses and modified and culverted them, reducing their wildlife value and breaking ecological connectivity. New development offers opportunities to open up culverted water courses or to restore natural channels for both wildlife and amenity. Core strategy policy ENV4 (*Canals*) emphasises the need for new development to protect and enhance the wildlife value of the Black Country canal network. UDP policy ENV10 (*Pollution*) discourages development giving rise to pollution while Core Strategy policy ENV3 (Design Quality) makes reference to the need for tree cover, green space and the inclusion of green space in development to reduce the urban heat island effect.

Wildlife corridors and Environmental infrastructure

2.20 All designated sites form core components of the borough's Environmental Infrastructure and form critical links in the network of green spaces and corridors stretching across the wider conurbation and linking into the surrounding countryside. Core Strategy policy CSP3 (*Environmental Infrastructure*) sets the strategic context by requiring all development to protect, enhance and expand the strategic network of environmental infrastructure. Chapter 4 gives guidance on how designated sites and their nature conservation interest should be taken into account in the development management process.

2.21 To prevent the isolation and fragmentation of key habitats and sites, a network of wildlife corridors has been identified to provide linkages for the movement and colonisation of wildlife. Many corridors are focused on canal or road corridors. Core Strategy policy ENV1 (*Nature conservation*) and UDP policy ENV24 (*Wildlife Corridors*) requires wildlife corridors to continue to function as conduits for the movement of wildlife despite development taking place within them. Corridors also allow species to more readily migrate and adapt to climate change. Chapters 5-8 identify the ways in which environmental infrastructure should be incorporated into new development.

Rare, important and protected species

2.22 Many rare, important and protected species and the habitats on which they depend are found outside the network of protected sites and may only be discovered when development is proposed. Policy ENV1 (*Nature conservation*) of the Core Strategy protects species which are 'legally protected, in decline, are rare within the Black Country or which are covered by national, regional or local Biodiversity Action Plans' from development. Chapters 5-7 inform planning applicants of how to take the

needs of protected and important species into account in development proposals. Detailed advice on key species is provided in the annexes.

Nature conservation and new development

2.23 Core strategy policies CSP1 (*The Growth Network*) and CSP2 (*Development outside the Growth Network*) envisage development set in a high quality built and natural environment where nature conservation assets are protected and enhanced. More specifically, Core Strategy policy ENV1 (*Nature conservation*) and UDP policy ENV23 (*Nature Conservation and New Development*) require all new development to conserve important habitats, species and earth heritage features where they exist outside designated sites. They also require new development to enhance the borough's biodiversity and geodiversity resource. In addition, Core Strategy policy ENV5 (*Flood Risk, Sustainable Drainage Systems and Urban Heat Island*) advocates new green space, provision of green roofs and increasing tree cover. Chapter 7 of this guidance advises developers on meeting the requirements of this policy by identifying protection and enhancement measures and suggesting ways of implementing them. The aim is to encourage high quality development creating environmental quality within the borough.

2.24 The policies below also make reference to the need for some categories of new development to take account of the natural environment. This SPD provides advice on how this should be done.

- BCCS policy MIN1: (*Managing and Safeguarding Mineral Resources*)
- BCCS policy MIN3: (*Maintaining Supplies of Brick Clay*)
- BCCS policy MIN5: (*New Proposals for Mineral Development*)
- UDP policy ENV14: (*Development of derelict and previously developed sites*)
- UDP policy ENV30: (*Registered Parks and Gardens*)
- UDP policy ENV32: (*Design and development proposals*)
- UDP policy ENV33: (*Landscape design*)
- UDP policy LC1: (*Urban Open Space*)

2.25 The policies below require developments on specific sites to take full account of the natural environment. The advice in this SPD is relevant to these sites, although site specific advice is not provided.

- BCCS policy MIN4: (*Exploitation of Other Mineral Resources*)
- UDP policy ENV8:(*Great Barr Hall and estate and St Margaret's Hospital*)
- UDP policy JP4.1:(*East of M6 Junction 10*)

Historic character and local distinctiveness

2.26 Core Strategy policy ENV2 (*Historic Character and Local Distinctiveness*) seeks to protect and promote locally distinctive features of the built environment. This includes the buildings, structures and archaeological remains which often incorporate local building and paving materials derived from local geology. UDP policy ENV26 (*Industrial Archaeology*) is aimed at ensuring that the borough's industrial heritage is protected. This may require the retention of building materials of geodiversity value. Chapter 5 of this SPD provides advice.

Existing woodlands, trees and hedgerows

2.27 UDP policy ENV18 (*Existing Woodlands, Trees and Hedgerows*) seeks to protect these natural features from damaging development. Urban trees provide benefits for nature conservation, landscape and amenity, as well as contributing to environmental quality by removing pollutants and absorbing the carbon dioxide which cause climate change. Trees also have the potential to cause nuisance or damage and it is therefore essential that they are given sufficient space within new development to avoid these problems. Chapter 8 describes to planning applicants how the Council expects woodlands, trees and hedgerows to be incorporated into development.

Tree planting

- UDP policy ENV15: (*Forest of Mercia*)
- UDP policy ENV16: (*Black Country Urban Forest*)
- UDP policy ENV17: (*New planting*)
- UDP policy LC1: (*Urban Open Space*)

2.28 This group of policies encourage new development to increase tree cover in the borough for its environmental benefits and in furtherance of the aims of the Forest of Mercia and the Black Country Urban Forest. The Black Country Urban Forest comprises all trees and woodlands, both established and recently planted and contributes to environmental quality and supporting biodiversity. The Forest of Mercia Community Forest operates in the eastern part of the borough and is involved in practical tree planting and management. Chapter 8 provides advice to enable the retention of existing trees and the replanting of new ones to further the aims of this group of policies.

2.29 The Black Country Enterprise Zone comprises a portfolio of development sites including a cluster of 15 sites in Darlaston which contain several SLINC sites and wildlife corridors. The Enterprise Zone came into force on 1 April 2012. The policies set out in the SPD will continue to apply.

~~BIODIVERSITY ACTION PLANS AND~~ LANDSCAPE-SCALE CONSERVATION AND OTHER INITIATIVES

2.30 There has been a history of landscape scale nature conservation initiatives in the Black Country. The creation of the Black Country Urban Park and the Cannock Chase to Sutton Park Biodiversity Enhancement Area both included Walsall. More recently the national policy trend has been towards a landscape-scale approach to nature conservation. The White Paper: *Making space for nature: a review of England's wildlife sites* published in 2010 advocated conservation action at a landscape-scale with an emphasis on ecological restoration. This approach is reflected in the NPPF which advises that local planning policies should '*plan for biodiversity at a landscape scale across local authority boundaries'*. In early 2012 the Birmingham and Black Country was awarded Nature Improvement Area (NIA) status and a Catchment Management Plan for the Tame, Anker and Mease catchments is being prepared. Both these landscape-scale initiatives will complement earlier initiatives. Where feasible, improvements to the natural environment which further the objectives of both the NIA and the Catchment Management Plan will be secured through the planning system.

2.31 Other ~~documents~~ initiatives which contribute to the strategic policy context for the conservation of the natural environment are the local and national Biodiversity Action Plans. The Birmingham and Black Country Biodiversity Action Plan was adopted in 2000 and updated in 2010. The plan describes, evaluates and prescribes actions to protect and conserve species and habitats of national and regional importance. It is one of many local Biodiversity Action Plans which have been compiled across the country to ensure that the UK biodiversity ~~Action Plans~~ priorities are implemented locally. 'Biodiversity 2020: a strategy for England's wildlife and ecosystem services' sets out the UK government's strategy for biodiversity conservation for the next 10 years. Key proposals include a more integrated large-scale approach to conservation on land and at sea and improving the evidence base to ensure resources are being used effectively and conservation effort achieves the desire effect. ~~It is also intended that the forthcoming National Planning Policy Framework and other planning reforms will set out action required to conserve biodiversity through the planning system.~~ The Council is committed to furthering the objectives of adopted Biodiversity Action Plans and priority species and habitats at all levels.

2.32 The Black Country Geodiversity Partnership published a Geodiversity Action Plan for the conservation of geodiversity in the Black Country. This partnership has recently merged and is now known as the Birmingham and Black Country Biodiversity and Geodiversity Partnership. The Geodiversity and Biodiversity Action Plans will be merged.

2.33 Guidance has been issued by the UK Biodiversity Steering Group; 'Conserving Biodiversity in a changing climate'. Climate change is a serious threat to the natural environment and the principles set out in this document have been incorporated into this SPD.

~~2.33 The creation of the Black Country Urban Park is a long-term project whose objectives will continue to be progressed. The Environmental Infrastructure Guidance commissioned by the Black Country local authorities will also feed into this process. Also relevant is the landscape scale work by Natural England which identifies priorities, some of which may be achieved through the planning system. This approach reflects the landscape scale conservation advocated in the UK Government's draft National Planning policy Framework. In early 2012 the Birmingham and Black Country was awarded nature Improvement Area (NIA) status which will complement earlier large scale initiatives. It is likely that some of the component projects would be secured through the planning system.~~

WEST MIDLANDS REGIONAL SPATIAL STRATEGY

2.34 The West Midlands Regional Spatial Strategy (RSS) is likely to be abandoned but at the time this SPD was revised its policies remained in force. For the sake of completeness the policy framework relevant to this SPD is described below.

2.35 Policy QE7 (*Protecting, managing and enhancing the Region's Biodiversity and Nature Conservation Resources*) identifies priority nature conservation assets of regionally important. These comprise species and habitats of international, national and sub-regional level including those

contained in Local Biodiversity Action Plans and the targets set by local partnerships.

2.36 This policy also gives priority to Biodiversity Enhancement Areas (BEA). One of these designated areas extended from Cannock Chase to Sutton Park and was intended ~~The object is~~ to link heathland areas and much of the eastern part of the borough was ~~is~~ included. BEAs are no longer promoted by Natural England but the new Birmingham and Black Country Nature Improvement Area (NIA) takes forward the landscape-scale conservation approach to the whole of the borough. ~~New development within this area, shown in Annex 7, is expected to contribute to the objectives of the BEA.~~ If the RSS is abandoned the principles underlying the BEA will continue to inform priorities for habitat conservation, creation and management through the NIA. ~~within the defined area~~.

2.37 The creation and definition of an integrated network of green infrastructure is required in Policy QE10: (*Transforming the environment of the Black Country*) with the aim of creating a Black Country Urban Park. The importance of the green network and habitat mosaic for wildlife is also described in policy CC1: (*Climate Change*) which emphasises the need to maintain a network of interlinked wildlife sites both to act as a carbon sink and to increase the ability of species to adapt to climate change.

2.38 Policy QE4 of the RSS (*Greenery, Urban Greenspace and Public Spaces*) stresses the importance of increasing the urban tree stock while Policy QE8 (*Forestry and Woodlands*) seeks to secure the planting of new woodlands for their economic, sustainability and community benefits. This policy provides a presumption against the loss of woodlands, especially ancient woodlands.

CHAPTER 3:
WALSALL'S NATURAL ENVIRONMENT

NATURE CONSERVATION

3.1 The Black Country has a diverse and important natural heritage. A historic pattern of mining and industrial development lying side-by-side with traditional farming and undisturbed pockets of woodland, hay meadow and wetland has created a modern mosaic of ancient and more recent habitats sprinkled amongst built development. The area is underlain by a rich and complex geology which, where it is exposed, presents a valuable window into the ancient past and is an important part of local history.

3.2 In Walsall, ancient woodlands, old grasslands, and other important habitats can still be found. Much of the Black Country's, once extensive, heathland resource survives in the Pelsall and Brownhills areas. The borough also has fine examples of hay meadows and teeming wetlands that have survived development and changes in farming practices. Walsall holds many of the finest and most diverse wetlands and grasslands in the Black Country.

3.3 Often the Black Country's most valuable wildlife habitats have established on land abandoned after mining or industry. These brownfield sites often provide the physical and chemical conditions for diverse habitats and rare plants. In Walsall, limestone grassland is found at Park Lime Pits Local Nature Reserve around the fringes of a former limestone quarry. Similarly, at Clayhanger SSSI, diverse vegetation has grown amongst spoil heaps and wetlands caused by mining subsidence.

3.4 The Black Country's canals provide habitat for protected species such as water vole, kingfisher and, more recently, otter. Studies of water voles in Birmingham and Black Country in 2002 indicated that water voles were still present in at least 74% of sites surveyed in a major survey carried out in 1997. Bats forage over the canal network and many other habitats and roost in buildings and other structures. Many small pools provide breeding sites for great crested-newts. Black redstart is an important species found on brownfield sites close to Walsall town centre.

3.5 Many of the habitats and species covered by this guidance are priorities within the UK and Birmingham and Black Country Biodiversity Action Plans.

GEODIVERSITY

3.6 The Black Country is one of the most geologically diverse areas of the world. Walsall is underlain by a rich and varied geology, which has strongly influenced historic and industrial development and remains apparent in the landscape and pattern of development. Geological features revealed by centuries of limestone, coal, clay, sand, gravel and other mineral extraction have a cultural as well as scientific value. Geological features include rock exposures and spoil as well as locally quarried building and paving materials. Geological sites are protected by a range of designations reflecting their national and local importance. The Black Country's varied geology determined its industry, settlement patterns, agriculture and the species and habitats present. It plays a fundamental part in local community history.

3.7 Walsall lies on the South Staffordshire Coalfield. Rich deposits of coal, fireclay and ironstone of the Middle Coal Measures, together with older seams of Silurian limestone were exploited locally. Other raw materials, notably Carboniferous dolerite were also exploited and Silurian and Triassic sandstones continue to be worked, albeit on a small scale. Mostly these natural resources are depleted but their extraction left a legacy of rock exposures and spoil mounds.

3.8 The evidence of the earth heritage of the borough is also found in local buildings, gravestones and paving materials. Dolerite kerb stones are still in use and limestone is sometimes found in old buildings and walls.

TREES AND WOODLANDS

3.9 Trees and woodlands provide some of the richest wildlife habitats in the borough. Walsall's few surviving ancient woodlands and veteran trees are irreplaceable. Trees, woodlands and hedgerows comprise the largest living things in the Black Country and are found everywhere from the town centres to the rural fringe.

3.10 Trees bring great benefits: environmental, visual and socio-economic. Trees add beauty, a sense of place and provide important landmarks. The beech plantation on the summit of Barr Beacon is a well known local landmark and many of the borough's parks contain long-established and cherished trees. Trees provide seasonal change, texture and colour. They are also important components of the urban landscape, providing screening, focal points, privacy and shade. Trees contribute to quality of life and mature and veteran trees provide a link with the past as the oldest living things in a neighbourhood.

3.11 Trees and woodlands are greatly valued by the local community.

3.12 The Council is committed to tree protection and management. Walsall has over 900 Tree Preservation Orders protecting single trees to whole woodlands. The Council is also a strong supporter of the aims of the Forest of Mercia Community Forest and the Black Country Urban Forest.

CHAPTER 4:
THE SCOPE OF THIS GUIDANCE

INTRODUCTION

4.1 This guidance identifies those features of the natural environment which the Council requires to be properly considered in proposals for development requiring planning permission. These are subdivided into the following groups:

- Sites, habitats and earth heritage features.
- Protected and important species.
- Trees, woodlands and hedgerows.

Not every part of the natural environment is worthy of conservation and protection. This chapter defines those parts of the natural environment which are within the scope of this guidance.

SITES, HABITATS AND EARTH HERITAGE FEATURES

4.2 The following categories of sites, habitats and earth heritage features fall within the scope of this guidance.

- Designated sites listed in Table 1.
- Important habitats and earth heritage features outside designated sites.
- Other features.

A more detailed description of each is provided below.

Designated sites

4.3 Policy protection for nature conservation sites is commensurate with their position within the national and international hierarchy as shown in Table 1. Policy will be applied in line with the requirements of relevant legislation. Where protected species are found, whether on designated sites or not, additional legal protection and policy requirements apply.

TABLE 1: HIERARCHY OF DESIGNATED SITES

Site	Designation basis and type	Status
SAC	**Special Areas of Conservation** are designated under the EU Directive on the Conservation of Natural Habitats and Wild Flora (Directive 92/43/EEC) and the Conservation of Habitats and Species Regulations 2010. These sites are also SSSIs. Represent the best examples of sites for European priority habitats and species.	**Of European importance** Proposals damaging to the special interest are only permitted in very exceptional circumstances where full mitigation is secured. A Habitats Regulations Assessment is required.
SSSI	**Sites of Special Scientific Interest** are notified by Natural England under Section 28 of the Wildlife and Countryside Act 1981 (as amended). They represent the best examples of sites for important UK habitats, species and features of geological and	**Of national importance** Proposals damaging to the special interest are only permitted in exceptional circumstances where full mitigation is secured.

	geomorphological interest.	
SINC	**Sites of Importance for Nature Conservation** are selected by the Birmingham and Black Country Local Sites Partnership representing Natural England, the Wildlife Trust, EcoRecord, the Black Country Geological Partnership, the Council and others. This designation is applied to all sites which meet the selection criteria. These sites are non-statutory and are protected through the planning system.	**Of regional (West Midlands County) importance**
SLINC	**Sites of Local Importance for Nature Conservation** are selected by the Birmingham and Black Country Local Sites Partnership representing Natural England, the Wildlife Trust, EcoRecord, the Black Country Geological Partnership, the Council and others. This designation is applied to all sites which meet the selection criteria. These sites are non-statutory and are protected through the planning system.	**Of local (borough-wide) importance**
LNR	**Local Nature Reserves** are declared by the Council in consultation with Natural England under Section 21 of the National Parks and Access to the Countryside Act 1949. They are selected for both nature conservation interest and value for public education and enjoyment.	**Importance depends on underlying designation but all sites are usually SSSIs, SINCs or SLINCs.**

4.4 The Cannock Extension Canal Special Area for Conservation (SAC) was designated for its populations of floating water plantain and is the borough's only site. There are 8 SSSIs within the borough (including the Cannock Extension Canal SAC which is also a SSSI). Two of these are designated for their geological interest and the remainder for ecological value. There are currently 38 Sites of Importance for Nature Conservation, 70 Sites of Local Importance for Nature Conservation and 11 Local Nature Reserves.

4.5 It is Council policy to maintain and enhance the designated site network so that it can continue to conserve and protect local biodiversity and show the range of earth heritage features which occur in the borough.

Important habitats outside designated sites

4.6 Very often habitats and earth heritage features occur outside designated sites but are still worthy of protection and conservation. For the purpose of policy NE1 in this SDP, an important habitat is defined as follows:

- A priority habitat of principal importance for the conservation of biological diversity in England. (See Annex 4A).
- A habitat which is a local biodiversity conservation priority. (See Annex 4B).

- Habitat features which, because of their linear and continuous structure or their function as stepping stones, are essential for migration, dispersal and genetic exchange as described in Regulation 39 of the Conservation of Habitats and Species Regulations 2010 and Article X of the EU Habitats Directive. (See also paragraph 4.8 below.)

4.7 A schedule of habitat types present in the borough which are national priority habitats or for which there is a national or local Biodiversity Action Plan is found in Annex 4 together with the current list of habitats of principal importance in England identified by the Government in Section 41 of the Natural Environment and Rural Communities Act 2006.

4.8 In addition there are networks of natural habitats comprising linear and stepping stone features which allow wildlife to move across the wider landscape. Examples of such features include: hedgerows (especially where species-rich), disused railways, canals, river and stream corridors, green lanes, groups of small woods and ponds. These features are described in Regulation 39 of the Conservation of Habitats and Species Regulations 2010 and are also identified for retention in UDP policy ENV23 (b). These features are essential for migration, dispersal and genetic exchange because of their linear and continuous nature or their function as stepping stones. Maintaining and enhancing this network also provides opportunities for species to adapt to the effects of climate change. The Council has identified a network of green infrastructure in its UDP for protection from harm. This network may be amended or expanded in response to recent green infrastructure studies.

4.9 The following habitats and features are of particular significance in a Black Country context and most relevant to this SPD.

- **Woodland**: ancient woodland, 'aged' or 'veteran' trees, native broad-leaved woodland and scrub, hedgerows and wet woodland such as alder or willow carr;
- **Grassland**: unimproved or semi-improved neutral, calcareous, acid or marshy grassland whether managed or not;
- **Heathland**: heather, bilberry or gorse heath, wet heathland and bog, acid grassland/ heath mosaic where heather is present in any proportion;
- **Open water and wetland**: watercourses, canals, reservoirs, ponds and their banks, reed beds and swamps;
- **Geological exposures and features**: particularly important are the sites where Wenlock shales and limestones or exposures of Triassic sandstones can be seen.

4.10 Some habitats, such as ancient woodland and old grasslands have been present for centuries but many habitats have developed more recently on disused industrial or mineral extraction sites. Unitary Development Plan nature conservation policies do not therefore distinguish between brownfield and greenfield land.

Other features

4.11 UDP policy ENV23, part (b) requires all new development to take full account of existing features of value for wildlife or geology. Where loss or damage of such features are unavoidable the Council will require

mitigation measures which adequately compensate for the features lost. The nature and extent of the mitigation works required should be appropriate to the size and quality of the features lost or damaged. The types of features which the Council expects to fall within the scope of this policy are as follows:

- Areas of diverse vegetation outside a habitat type described above.
- Small scale wetlands such as garden ponds.
- Spoil mounds from mineral extraction.
- Locally quarried building or paving materials.
- Micro habitats used by invertebrates such as sunny banks, old walls or dead wood.
- Trees and shrubs (but see also paragraph 4.13)

Chapter 7 gives detailed advice on the implementation of this policy.

PROTECTED AND IMPORTANT SPECIES

4.12 The Council will expect planning applicants to take into account the species of animals and plants described below if one or more is present or likely to be present on a development site.

4.13 Two categories of species fall within the scope of this SPD.

4.13.1 A **protected species** is any species of animal or plant which receives legal protection though UK or European legislation.

4.13.2 An **important species** is any species of animal or plant which is:

- The subject of a national or local Biodiversity Action Plan.
- Listed by the Government as a priority species of principal importance for the conservation of biological diversity in England. This list stems from Section 41 of the Natural Environment and Rural Communities Act 2006. The NPPF advises local authorities to minimise impacts on biodiversity through formulating planning policies 'for the protection and recovery of priority species' and the 'preservation, restoration and re-creation of priority habitats'. The NPPF defines 'priority species and habitats' as those defined in Section 41 of this Act. Annex 4 lists the Section 41 species recorded in the Black Country as well as the national priority species and those which are the subject of a national or local Biodiversity Action Plan.

TREES, WOODLANDS AND HEDGEROWS

4.14 The following categories of trees, woodlands and hedgerows fall within the scope of this SPD.

- **Tree(s) protected by a Tree Preservation Order** (TPO). TPOs are made under the Town and Country Planning Act 1990 (as amended) and can protect individual trees, groups of trees and woodlands which have 'amenity' value.
- **Ancient woodland** is woodland identified on the Nature Conservancy Council Schedule of Ancient Woodlands in the West Midlands published in 1989 or in the Birmingham & Black Country Ancient Woodland Inventory (interim) published by the Wildlife Trust for Birmingham and the Black Country in 2008. Such woodlands are defined as those present in 1600. Most Ancient Woodlands would also

be protected through nature conservation site designations and Planning Policy Statement 9: Biodiversity and Geological Conservation.

- A **'significant tree'** is any tree over 75 millimetres in diameter measured 1.5 metres above ground and which meets the criteria for protection by a Tree Preservation Order.
- A **'significant hedgerow'** is any hedgerow which is visually substantial which contributes to the landscape character of an area. Some hedgerows would also be protected through nature conservation site designations.

4.15 Guidance on development with the potential to affect trees, woodlands and hedgerows is found in Chapter 8. Where trees and hedgerows have an important nature conservation value, the guidance in Chapters 5-7 also applies.

CHAPTER 5:
DEVELOPMENT WITH THE POTENTIAL TO AFFECT SPECIES, HABITATS OR EARTH HERITAGE FEATURES

GENERAL REQUIREMENTS

5.1 Where there is potential for a proposed development to cause significant harm to designated sites, protected or important species, habitats or earth heritage features, the applicant must undertake an impact assessment to a nationally accepted standard. 'Guidelines for Ecological Impact Assessment in the United Kingdom' by the Institute of Ecology and Environmental Management (2006) is recommended. 'Developing Naturally: a Handbook for Incorporating the Natural Environment into Planning and Development' by Michael Oxford (2000) and 'Biodiversity by Design' by the Royal Town Planning Institute (2004) may also be useful.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

5.2 Development may come within the scope of the Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999. Any proposed developments described in Schedule 1 of the Regulations will require an Environmental Impact Assessment (EIA) while those described on Schedule 2 may require an EIA. For projects of a kind listed in Schedule 2 of the Regulations, the Council will be 'screened' by the Council to determine whether a formal EIA is required.

HABITATS REGULATIONS ASESSMENT

5.3 Where development is likely to have a significant effect on a Special Area of Conservation (SAC) (see Chapter 4) the Council is required to undertake an assessment under Regulation 61 of the Conservation of Habitats and Species Regulations 2010. The applicant must provide detailed information on the proposed development and its likely impact on the SAC. Planning permission will not be granted until the information has been received and it is adequately demonstrated that the proposal will not harm the integrity of the SAC.

IMPACT ASSESSMENT

5.4 For all other planning applications with the potential to cause significant impacts to designated sites, protected or important species, habitats or earth heritage features identified in Chapter 4, a less formal impact assessment is required. The scope and detail of the impact assessment will depend on the size, complexity and ecological/ earth heritage value of the site. Applicants are advised to seek specialist expertise and to discuss their proposals with Walsall Council's Natural Environment Team at an early stage in the design process. For large or complex developments applicants should consider presenting their proposals to the Council's Development Team which meets regularly to give multi-disciplinary advice at a pre-application stage.

5.5 The key requirement for an impact assessment is to ensure that potential impacts are properly considered during the design process. All impact assessments should include the following information in a report:

- Description of the proposal.
- Description of the value of the site.
- Impact assessment.

- Mitigation strategy.
- Implementing mitigation measures.
- Monitoring.

These requirements are described in more detail later in this chapter.

5.6 The impact assessment methodology is an integral part of the design process and should inform detailed development proposals. Where significant adverse impacts on the natural environment are identified, alternative design options should be explored. The ecological impact assessment should be underpinned by adequate and appropriate ecological data. The Council's survey standards are described in Chapter 6.

5.7 In judging whether planning proposals might affect designated sites, habitats, species or earth science features, consideration must be given not only to features within the planning application boundary but also to those adjacent or to even more remote sites where development could have an adverse impact by causing environmental change such as: hydrological change, pollution, isolation or severance of connecting features.

5.8 The legislation and policy which seeks to conserve species of animals and plants protects the habitats and features required by protected species to survive and maintain their populations. The life cycles of species may require different habitats at different life stages which may not necessarily be found exclusively within a proposed development site. The Council will therefore seek impact assessments for protected or important species to consider the wider requirements of the species.

5.9 It is common for studies in a number of technical disciplines to be required in support of a planning application, e.g. arboricultural or visual impact surveys. Recommendations from individual experts must be compatible with one another and the development proposals themselves. Any contradictions should be properly resolved before the design of development is finalised and the planning application is submitted.

NE1(a) All planning applications with the potential to destroy, damage or adversely affect any site, habitat or earth heritage feature within the scope of this guidance should be supported by an impact assessment to a nationally recognised standard.

(b) All planning applications on sites where protected or important species are present should be supported by an impact assessment to a nationally recognised standard.

(c) All planning applications on sites where protected or important species have been recorded, reported or can reasonably expected to be present should be supported by survey work to properly demonstrate presence or absence. Where evidence of an important or protected species is found, part (b) of this policy is relevant.

(d)	**Planning applications which are not supported by an adequate impact assessment in accordance with the advice in this SPD and its annexes are likely to be refused.**

DETAILED ADVICE ON THE CONTENT OF AN IMPACT ASSESSMENT

5.10 The Council's advice on the content of each stage of the impact assessment (listed in paragraph 5.5) is described below.

Description of the development proposal.

5.11 Details of the type, scale, location, timing and methodology of the proposed works, including relevant plans, diagrams and schedules should be submitted.

Description of the value of the site

5.12 Site descriptions should be based on a recent and robust survey of the development site and any other areas likely to be affected by the proposals.

For sites and habitats described in Chapter 4 the description of the value of the site should contain the following information:

- Habitats present, their extent and location.
- Conservation status of the site.
- Underlying factors which determine habitat structure and functioning.
- Important species present.
- Location within ecological networks.
- Potential for expansion and natural colonisation.

For sites containing features of earth heritage value the description of the value of the site should contain the following information:

- **Description and assessment of the site**.
- **Historic associations**. Any association with earth science advances is required together with links with local industry, mining or local culture.

For important or protected species outside designated sites the following advice is relevant:

5.13 Where protected or important species are recorded, reported or likely to be present on or adjacent to a planning application site, the Council will seek an appropriate site investigation. The first stage is to establish whether a species is present which will almost always require survey work. Absence is difficult to prove and any reports concluding that a species is not present must demonstrate that an adequate search has been made in accordance with published guidance on survey methods.

5.14 If a protected or important species is discovered the following information should be submitted. Specific information requirements for key protected species are provided in the annexes to this SPD.

- Species present.

- Population size and status.
- How the species uses the site and the surrounding area.
- Conservation status of the site.
- Location within ecological networks.
- Potential for expansion and natural colonisation.

Impact assessment

5.15 An impact assessment should clearly and unambiguously identify likely impacts of the proposal on the habitats, sites and species described in Chapter 4.

Mitigation strategy

5.16 A mitigation strategy is needed to clarify how the likely impact will be addressed. Mitigation and enhancement measures should be identified to offset adverse impacts. Where significant adverse impacts cannot be avoided or reduced, compensatory measures should be identified and justified. The implications of legislation and planning policy must also be considered. Mitigation should be proportionate to impacts and must include clear site-specific prescriptions and not vague, general or indicative possibilities.

5.17 The Council's strong preference is for the avoidance of impacts. The extent to which impact reduction and/ or compensation is acceptable will depend on the ecological/ earth heritage importance of the proposed development site and the significance of the development proposals. Policy ENV1 (Nature Conservation) of the Core Strategy does not permit development damaging to SACs, SSSIs, LNRs or SINCs. For development adversely affecting a SLINC, loss or damage may be permitted 'where, exceptionally, the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological feature, damage must be minimised. Any remaining impacts, including any reduction in area must be fully mitigated. Compensation will only be accepted in exceptional circumstances'. If development is permitted on a ... SLINC, compensatory provision of equivalent value will be required for areas destroyed or damaged in order to meet the published Core Strategy target of 'no net reduction in the area of designated nature conservation sites through development'.

5.18 Where a protected or important species or habitat/ geological feature is present, full details of measures to avoid, reduce and compensate for impacts in both construction and operational phases of the proposed development should be submitted.

5.19 Again, the Council's strong preference is for the avoidance of impacts. The legislation and policy framework requires planning applicants to demonstrate that their proposals will not have an adverse impact on local populations of protected and important species.

NE2(a) Any justification for loss or damage to ~~SINCs or~~ SLINCs should be based on comprehensive, relevant and up-to-date data with reference to the ~~national,~~ regional or local contexts of the site. Where sites have become degraded through neglect or inappropriate management the Council will consider the potential

for recovery and restoration in assessing the merit of development proposals. Some types of habitat or earth heritage features such as ancient woodland or long-established species-rich grassland are irreplaceable and it is probable that providing replacements ~~of equivalent value~~ is not feasible.

NE2(b) Any mitigation/ compensatory provision to avoid no net loss to the area of designated sites through development should comply with the requirements set out below.

(i) Habitats or earth heritage features lost should be restored/ replaced on land capable of supporting the same habitats and species or showing the same earth heritage features.
(ii) Areas of restored/ replacement habitat/ features should be of equivalent size or larger than those lost.
(iii) Habitat translocation will not be supported unless it can be demonstrated that there is a high likelihood of success and that there is no prospect of retention *in-situ*.
(iv) Provision should be made for the long-term monitoring and management of the compensatory habitat/ features to ensure the effective and long-term replacement of features lost through planning agreements or other mechanisms.
(v) Restored/ compensatory habitat provision should be the same as the features lost.

NE2(c) In instances where parts (a) and (b) of this policy relate to features and sites of earth heritage value the Council will seek the following additional measures:

(i) Conservation by the recording of temporary exposures where permanent physical preservation cannot be achieved.
(ii) Conservation by preservation of site investigation samples, borehole data and geological records.

NE2(d) Any proposed development affecting a protected or important species should demonstrate that:

(i) The species is effectively accommodated within the design and layout of the proposed development.
(ii) Work is appropriately timed to avoid disturbance during breeding season or other periods when a species is vulnerable.
(iii) Proposals for replacement features or habitats will be effective in maintaining local species populations where loss is unavoidable.
(iv) There is a high likelihood that translocation will be successful and there is no prospect of retention *in-situ*.

5.20 The site protection policies in the Unitary Development Plan are designed to ensure that the borough's wildlife resource is not eroded. It is not envisaged that the provision of compensatory habitats or earth heritage features of equivalent value will necessarily be easy for planning applicants to achieve where SINCs or SLINCs are involved.

5.21 In many cases there are opportunities for enhancing the natural environment. These may include:

- Habitat creation;
- Restoration and management of existing habitats or features;
- Provision of artificial features e.g. bird or bat boxes.

5.22 Where development incorporates a designated site, the Council will encourage the site owner to allow public access and work with the Council and Natural England to declare a Local Nature Reserve. The Council's UDP policy ENV20: Local Nature Reserves identifies several privately owned sites where the declaration of a Local Nature Reserve is a priority.

5.23 For compensatory features provided as a requirement of UDP policy ENV23(b) the standards required are described in Chapter 7.

Implementing mitigation measures

5.24 Mitigation proposals have to be implemented to be effective and therefore the Council will seek the inclusion of any additional information required to ensure that the proposed mitigation works are practical. For example, architects' plans, licenses, planning agreements and/or contractors' precautionary method statements.

5.25 The interest and diversity of sites will rarely remain unless the site is appropriately managed. In many cases submission of a management plan will be a condition or planning obligation. A management plan should contain the following details:

- A description of the feature(s) to be managed.
- The aims and objectives of management.
- A five year detailed work plan. (Longer term if necessary).
- A start date for management to commence.
- The organisation and personnel responsible for implementing the plan.
- The success criteria and monitoring measures.

Monitoring

5.26 Where habitat creation or other remedial measures are to be carried out the Council will seek detailed monitoring. The effective long-term retention of populations of protected species will also often require management intervention. Unless the results of the measures are monitored it is impossible to ascertain whether they are effective, ineffective or positively harmful. Monitoring will always be required where new habitat is created or translocated and site management will be expected to take account of changes required as the results of monitoring.

5.27 The Council will ensure management and monitoring are secured in appropriate situations through use of planning conditions and obligations.

Management and monitoring of sites, habitats, earth science features and species.

NE3(a) Where the Council accepts proposals for mitigation or compensatory measures, the applicant should demonstrate that appropriate long-term management will be carried out and that responsibilities for this

are clearly identified. This will normally be secured through a planning agreement.

NE3(b) The Council will seek monitoring work to ascertain the outcomes of habitat and species management, habitat creation and other practical measures. Monitoring arrangements should make provision for remedial action if the introduced measures have not had the intended effect.

This policy will be applied to all planning applications where mitigation is proposed for loss or damage to SINCs and SLINCs or disturbance to important populations of protected or important species.

CRITERIA USED IN ASSESSING PLANNING APPLICATIONS AFFECTING SPECIES, HABITATS OR EARTH HERITAGE FEATURES

5.28 In applying the UDP policies to any planning application which may affect important species, habitats or earth heritage features, the Council will consider the following:

- The status of the site, species or earth heritage feature;
- The submitted survey data.
- The potential impact of the development on species, habitats and earth heritage on the site.
- The potential impact of the development on species, habitats and earth heritage features outside the development site.
- The identification, evaluation and scale of likely impacts on the natural environment.
- The effectiveness of proposals to retain features within a development;
- The adequacy and appropriateness of compensation and mitigation proposals.
- The opportunities for creating new features or enhancing existing.
- The management and monitoring measures proposed.
- The timing of works.

5.29 In situations where UDP policy objectives conflict, for example, where there are contradictory natural and built conservation requirements, the Council will encourage imaginative design solutions to resolve such problems based on appropriate survey work and accurate impact assessments.

EUROPEAN PROTECTED SPECIES GUIDANCE

5.30 European Protected Species received the highest level of protection through the EU Habitats Directive enshrined in UK law through the Conservation of Habitats and Species Regulations 2010. The species present in Walsall and their requirements are described in greater detail in Annex 1 of this SPD.

5.31 Any development which would adversely affect a European Protected Species or its breeding or resting places is potentially illegal but the regulations make provision for a licensing regime to permit such development in limited circumstances. Licences are issued by Natural

England only after planning permission has been granted in a process separate from the planning regime. The regulations set out strict requirements where development adversely affecting a European Protected Species may be permitted. These requirements are known collectively as the 'three tests' which allow such development providing:

- 'The purpose of the development is for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'
- 'There is no satisfactory alternative'.
- 'The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

5.32 The Council is legally obliged to demonstrate that it has considered the three tests set by the Conservation of Habitats and Species Regulations 2010 when determining any planning application affecting a European Protected Species. The information required from a planning applicant is a more concise version of that required in a Natural England Licence application. The Council does not consider that it can provide evidence that a European Protected Species has been adequately considered unless it has adequate information. Checklists of information required are set out in Annex 9.

CHAPTER 6
SURVEY STANDARDS

INTRODUCTION

6.1 Surveys are required to provide a scientific basis to:

- assess the impact of a proposed development on the natural environment.
- demonstrate to the Council that the impacts of proposed development on the natural environmental have been properly considered.
- consider alternatives and whether the impact of the proposal can be avoided, mitigated or whether compensatory measures are required.
- determine whether licences need to be applied for.
- determine whether a Habitats Regulations Assessment is required.

This chapter deals with ecological and earth science surveys. Requirements for arboricultural surveys are described in Chapter 8.

NE4 All planning applications with the potential to destroy, damage or adversely affect any site, species, habitat or earth heritage feature within the scope of this guidance should be supported by an impact assessment informed by survey work carried out to nationally accepted standards.

SCOPING

6.2 An initial 'walkover' survey will provide an early examination of the physical characteristics of the site, the potential nature conservation interest and likely impacts of development together with the options for their elimination, mitigation or compensation. More detailed survey work should be programmed into the planning application preparation process at an early stage to avoid delays.

DESKTOP STUDY

6.3 A desktop study should include consultations with appropriate organisations and conservation bodies to help identify key issues and potential impacts. A desk study which assembles existing data for the site and its surroundings is also recommended. The organisations below are likely to either have local nature conservation knowledge and/ or hold site data.

6.4 Consultations should include:

- Walsall Council Natural Environment Team.
- Adjacent local authorities where development is close to boundary.
- EcoRecord (the ecological database for the Black Country and Birmingham).
- Natural England where a SAC, SSSI or NNR may be affected.
- Environment Agency where wetlands, rivers or streams are affected.
- ~~British Waterways~~ the Canal and River Trust where canals are affected.
- Black Country Geological Society where earth heritage features are affected.

- Wildlife Trust for Birmingham and the Black Country.
- Other conservation groups where appropriate.

The Council too will consult these organisations where appropriate. (See the contacts list in Appendix 2 of this guidance.)

6.5 In carrying out a desk study it is recommended that a search is carried out within a defined distance of the proposed development site. This may be 1 or 2 kilometres (or more) from the site depending on the potential impact of the development. This will reduce the risk of missing important and relevant data.

6.6 Initial consultations and a desk top study, together with an initial inspection of the proposed development site, should identify gaps in information and the need for survey work. In some cases it may be apparent at this stage that there will be no adverse ecological impacts. In most cases it is likely that new survey work will be required. It is essential that desk study work is undertaken at the outset of the project before the design of the proposed development is finalised.

SURVEY

6.7 The following information should be provided:

- **Survey objectives**. The reasons for carrying out the survey and an explanation of what the survey will achieve must be set out clearly.

- **Method statement for survey**. Full details should be provided of the survey methodology used together with a justification for its selection. The limitations of the survey methodology adopted and gaps in survey information should also be described. Survey data submitted with a planning application should be copied to EcoRecord/ Black Country Geological Society to ensure that knowledge of the site's natural environment value is not lost. The Council will encourage EcoRecord and the Black Country Geological Society to access all data in the public domain.

- **Extent, location and timing of surveys**. The date and time when surveys were carried out together with time spent on the site should be recorded. For ecological surveys, visits must be carried out at an appropriate time of the year (see Tables 2 and 3) in appropriate weather conditions. Details are required of the full extent of the area surveyed and the location from which all data submitted was collected on plans to an appropriate scale.

- **Survey results**. The results of survey work should be presented clearly and unambiguously in full. Analysis of data should be fully explained together with a justification of the conclusions reached.

- **Responsible person**. All surveys should identify the personnel responsible for the survey with details of relevant experience, qualifications and any necessary licences. It is the responsibility of this person to ensure the survey methodology selected is fit for its purpose and provides adequate information to justify the design of development proposals.

6.8 It is essential that where the initial survey identifies the need for further survey work, the additional survey is undertaken at an appropriate time of the year prior to the submission of the planning application. Failure to undertake this additional survey work is likely to result in the refusal of the application.

6.9 There is published advice for the survey of many habitats and species. This should be used where appropriate. Information on survey requirements for protected species found in the Black Country is given in annexes to this guidance.

6.10 Where a European Protected Species is present or can reasonably expected, paragraph 98 of Circular 06/2005 states that 'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'. Natural England therefore advises local planning authorities to direct developers to commission an ecological survey of the proposal site 'prior' to determination of an application so this material consideration is fully addressed in making a decision.

6.11 It is the responsibility of the developer to provide this information to enable Natural England to make a substantive response and for the local planning authority to fully assess the proposal. Circular 06/2005 states that the 21 day consultation period for statutory consultees will not start until receipt of adequate information to make a substantive response.

TABLE 2: Optimum survey times for vegetation surveys

Habitat	J	F	M	A	M	J	J	A	S	O	N	D
Rivers, canals, ponds												
Grassland and marsh												
Reedbed and swamp												
Heathland												
Woodland and scrub												
Hedgerows												

TABLE 3: Optimum times for species surveys (revised)

Species		J	F	M	A	M	J	J	A	S	O	N	D
Badger	Setts												
	Habitat quality												
Bats	Summer roost activity												
	Foraging & commuting												
	Tree surveys												
	Buildings												
	Hibernating												
Birds (exact period dependant on species surveyed)	Breeding												
	Wintering												
Barn owl	Presence												
Black redstart	Presence												
Dartford warbler	Presence												
Hobby	Presence												
Kingfisher	Presence												
Little ringed plover	Presence												
Peregrine falcon	Presence												
Woodlark	Presence												
Floating water plantain	Presence												
Great crested newt	Breeding												
	Terrestrial												
	Habitat quality												
Otter	Presence												
Reptiles (see species below)													
Adder													
Common lizard													
Grass snake													
Slow worm													
Water vole	Presence												
	Habitat quality												
White clawed crayfish	Presence												

CHAPTER 7:
THE NATURAL ENVIRONMENT AND NEW DEVELOPMENT

BACKGROUND

7.1 Protection and management of designated sites and protected species cannot alone sustain the natural heritage of the borough. New development has the potential to contribute to the protection and enhancement of the borough's natural heritage by incorporating features of value into landscape and built design and by creating new features of wildlife or earth heritage value.

7.2 This chapter provides advice on compliance with Core Strategy policy ENV1 (*Nature Conservation*), Unitary Development Plan policy ENV23 (*Nature Conservation and New Development*) and ENV17 (*New Planting*).

7.2.1 In addition to Core Strategy policy ENV1 which seeks to safeguard nature conservation sites, there is also a requirement that 'all appropriate development should positively contribute to the natural environment of the Black Country by:

- extending nature conservation sites;
- improving wildlife movement; and/or
- restoring or creating habitats / geological features which actively contribute to the implementation of Biodiversity Action Plans (BAPs) and/or Geodiversity Action Plans (GAPs) at a national, regional or local level.

Details of how improvements (which are appropriate to the location and scale) will contribute to the natural environment, and their ongoing management for the benefit of biodiversity and geodiversity, will be expected to accompany planning applications. Local authorities will provide additional guidance on this in Local Development Documents.'

7.3 UDP policy ENV23 (*Nature Conservation and New Development*) is organised in four parts.

- **Part (a)** requires all new development to take account of the potential to enhance the natural environment through habitat creation or providing roosting/ nesting places for animal species.

- **Part (b)** requires all new development to take full account of existing features of value for wildlife or geology. Where loss or damage is unavoidable mitigation measures are required which adequately compensate for the features lost. This policy lists the following criteria describing when this part of the policy will be applied:

  I Within a wildlife corridor.
  II Containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
  III Within a site where wildlife is accessible to the local community, especially in heavily built-up parts of the borough.
  IV Used by species protected by European law and/ or British legislation.
  V Containing mature or semi-mature trees.

VI Containing linear features such as: rivers, streams, canals, field boundaries, tree belts, green lanes and road verges or 'stepping stone' features such as lakes, reservoirs, ponds and small woodlands.

- **Part (c)** of the policy requires habitat creation, enhancement and the implementation of other appropriate measures to encourage the conservation of wildlife on sites which meet criteria listed below:

  I In proximity to a SSSI, LNR, SINC or SLINC.
  II In proximity to or within sites where wildlife is accessible to the local community, especially in heavily built-up parts of the borough.
  III In proximity to or within wildlife corridors.
  IV Containing a species or habitat for which a national or local Biodiversity Action Plan has been prepared.
  V Used by species protected by European law and/ or British legislation.

- **Part (d)** of the policy refers to the intention of the Council to publish a Supplementary Planning Document to give more detailed advice on the implementation of this policy.

7.4 The key aim of this policy is to ensure that the quality and extent of the natural environment remains constant and, where opportunities arise, the resource is improved and increased.

7.5 Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and ~~any detailed~~ guidance relating to national ~~of~~ landscape-scale nature conservation initiatives. Such initiatives have often been superseded by updated and refined replacements. Currently the Birmingham and Black Country Nature Improvement Area is the focus of local landscape-scale conservation. ~~Biodiversity Enhancement Area (BEA). (A plan showing the extent of the BEA within Walsall Borough is included in Annex 7.)~~ Annexes 7a and 7b set out the key objectives and delivery themes of the Nature Improvement Area. The broad locations for each Delivery Theme are also shown for Walsall. These proposals are based on detailed analysis of plants and habitats undertaken for the publication of the Flora of Birmingham & The Black Country. ~~This will require~~, Fulfilling the aims of the NIA will require not only the retention of existing wildlife features but also strategic habitat creation and enhancement. Where conditions allow, heathland and acidic grassland habitats will be given a high priority in the east of the borough, while woodland, grassland and wetland habitats will be priorities in central and western areas. ~~The BEA will provide ecological links and green infrastructure between Cannock Chase and Sutton Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council.~~

7.6 ~~Where an application site meets the criteria set out in UDP policy ENV23, the Council will expect the requirements of this policy to be implemented in accordance with the published aims and any detailed guidance relating to~~

~~the Black Country Urban Park. If the RSS is revoked it is expected that the principles of large scale landscape conservation and enhancement in this area will continue to be a high priority for the Council.~~ The Tame, Anker and Mease Catchment Management Plan is currently under preparation. When completed the Council will ensure that it is taken into account when considering the determination of planning applications. The principles of large scale landscape conservation and enhancement will continue to be a high priority for the Council.

7.7 UDP policy ENV17 (*New Planting*) sets out priority locations where tree, woodland and hedgerow planting will be promoted. This chapter of the SPD also advises on the implementation of this policy. Chapter 8 of this SPD is also relevant.

PROPOSALS FOR ENVIRONMENTAL ENHANCEMENT

7.8 Most development provides opportunities for improving the natural environment. In many cases this is achieved principally through habitat creation or the design and implementation of appropriate landscape schemes enhancing open space, site boundaries and other areas. By careful design and use of species native to the Black Country, it is possible for landscaping schemes to achieve both amenity and nature conservation objectives. Wherever possible, locally sourced and grown plant stock should be used as it is usually better suited to local conditions. A list of tree and shrub species native to the Black Country is provided in Annex 8. The recently published Flora of Birmingham & The Black Country gives detailed technical information on the plants and plan communities present in Birmingham and the Black Country and should be consulted when designing all habitat restoration schemes.

7.9 Soil and the complex community of micro-organisms associated with it, is an important feature for both habitat creation and landscaping. Existing site soils should be stored appropriately for re-use. Where additional subsoil or topsoil is required it should match the natural soils found in the neighbourhood. Some wildlife habitats, such as species-rich grasslands or heathland require low fertility soils so introduced topsoils can be disastrous. Consideration should be given to soil-making to ensure the right properties for the habitat creation or landscape treatment proposed.

7.10 In many places the incorporation of ornamental and non-native species into landscape schemes adds colour, texture and seasonal interest to development sites. Through the selection of berry-bearing plants together with shrubs and herbaceous species providing nectar or pollen for insects, even highly ornamental planting can have wildlife value. This can be effective on the smallest sites. Carefully selected plant species can provide food or shelter for a range of wildlife.

7.11 Below are examples of ways in which the natural environment can be enhanced.

- **Trees, woodland and scrub** can be managed for nature conservation, for example, by coppicing or thinning dense growth or by creating glades for woodland flowers and grasses. New areas can be planted. For the best results for wildlife, locally native trees and shrubs should be used with a woodland ground flora added as the woodland develops.

- **Hedgerows** are particularly good for wildlife if they are linked to other habitats such as woodland or wildflower grasslands. Old hedgerows can be laid or coppiced and gaps re-planted. New hedges can be planted using native shrubs and trees. This is particularly useful when planting links or extends an existing network of hedges.

- **Heathland** once covered large tracts of the borough but much has been lost. Areas of heather, bilberry and gorse can be planted only where soil conditions are right. No topsoil, fertiliser or lime should be used. Encouragement will be given to the planting of heathland on suitable sites in the north and east of the borough to expand the resource ~~and contribute to the Biodiversity Enhancement Area~~.

- **Wildflower meadows and grassy banks** can be created in a range of situations and should be considered an alternative to closely mown grass. They can form an attractive and colourful element of landscaping and attract a range of insects. They may be particularly suitable for steep slopes, hummocks and undulating surfaces where regular management is difficult. This type of habitat can also be useful on problem soils where other plants are difficult to establish. It is essential to use native species found and sourced locally. Expert advice is required on seed mixes. No topsoil or fertiliser is required.

- **Ponds** can be important features for birds, amphibians and invertebrates as well as providing a focal point for external spaces. The Council will encourage the creation of new ponds, particularly in those areas of the borough where great crested-newts occur. Ponds should be sited in sunny positions, have shelving edges and be stocked with native plants. Invasive non-native plants should not be planted, especially where there is a risk they may escape into neighbouring canals or water courses. Fish should not be introduced where amphibian or invertebrate interest would be harmed. Many invertebrate species will colonise naturally.

- **Reedbeds, swales and marshes** can be incorporated into Sustainable Urban Drainage Systems for the treatment, storage and release of surface water. Such water bodies can look attractive as well as being good for wildlife.

- **Rivers and streams** can often be enhanced to improve channel or bank habitats. Often sites contain culverted watercourses. In these cases the Council will encourage the restoration of open channels. Linear features such as rivers and streams are important corridors for wildlife and interruptions to their continuity can badly affect their corridor function.

  The Environment Agency recommends that an 8 metres wide strip on either side of a water course is protected from development. It is recommended that planning applicants consult the Agency where development may impact on a water course or wetland. The Council too will also consult the Environment Agency in such situations.

- **Canals** are a key component of the borough's environmental

infrastructure and support a variety of protected species. Development which encroaches onto the canal edge can affect their corridor function. The council will encourage planning applicants proposing development adjacent to a canal to prepare and implement an enhancement strategy for the canal frontage. On canal frontages with a soft edge the council will seek a buffer strip to separate development from the canal. It is recommended that planning applicants consult ~~British Waterways~~ the Canal and River Trust where development may impact on a canal. The Council too will consult ~~British Waterways~~ the Canal and River Trust in such situations.

- **Sustainable Urban Drainage Systems (SUDS).** All development should adopt the principles of Sustainable Urban Drainage. Many drainage features can be incorporated into habitats for wildlife. Even on small developments the use of soakaways or permeable paving can allow groundwater levels to be maintained and help prevent flooding. Advice on SUDS is provided in Annex F of Planning Policy Statement 25: Flood risk and development. Details of this document are provided in Annex 5 to this SPD.

- **Built environment.** Small scale, features of value for wildlife can be incorporated in any location including:

  ◊ Green and brown roofs.
  ◊ Siting of bird and bat boxes on buildings or existing trees.
  ◊ Bat bricks and tiles to allow bat colonies access to roof spaces.
  ◊ Nest sites on buildings for swifts, martins or swallows such as suitable eaves design, tiles or customised units.

  However, these features should only be sited where there is suitable foraging habitat nearby.

- **Disused land** such as former industrial sites that have been partially cleared can be valuable for wildlife. Disused land goes through a sequence of changes, offering habitats to a range of uncommon plants and animals. These habitats are often ephemeral and landowners and developers can make a valuable and inexpensive contribution to wildlife conservation by carrying out occasional management work. These sites can be important for black redstarts and the Council encourages planning applicants proposing development near known breeding areas to incorporate habitat of value to this species. Annex 2C describes the requirements for black redstarts.

- **Earth heritage** features are part of a finite resource which is ultimately irreplaceable. The accessible resource can be enhanced through:

  ◊ Stabilisation and consolidation of rock exposures.
  ◊ Creation of new rock exposures.
  ◊ Provision of site interpretation.
  ◊ Provision of safe access to view exposures and other features. (Not necessarily unrestricted public access.)

- ◊ Re-use of locally quarried building materials such as Dolerite kerbs, slag or local limestones where these cannot be retained *in-situ*.

7.12 Proposals for environmental enhancement should be demonstrated to be appropriate to the location in question.

7.13 In many cases developers will be required to submit a landscape scheme as part of a new development. The landscape proposals must be fully integrated with proposals for ecological enhancement.

NE5 Where development is proposed which meets the requirements of Core Strategy policy ENV1 and criteria (a) and (c) of policy ENV23 of the Council's UDP the Council will expect:

(a) Habitat creation and/or enhancement measures in accordance with the guidance given in this SPD and annexes.

(b) Additions to the green infrastructure of the borough by enhancing the network of linear and stepping stone features which enable the movement of wildlife across the wider region. For example: hedgerows, disused railways, canals, river and stream corridors, green lanes, groups of small woods and ponds.

(c) Enhancement measures which further the aims and objectives of:

- **(i) the Birmingham and Black Country Biodiversity Action Plan and/ or the Black Country Geodiversity Action Plan.**
- **(ii) Biodiversity Enhancement Area (BEA). (A plan showing the extent of the BEA in Walsall Borough is included in Annex 7).**
- **(iii) the Black Country Urban Park.**
- **(iv) the Forest of Mercia and the Black Country Urban Forest.**
- **(v) the Birmingham and Black Country ~~Landscape~~ Nature Improvement Area ~~(LIA)~~(NIA).**
- **(vi) any new initiatives which deal with the conservation, enhancement and creation of habitats and species.**

The measures appropriate will depend on the size of the development site and the natural features present on the site and in the surrounding neighbourhood.

7.14 Where the creation of public open space is proposed, the Council will encourage habitat creation, especially in areas of the borough with little accessible greenspace. These benefits would be secured through planning conditions, management agreements or planning agreements.

RETENTION OF EXISTING FEATURES

7.15 For development meeting the criteria set out in UDP policy ENV23(b) all new development must take full account of existing features of value for wildlife. Where loss or damage is unavoidable mitigation measures are required which adequately compensate for the features lost. The types of features within the scope of this policy are described in Chapter 4.

7.16 Taking full account of existing features of value for wildlife will often involve the following measures:

- Locating development away from any features of value.
- Incorporating existing trees, hedgerows and other vegetation into a landscaping scheme.
- Integrating watercourses or ponds into the development as a focal point.
- Restoration of damaged, neglected or poorly managed habitat.
- Preserving or creating linkages from the site into surrounding areas to encourage movement of species.

The measure chosen must be appropriate to the site.

7.17 Measures for the protection of features to be retained during construction should also be considered. Examples are:

- Timing of site clearance or construction to avoid disturbance to nesting birds or other species.
- The erection of exclusion fencing around important features and habitat.
- The construction of bunds to protect water courses, water bodies or wetlands.

7.18 Situations may occur where it is not possible to keep all the nature conservation interest on the site and still develop it. In these cases the Council will seek compensatory provision, either on or off-site, to replace features lost in accordance with policy NE5 below.

NE6 Any compensatory provision proposed under policy ENV23(b) of the Council's Unitary Development Plan should comply with the requirements set out below.

(i) Areas of replacement habitat/ features should be viable in the long-term.
(ii) Compensatory provision should be the same or similar to the features lost.
(iii) Replacement habitat should maintain and enhance the integrity of existing green infrastructure.
(iv) Provision should be made for the future management and retention of any compensatory habitat/ features provided.

MANAGEMENT

7.19 Planning applicants should consider how habitat and features will be managed after development so that their contribution to the natural environment is maintained in the future. See Chapter 5.

CHAPTER 8:
DEVELOPMENT WITH THE POTENTIAL TO AFFECT TREES, WOODLANDS AND HEDGEROWS

INTRODUCTION

8.1 This advice in this chapter of this SPD is applicable to all development proposals which affect trees, woodlands and hedgerows.

8.2 Policy ENV18 in the Council's Unitary Development Plan seeks to protect trees, woodlands and hedgerows from damaging development as well as securing their positive management and enhancement. The categories of trees, woodland and hedgerows protected by the policy below were identified in Chapter 4. Where development is permitted which would result in the loss of such trees or hedgerows, developers will be encouraged to minimise the loss and provide appropriate planting of commensurate value. This chapter of this SPD provides advice on how this policy will be applied.

NE7 All planning applications with the potential to damage or destroy trees, woodlands or hedgerows identified in paragraph 4.14 of Chapter 4 should be supported by an arboricultural impact assessment to a nationally accepted standard.

Planning applications which are not supported by an adequate arboricultural impact assessment are likely to be refused.

DEVELOPMENT WITH THE POTENTIAL TO AFFECT TREES, WOODLANDS OR HEDGEROWS

8.3 Where a formal EIA is not required by the Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 1999 but where tree(s), woodland(s) or hedgerow(s) included in policy NE8 are growing on or adjacent to a proposed development site, the Council will require planning applicants to carry out an impact assessment of the effects of the development on these features.

8.4 This should be carried out to a nationally accepted standard. The Council recommends that the British Standards Institute British Standard BS 5837: Trees in relation to design, demolition and construction: recommendations (2012) is used.

8.5 In judging whether planning proposals might affect any tree, woodland or hedgerow consideration must be given not only to the development site itself but also to those growing adjacent to the development site. Normally consideration should be given to trees up to 10 metres beyond the site boundary. However, where the development could have an adverse impact through major changes to ground levels or by lowering the water table those growing further away should also be considered.

8.6 The scope and detail within the impact assessment will depend on individual sites. Applicants are advised to seek specialist expertise and to discuss their proposals with Walsall Council's Natural Environment Team at an early stage in the design process. The specialist advice of an

arborist will often be required throughout the development process and applicants should plan for this involvement at the outset. For development on sites with significant tree cover, applicants should consider presenting their proposals to the Council's Development Team which meets regularly to give pre-application multi-disciplinary advice.

8.7 Development requiring an arboricultural impact assessment is not limited to larger development proposals. Many much smaller developments can have an adverse impact on important trees. For example, the installation of a dropped kerb or house extensions can severely damage the root systems of important trees. This SPD applies to any development with the potential to damage or destroy trees, woodlands or hedgerows identified in paragraph 4.14 of Chapter 4.

8.8 The impact assessment methodology used is an integral part of the design process and should inform detailed development proposals. Survey and evaluation of trees, woodlands or hedgerows should take place before any specific layout or design is produced. Planning applications which are not supported by an adequate impact assessment or where the proposed development takes insufficient account of the submitted assessment are likely to be refused.

8.9 It is common for studies in a number of technical disciplines to be required in support of a planning application, e.g. ecological or visual impact surveys. Sometimes recommendations from individual experts are incompatible with one another or with the development proposals themselves. Any contradictions should be properly resolved before the planning application is submitted.

ARBORICULTURAL SURVEY AND EVALUATION

8.10 The information requirements for tree surveys are described below. The survey should provide an informed basis for development decisions and all survey information should be submitted at the outset. Planning applications which should be supported by a tree survey are likely to be refused without this information.

- **Method statement for survey**. The Council will seek the submission of tree surveys carried out to the standards described in the British Standards Institute British Standard BS 5837: 2012 Trees in relation to design, demolition and construction: recommendations. This chapter of this SPD is based on the assumption that this standard will be adopted. Full details of the survey objectives and methods used, together with a justification for their selection should be submitted. Any limitations of the survey methodology used and gaps in survey information should be described.

- **Date of survey**.

- **Responsible person**. All surveys should identify the personnel responsible for the survey with details of relevant experience and qualifications.

- **Land survey**. An accurately measured land survey should be submitted to underpin the tree survey information. For tree survey purposes the land survey should:

    ◊ Show the position and canopy spreads of all trees, significant shrubs, woodlands and hedgerows. Trees, woodlands and hedgerows within 10 metres of the proposed development site must also be shown in the same detail. For some major developments where substantial changes in levels are proposed it may be necessary to consider trees further into an adjacent site.
    ◊ Show the position of water courses, buildings and structures, boundary features, services, drainage runs and similar existing features.
    ◊ Show existing ground levels throughout the site in order to provide baseline data of ground levels in proximity to retained trees.
    ◊ Be submitted as a scaled drawing.

- **Hydrological and/ or soil survey**. On large or complex sites further survey work may be requested to facilitate an Arboricultural Implications Assessment of the proposed development.

- **Tree surveys**. Should include:

    ◊ A plan showing (to within 300 mm accuracy) the location of all existing trees, woodlands and hedgerows on site. Trees should be numbered as individuals or groups of trees. Where woodlands occur on or adjacent to the site, all boundary trees and their spreads should be plotted. If development is proposed within a woodland area or amongst a group of trees, all trees with a diameter of 75 mm or above measured 1.5 metres above ground level must be plotted.
    ◊ Data relating to individual trees and woodlands should be recorded. Information required is as follows: tree species/ height in metres/ stem diameter in millimetres/ branch spread to the north, east, south and west/ height of crown clearance/ age class/ physiological condition/ structural condition/ preliminary management recommendations/ estimated safe useful life expectancy in years/ retention category grading.

- **Tree Constraints Plan**. Survey data must be evaluated to be useful. A Tree Constraints Plan (TCP) is a design tool which illustrates on a plan the influence that existing trees will have on a development site. The TCP show both the below-ground constraints represented by the Root Protection Area (RPA) and above ground constraints posed by tree size, position, aspect and future growth potential.

- **Assessment and response to predicted arboricultural impacts**. The Council's strong preference is for the avoidance of impacts. Full details are therefore required measures to avoid, reduce and compensate for impacts in both construction and operational phases of the proposed development.

The Council will encourage planning applicants to provide information to:

- ◊ Justify the removal of trees from within any development site.
- ◊ Demonstrate that trees shown for retention can be effectively retained both during construction and occupation phases of development.

The preferred methodology for doing this is the preparation and submission of an Arboricultural Implications Assessment (AIA). The AIA should include:

- ◊ A detailed site description including: tree cover, topography and soils.
- ◊ An analysis of the tree cover including: total number of trees, the numbering sequence, analysis of trees to be lost for development (and for any other reasons) and proposals for replacement planting.
- ◊ A protected tree protocol for site workers (to be integrated into the site induction process.)
- ◊ An Arboricultural Method Statement (AMS) containing specifications and a method statement for the implementation of those parts of the development with the potential to lead to loss or damage to trees. A full specification for tree works is required. For trees proposed to be felled for the sole purpose of accommodating the development proposals, this should be clearly stated. (Further detailed requirements for AMS are described below.)
- ◊ A tree protection plan comprising a scale drawing showing the final layout, the tree retention and protection measures described within the AMS illustrating Root Protection Areas (RPA) and the Construction Exclusion Zone (CEZ).

An Arboricultural Method Statement details how a particular process will be carried out. For example, how construction works will be carried out in close proximity to trees. Details should be submitted to show how the work will be managed and how trees will be protected. The Council will request appropriate AMSs as part of an AIA. For sites containing any tree or trees with a diameter of 75 mm or more measured 1.5 metres above ground level an AMS should be submitted when the application is submitted. An AMS will be requested where any of the following work is proposed:

- ◊ Tree surgery works.
- ◊ Demolition of existing structures within close proximity to trees.
- ◊ Lifting and removal of hard standing.
- ◊ Excavation techniques within 2 metres of RPA.
- ◊ Installation of root-barriers.
- ◊ Installation of tree protective fencing.
- ◊ De-compaction or amelioration of soils, root pruning.
- ◊ No-dig construction methods for proposed roads and footpaths.
- ◊ Landscape and horticultural works.
- ◊ Any other site operations which need to be strictly controlled to prevent damage to trees.

The AMS should provide full details of:

- ◊ Timing of works.

- ◊ Full specification of works.
- ◊ Methods of installing/ implementing works.
- ◊ Precise locations and extent of both permanent and temporary works. This will include: site preparation/ the storage of materials/ lighting of bonfires/ welfare facilities/ existing and proposed levels/ trenching and excavation/ movement of vehicles/ erection of scaffolding etc.
- ◊ Contingency plans. This will include: chemical spillage/ vehicle collision/ emergency access to RPA.
- ◊ Contact details of responsible person for each operation.

NE8 All planning applications proposing the retention of trees, woodlands or hedgerows within a development site should demonstrate that the trees to be retained will survive without causing significant nuisance beyond the development phase. Adequate space should be retained for the trees to develop in the future without causing severe shading or requiring damaging containment pruning.

The Council may refuse planning applications where inadequate consideration has been given to tree retention beyond the development phase.

8.11 The AIA should provide evidence that trees will not cause nuisance in the medium to long term and can be retained successfully within any development. It is common on new development for trees to be quickly lost due to shading or other nuisance caused by trees that have been retained within a development.

8.12 The Council will encourage proposals for all development to incorporate the principles of Sustainable Urban Drainage Systems (SUDS). In particular the introduction of impermeable surfaces close to trees, woodlands and hedgerows will be discouraged in favour of permeable systems which discharge ground water directly into the ground. The paving over of front gardens is perceived to be a particular problem. Advice on SUDS is provided in Annex F of Planning Policy Statement 25: Flood risk and development. Details of this document are provided in Annex 5 to this SPD.

REPLACEMENT PLANTING

NE9 Where trees or hedgerows defined in paragraph 4.14 of Chapter 4 are unavoidably lost, the Council will seek compensatory planting. The level of compensatory provision should be commensurate with that lost and should be provided at a ratio of between 2 for 1 and 5 for 1 depending on the size and visual importance of trees lost. Replacement species should be of a similar ultimate size and visual impact to that lost.

8.13 In deciding on an appropriate level of replacement planting under policy NE9 of this SPD the Council will have regard to the tree's condition, visual prominence, feasibility of retention and the safe useful life expectancy. Therefore semi-mature trees in healthy condition will tend to require replacement planting, if lost, at a ratio of 2 for 1. Mature healthy trees in a visually prominent position will tend to require replacement at a ratio of 5 for 1.

8.14 Any hedgerow which is unavoidably lost and which is visually substantial and contributes to the landscape character of an area should be replaced with a replacement of the same length and species composition.

8.15 Development should be designed from the outset to accommodate replacement planting. Where replacement planting is provided, the Council will require a Tree Constraints Plan to be provided to demonstrate that the new planting can be accommodated within the development in the long term without causing nuisance.

PROPOSALS FOR ENHANCEMENT

8.16 In many cases there are opportunities for enhancing the site through tree and hedge planting.

8.17 Tree planting works which contribute to the Black Country Urban Forest or accord with the aims of the Forest of Mercia will be encouraged and supported.

MANAGEMENT OF RETAINED AND NEW TREE PLANTING

8.18 Provision should be made for the monitoring and management of any replacement and compensatory tree or hedge planting to ensure any new provision secures the effective and long-term maintenance of tree and hedge cover. Applicants should demonstrate that long-term management will be carried out and that responsibilities for this are clearly identified. In some cases monitoring, or the submission of a management plan will be a condition or planning obligation.

8.19 All the information requirements described in this chapter should be incorporated into a report. Reports which fail to adequately explain the work undertaken, the results obtained or to justify the conclusions reached will be rejected which is likely to lead to a refusal of planning permission.

TREE PRESERVATION ORDERS.

8.20 Whether a Tree Preservation Order is made will depend on the visual, cultural, ecological or historic importance of the trees on the site, the level of information provided to the Council with regard to the development or the conduct of site operations at any stage during the development process.

8.21 In the event that a Tree Preservation Order is made on a site where development is proposed the Council encourages consultation between planning applicants/ developers and the Council's Natural Environment Team.

NE10 **The Council will use Tree Preservation Orders in a flexible way. This may include the serving of a Tree Preservation Order at any stage prior to, during or after the implementation of development proposals.**

ANNEXES

Annex 1A Guidance for European Protected Species Bats (General)

Legal framework
All of Britain's bat species are protected through inclusion on Schedule 5 of the Wildlife and Countryside Act (WCA) 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010. This legislation meets the UK government's wider European obligations to protect bats enshrined in the Bern Convention, the EC Habitats Directive and the Agreement on the Conservation of Bats in Europe (Bonn Convention).

Bats are protected from killing, capture and injury, deliberate disturbance, (whether in a roost or not) and damage, destruction or obstruction of roosts. Since bats often return to the same roosts, the roost is protected whether or not bats are present at the time. Natural England will often be consulted in respect of applications where bats (and other protected species) are affected by a planning proposal.

It is therefore important that where development might have an adverse impact on bats, steps are taken to ascertain their presence. If bats are detected early in the development process it is more likely that they can be accommodated within any development without causing undue delay. Proposals for mitigation, future management and monitoring can then be considered at an early stage in the design process.

People who need to work with bats for survey and research purposes are controlled by the Wildlife and Countryside Act, which states that they are only allowed to catch or mark bats, enter roost sites or photograph them if they have been granted a licence issued by Natural England that covers them for these activities. Activities associated with development are controlled by means of licences issued by Natural England.

Eleven species of bat have been recorded in Birmingham and the Black Country. Detailed guidance is available for the following six species:

- Daubenton's bat (*Myotis daubentonii*)
- Whiskered (*Myotis mystacinus*)
- Noctule (*Nyctalus noctula*)
- Common pipistrelle (*Pipistrellus pipistrellus*)
- Soprano pipistrelle (*Pipistrellus pygmaeus)*
- Brown long-eared (*Plecotus auritus*)

The following five species are less frequently encountered in Birmingham and the Black Country and detailed guidance has not been prepared. However, in the absence of such guidance, developers are advised that the same legal powers, information requirements, survey standards and mitigation needs will apply to these species.

- Serotine (*Eptesicus serotinus*)
- Brandt's bat (*Myotis brandtii*)

- Natterer's bat (*Myotis nattereri*)
- Leisler's bat (*Nyctalus leiseri*)
- Nathusius's pipistrelle (*Pipistrellus nathusii*)

Establishing the need for a bat survey in support of a planning application.
Bats can be found anywhere and it can be difficult for applicants to determine whether a proposed development site is likely to be used by bats. Bats may be present in any building, often without the knowledge of the owners or occupants. Local research has led to criteria being devised that can give an indication as to whether bat roosts are likely to be present on a site or not. Planning applications for development on sites that meet these criteria should be supported by a bat survey/ impact assessment before a planning application can be approved. There is an increased risk of bats being present on application sites with the characteristics listed below:

- If any part of the application site lies within 50 metres of open land. This includes parks, golf courses, cemeteries, agricultural land, river valley or other unmanaged open land.
- If any part of the application site lies within 50 metres of the following habitats or features: woodland, mature trees, wetlands, disused transport corridors, water-courses, canals and all designated wildlife sites.
- If the application site lies within a neighbourhood characterised by large mature gardens.
- If any part of the application site lies within 150 metres of a known bat roost.
- If neighbours or other consultees make credible claims that bats are present on an application site.

These locational criteria are used by the Birmingham and Black Country authorities and will be reviewed periodically to ensure they remain a good indicator of likely bat presence.

Not all developments meeting these locational criteria will necessarily have an adverse impact on bats. Some large developments can have little impact on bats while some smaller ones can be hugely damaging. Householder applications which result in building works to places where bats may be roosting can be as damaging as much larger developments. Any development which involves any of the following development could potentially have an adverse impact on bats:

- Demolition of substantial buildings. This excludes timber sheds and other insignificant, lightweight outbuildings.
- Partial demolition or modification of buildings, particularly of the roof, cavity walls, cellars or hanging tiles and weatherboarding. Often conservatories, single storey extensions or very minor alterations would not require a bat survey under this criterion.
- Demolition or modifications of other structures such as underground sites, culverts, masonry bridges and large retaining walls. This criterion would rarely affect a householder application.
- Development involving heavy pruning or felling of a mature or semi-mature tree or trees.

- Any development which would potentially reduce or destroy areas or features of value to foraging or commuting bats. Such features may include: grassland, watercourses, ponds, trees, scrub and hedgerows. This criterion would not normally apply to householder applications.

Where any of the above development operations is proposed on a site meeting the locational criteria also set out above, a detailed bat survey will normally be required in support of any planning application. Planning applications may not be validated if a bat survey is not submitted with a planning application.

Exceptions may be made to this requirement where there is limited habitat or green infrastructure linking the application site to wider bat foraging and commuting areas. For example, where an isolated mature tree is growing in a very urban part of the borough.

Sometimes buildings occur with limited gaps, cracks or crevices which could allow access by bats. For example, where the roofing material comprises tight fitting interlocking tiles and where soffits have been replaced with well sealed uPVC products. Where an applicant claims that a bat survey is unnecessary because there are no possible access points for bats, conclusive proof must be supplied to the Council.

If there is any doubt on the need for a bat survey in support of a planning application, applicants are advised to contact the Council's Natural Environment team as soon as possible in the application process.

Information Requirements and Survey Standards

Where an application meets the criteria for a bat survey to be required, the applicant will be expected to gather sufficient information to ensure that an accurate and reasonable opinion can be reached on whether bats are present. If bats are found to be present further information will be required on the importance of the site to bats and likely impacts, should the development go ahead.

The Bat Conservation Trust's *Bat Surveys- Good Practice Guidelines* (2012) and English Nature's *Bat Mitigation Guidelines* (2004) set out the standards expected by the Council. These documents are guidelines but any departure from their recommendations should be fully justified ecologically.

Initial bat surveys.

- The Council will accept bat surveys of buildings carried out at any time of the year looking for evidence of bats and assessing the risk of bats being present. Where there is no evidence of bats and a low risk of their presence a report describing the survey work undertaken and a justification for the conclusions reached should be submitted with a planning application. The report should follow the format set out on pages 28-30 of the Bat Conservation Trust's Good Practice Guidelines available on the following link: http://www.bats.org.uk/publications_detail.php/1127/bat_surveys_good_practice_guidelines_2nd_edition

The following information is often omitted from reports. Care should be taken to provide full details so that the Council can accurately assess reports received.

- Details of the author(s)/surveyor(s) and their qualifications and experience and Natural England license details.
- Time spent carrying out survey.
- Survey methodology and equipment used.
- Limitations of survey, for example, areas of the building which were accessible and those area which were not.
- Description of proposed development and likely impacts on bat populations.
- Detailed recommendations.

- Survey work and the development of mitigation measures and monitoring work should be undertaken by suitably qualified, experienced people. It is also important that the personnel are licensed by Natural England to carry out any survey work that would potentially contravene the legislation protecting bats.

If the initial survey is inconclusive and there is a significant risk of bat presence, the Council will require emergence/ activity surveys to be carried out.

Bat activity/ emergence surveys.

- The number of surveyors is critical. Even on small sites, it is usually difficult for one person to observe all parts of a building to check for emerging bats.

- The timing of field survey work is seasonally restricted and failure to carry out work at an appropriate time of the year will lead to the refusal of planning permission.

- The number of survey visits required to ascertain the presence/ absence of bats should be a minimum of 2-3 visits, one of which should include a dawn visit. Survey visits should be spread throughout the optimum survey period. Certainly survey visits must take place in suitable weather conditions in non-consecutive weeks. If bats are found additional survey visits may be required to ascertain the species present and the status of the roost.

- If development does not take place immediately after planning permission is granted the Council will require further survey work to the standards set out in this SPD after about 12 months. Exceptions to this requirement may be made where an initial survey has found little or no risk of bats and the condition of the building has not changed or where repeated survey effort over several years has found no evidence of bats and where the condition of the building has not changed.

If bats are found.

- Applicants should be aware that protection of existing habitat and/ or roosting sites will be preferred over provision of alternatives. If loss cannot be avoided, incorporation of equivalent replacement roost sites/ habitat will be required as part of development.

- Applicants must be aware that where bats are found there is a legal requirement for the council to consider the 'three tests' set out in the Conservation of Habitats and Species Regulations 2010. The Council cannot consider these tests without full information*.

Where bats are discovered the following information is required:

- Type of roost-hibernation/ maternity/ summer/ temporary and timing of occupation. Foraging habitat and commuting routes used by bats. (Foraging and commuting habitat includes woodland and woodland edge, hedgerows, scrub, parkland, gardens, grassland, wetland and open water.)
- In the case of foraging habitat, its importance to the local bat population.
- Predicted impacts of the development on roosts, foraging habitat, commuting routes.
  - Full details of likely impact on the roost.
  - If the roost will be disturbed, damaged or destroyed full details of appropriate mitigation/ compensatory provision and justification.
  - Timing of mitigation/ compensatory provision.
  - Location of mitigation/ compensatory provision.
  - Justification for the development to meet the requirements of the 'three tests'*.
- Monitoring provision for mitigation work.

*This requirement is described in paragraphs 5.30 to 5.34. A checklist of information is provided in Annex 9.

Annex 1B Guidance for European Protected Species Bats (Individual species guidance)

Daubenton's bat (*Myotis daubentonii*)
Additional Design Considerations
In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites.
- Protection of potential roost sites by retaining old trees and perhaps stonework with holes, cracks and fissures within new development.
- Protection or provision of above water feeding habitat.

Whiskered bat (*Myotis mystacinus*)
Additional Design Considerations
In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites;
- Provision of alternative roost sites where old houses containing roosts are demolished.
- The creation, where possible of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.;
- The retention and/or provision of trees and shrubs as feeding habitat;
- Wherever possible the retention of old and decaying trees.

Noctule bat (*Nyctalus noctula*)
Additional Design Considerations
In addition to the general design considerations above, planning proposals need to consider the following:

- Retention of known roost sites in trees.
- Provision of potential roost sites by retaining old trees with holes within development.
- Protection or provision of trees, woodland and wetland feeding habitat.

Common and Soprano pipistrelles (*Pipistrellus pipistrellus/ P. pygmaeus*)
Additional Design Considerations
In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites;
- The creation, where possible of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.;
- The retention and/or provision of grassland, trees and shrubs and the presence of water as feeding habitat;

- Wherever possible the retention of old and decaying trees.

Brown long-eared bat (*Plecotus auritus*)
Additional Design Considerations
In addition to the general design considerations above, planning proposals need to consider the following:

- The presence of underground cavities or structures and their possible suitability as roost sites.
- The creation, where possible, of fissures, artificial cavities and cracks by use of bat bricks, bat tiles, bat boxes etc.
- The retention and/or provision of, trees and shrubs, parkland and orchards as feeding habitat.
- Wherever possible the retention of old and decaying trees.

Annex 1C Guidance for European Protected Species Great crested-newt (*Triturus cristatus*)

Legal Framework
The great crested newt is protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and Schedule 5 of the Wildlife and Countryside Act 1981.

It is illegal to deliberately kill, injure, capture or disturb great crested newts or obstruct access to areas where they live. It is also an offence to intentionally damage, destroy or obstruct access to any structure or place which this species uses for shelter or protection. The law applies to eggs, tadpoles and juveniles, as well as adults. A licence, issued by Natural England, is necessary for any scientific or survey work that will involve catching or handling great crested newts, or where newts will be prevented from moving freely to and from the places where they live. A licence issued by Natural England is required for any development or permitted development works affecting great crested newts (see above under European Protected Species).

The Black Country supports a population of great crested newts whose conservation is significant in national terms. The species is known to be present in about 30 localities with well-recorded strongholds in Walsall. The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.

Information Requirements and Survey Standards
Expert advice is necessary to establish the potential impact of development. Surveys should be submitted where:

- There are historical or current records for this species on or connected to the proposed application site.
- There is suitable habitat on or connected to make the presence of the species reasonably likely.
- There are reliable reports that great crested newts are on or connected to the proposed application site.

English Nature's *Great Crested-newt Mitigation Guidelines* (2001) sets out the standards expected by the Council. Developers should demonstrate that they have followed the widely accepted methodologies and guidelines contained in this publication.

Once presence has been established the following aspects should be investigated:

- Long term records of species use of the site, if available;
- Population size;
- Breeding status;
- Breeding site(s);
- The nature and size of feeding habitat;
- Routes of movement;
- For terrestrial habitat, the importance of the site to the species;

- An assessment of the impact and proposals for mitigation;
- Opportunities for habitat creation or enhancement.

March to July is the best period to survey breeding ponds. Survey of terrestrial habitat can take place at other times. A licensed surveyor should undertake fieldwork. Where great crested-newts are recorded in an area, all surface water features on a site should be surveyed. Newts have been known to breed even in ditches and puddles.

Design Considerations
Planning proposals should consider the following:

- Natural England requirements;
- Timing of development work;
- Retention and/or provision of breeding ponds;
- Links to other breeding ponds/newt populations in the immediate area;
- Location of roads and footpaths and features such as drains and culverts which can be a problem during migration periods and means of mitigating against impacts of these;
- Retention and/or provision of suitable terrestrial habitat;
- Protection of populations and habitat during development;
- Management of ponds and terrestrial habitat;
- Monitoring of the effect of the development on newt populations.

Annex 1D Guidance for European Protected Species Otter (*Lutra lutra*)

Legal Framework

Otters are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 and Schedule 5 of the Wildlife and Countryside Act 1981. This legal protection means it is illegal to deliberately kill, injure, capture or disturb otters or obstruct their access to areas where they live. It is also an offence to intentionally damage, destroy or obstruct access to any structure or place which the species uses for shelter or protection. A licence issued by Natural England is required for any development or permitted development works affecting otters (see above under European Protected Species).

Absent from the Black Country for over a quarter of a century, otters are now again being recorded in the conurbation. They are thought to be re-colonising the area from historic strongholds in the upper Severn catchment by making use of the conurbation's extensive canal network and the rivers Cole, Tame, Stour and Blythe. There is currently one confirmed record for Walsall but it may be a species which becomes more common.

Development proposals can have a number of impacts on otters' use of watercourses and associated wetland habitat. Such impacts include loss of undisturbed breeding and lying up habitat, degradation and fragmentation of habitat, and increased disturbance. Changes in traffic patterns resulting from development may mean that otters are more at risk from being killed while crossing roads.

Information Requirements and Survey Standards

Spraints are used to mark territories and are a key sign of an otter's presence. They are most likely to be found in dry weather when the water level has been steady or is falling. Since they are used as a form of communication, spraints will be left in obvious locations such as under or near bridges, at tributary junctions and on prominent bank side or mid-stream features including boulders, tree stumps and sand bars. Winter surveys are easier because bank side vegetation will have died back, but heavy rains can wash signs away. In addition to looking for spraints, surveys should record other signs of the presence of otters such as footprints, feeding remains and bank slides, and should provide a general assessment of habitat condition and potential for improvement.

All developments involving watercourses, especially those which affect the integrity of river/canal corridors or impact upon waterside habitat, should provide the following information:

- Otter presence and status, including recent survey information and past records;
- As otters are rarely seen, surveys should be based on the presence of characteristic signs along the watercourse and adjacent habitats which may be used for lying up. Signs should be recorded on a detailed map.
- Records of otters for adjacent stretches of any watercourse or canal affected;
- If present, appraisal of the effect of the development on otters and details of

mitigation.

Surveys can be carried out at any time of the year, but best results are achieved in dry periods between November and January. Recognised and competent ecological consultants, with experience of otter work, should undertake survey work and the development of mitigation proposals. A Natural England licence is required for survey work which causes disturbance to otters such as checking of known holts. Where development proposals impact on otters, Natural England and the Environment Agency should be consulted.

Design Considerations
Planning proposals should consider the following:

- Natural England requirements;
- Inclusion of otter safeguards in new road developments, such as appropriate design of bridges, inclusion of otter passes above flood level; restricting use of culverts, provision of otter fencing;
- Retention, restoration or creation of safe, undisturbed lying up areas in urban riverside developments;
- Retention/enhancement of watercourses to provide safe passage;
- Deculverting of urban watercourses, combined with favourable habitat creation/enhancement;
- Provision of artificial holts;
- Appropriate management post-development;
- Monitoring of the effect of the development on otter populations.

Annex 1E Guidance for European Protected Species White-clawed crayfish (*Austropotomobius pallipes*)

Legal Framework
This species is protected under Schedule 5 of the WCA 1981 (as amended) and by inclusion in Annex II and V of the EC Habitats Directive. Natural England should always be consulted when white-clawed crayfish are affected by a planning proposal since a Natural England licence may need to be issued. The Environment Agency should be consulted in relation to proposals affecting watercourses. The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.

Information Requirements and Survey Standards
All proposals involving waterside habitat, especially watercourse engineering, bank modification or strengthening and bridge works should provide the following information:

- Records of white-clawed crayfish for the watercourse concerned and the catchment as a whole.
- Up-to date survey where records indicate crayfish presence anywhere on the watercourse or within its immediate catchment.
- Measures to protect crayfish populations and habitat should they be present.
- Monitoring proposals.

When surveying for crayfish, it is important that competence and confidence in identification can be demonstrated. The non-native Signal crayfish (*Pacifastacus lenuiscules*) has been recorded occasionally in the West Midlands and it is therefore essential that surveyors can recognise the presence of this problematic alien. Survey work and the development of mitigation measures and monitoring work should be undertaken by suitably qualified and experienced surveyors. It is also important that the personnel are licensed by Natural England to carry out any survey work that would contravene the legislation protecting crayfish.

This species is best surveyed either at dusk, by netting or pond dipping, or using torchlight after dark when the crayfish are more active. Surveys should be undertaken between April and October.

Design Considerations
Planning proposals affecting crayfish habitat should consider the following:

- Maintenance of suitable water quality and chemistry.
- Measures to avoid sediment or other polluting material entering the watercourse/water body.
- Protection or provision of refuges within and along the edge of water bodies, together with aquatic vegetation.
- Maintenance or provision of soft banks for burrows.

Annex 1F Guidance for European Protected Species Floating water-plantain (*Luronium natans*)

Legal Framework
The provisions of Section 13 of the WCA 1981 make it an offence for a person to intentionally uproot any wild plant unless they are authorised to do so by the landowner.

Some rare plants, listed in Schedule 8 of the WCA 1981 and Schedule 5 of the Conservation of Habitats and Species Regulations 2010, have additional protection. It is an offence for any person, including the landowner, to intentionally pick, uproot or destroy these specially protected wild plants. Floating water-plantain (*Luronium natans*), which occurs on canals in Birmingham and the Black Country, is one such species subject to this greater level of legal protection. In Walsall the Cannock Extension Canal SAC is the stronghold of this species but other locations in the borough are known.

In addition to its protected species status, floating water-plantain is a priority species in the UK Biodiversity Action Plan. The Birmingham and Black Country Biodiversity Action Plan identifies the canal habitats where this species generally occurs as a local priority.

A licence is required from Natural England for any survey or research work affecting this species, including the taking of samples for survey and identification purposes. Natural England should be consulted should floating water-plantain be found. Activities associated with development are controlled by means of licences issued by Natural England.

Information Requirements and Survey Standards
All proposals affecting canals and associated water-bodies, especially dredging, restoration or alterations to the channel, should provide the following information:

- Evidence of a records search.
- Aquatic plant survey.
- Should floating water-plantain be found, measures to protect the population.

The plants die back in the autumn and winter so survey should be carried out between May and August. A competence in botanical identification, especially of submerged and floating aquatic plant species, is a prerequisite when surveying for this species which must be identified in the field as samples cannot be taken. Verification of the identification by a licensed surveyor will be required.

Design Considerations.
If floating water-plantain might be affected by planning proposals, the following should be incorporated into scheme design:

- Protection of individual plants during works affecting the habitat;
- Creation of refuges within and alongside water bodies to protect against disturbance;

- Protection of water quality.

Annex 2A Guidance for species Protected by the Wildlife & Countryside Act
Water vole (*Arvicola terrestris*).

Legal Framework
The water vole receives protection through its inclusion on Schedule 5 of the Wildlife & Countryside Act 1981. This legal protection makes it an offence to intentionally damage or destroy or obstruct access to any structure or place which water voles use for shelter or protection; or disturb water voles while they are using such a place. From 6 April 2008 it became illegal to kill, injure or take this species from the wild. Licences are available from Natural England to allow activities that would otherwise be offences, for example for scientific or educational purposes. In relation to riverbank or channel management work, the Environment Agency should be consulted.

The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority. This century has seen a long-term decline, which has accelerated in the 1980's and 90's, making this formerly common species a rare sight over much of the country. The reasons for this decline are complex but certainly involve degradation and loss of bank side habitat, isolation of populations, and the spread of mink, an effective predator of water voles. Recent research in Birmingham and the Black Country suggests that the urban area is of increasing importance as populations in rural counties decline.

Information Requirements and Survey Standards
The Council will expect applications with the potential to affect water vole populations to follow guidance on survey methods and mitigation techniques contained in the *Water Vole Conservation Handbook* (Second edition) by Strachan and Moorhouse.

All developments involving waterside habitat, especially watercourse engineering or bank modification or strengthening and bridge works, should provide the following information:

- Water vole presence and status, including recent survey information and past records, on the development site;
- As water voles are rarely seen, surveys should be based on the presence of characteristic signs up to 2m away from the banks and edges of watercourses and ponds. Signs should be recorded on a detailed map.
- Records of water voles for adjacent stretches of any watercourse or canal affected;
- If present, appraisal of the effect of the development on water voles and details of mitigation.

Surveys should be carried out between late April and early October when voles are active. Expert advice will be required to assess development impacts.

Design considerations
Planning proposals need to address the following:

- Retention/creation of features of water vole conservation value such as soft banks or gaps in reinforcement, stands of marginal vegetation, bank side shrubs and long grass for cover
- As water voles confine their activities to within 5 metres of water, they can be accommodated by maintaining or creating wildlife corridors along watercourses and undeveloped areas around ponds.
- The straightening, deepening, piling, concreting and canalisation of watercourses exclude water voles. Any such proposals will not be supported unless vole habitat is incorporated or alternative habitat provided nearby.
- The loss of riverbank or canal habitat or a pond or ditch may be mitigated by the construction of a new habitat of equivalent area or length. The new habitat should be ready before the old one is destroyed.
- Phasing of dredging and canalisation work in an upstream direction and creation or retention of refuges to allow maintenance of local populations.

Annex 2B Guidance for species Protected by the Wildlife & Countryside Act
Birds

General
All wild birds and their nests are protected under the WCA 1981 and CROW Act 2000. It is an offence to kill or injure any wild bird, nests may not be damaged or destroyed while in use or being built, and eggs may not be taken or destroyed. In addition, species listed on Schedule 1 of the WCA are protected by special penalties. For these species, it is an offence to disturb any nesting bird or dependent young and/or to interfere with its nest and nesting site. Where birds are present and/or breeding on a development site, appropriate timing of works will be required to ensure no adverse effects on nesting, breeding and feeding.

Natural England should be consulted when Schedule 1 birds are affected by a development proposal. Consideration should be given to protection and enhancement of foraging habitat.

Six WCA Schedule 1 species of bird have been recorded breeding in Walsall or in the wider area of Birmingham and the Black Country and are covered by detailed guidance. They are:

- **Barn owl** (*Tyto alba*)
- **Black redstart** (*Phoenicurus ochruros*) The Birmingham and Black Country Biodiversity Action Plan identifies this species as a local priority.
- **Hobby** (*Falco subbuteo*)
- **Kingfisher** (*Alcedo atthis*)
- **Little ringed plover** (*Charadrius dubius*)
- **Peregrine falcon** (*Falco peregrinus*)

General Information Requirements and Survey Standards
Information Requirements
Where there is evidence that a Schedule 1 species breed on or use the site,

- or there is a strong suspicion that this is the case;
- or that suitable breeding habitat is present in proximity to a known population;
- or that development may have a significant effect on an area of continuous or discontinuous but linked feeding habitat e.g. barn owl feeding territory:

The following information is required:

- Long term records of species use of the site/locality if available;
- The size of population and breeding status;
- Location of breeding site(s) where directly or indirectly affected by development;
- The nature and size of feeding habitat;
- An assessment of the importance of the site to the species;
- An assessment of impact of the development and proposals for mitigation.
- Proposed management of breeding resting and feeding habitat

Survey standards

Survey should be carried out by appropriately qualified/ experienced personnel. Survey methods depend on the species concerned. The timing of surveys for each species is found in Table 3.

Annex 2C Guidance for species Protected by the Wildlife & Countryside Act
Detailed guidance for individual bird species.

Black redstart (*Phoenicurus ochruros*)
Design Considerations.
Planning proposals need to consider the following:

- Renovation, alteration or demolition may well be controlled by the Wildlife & Countryside Act if the species is present and breeding.
- Where the renovation, alteration and demolition of old buildings are anticipated, especially those located alongside canal, rail or Metro corridors, the incorporation of features providing secure cavities or ledges for breeding purposes.
- The protection, provision and/or availability of foraging habitat, normally of a wasteland type, near to the nest site. 'Brown roofs' on buildings should be considered where sufficient terrestrial landscaping cannot be provided.

In Walsall mitigation zones have been identified based on record data. Any planning applications within the 1 km radius zones shown on the plan below will be required to provide habitat and nesting sites for black redstarts, where appropriate.

Barn owl (*Tyto alba*)
Design Considerations
Planning proposals need to consider the following:

- Protection and/or provision of safe and secure nesting sites;
- The retention and provision of suitable foraging habitat on and/or off site and access to this;
- Appropriate foraging habitat management.

Hobby (*Falco subbuteo*)
Design Considerations
Planning proposals need to consider the following:

- Use of the site for nesting and/or foraging.
- Retention or provision of suitable nesting sites such as old trees and/or pylons.
- Where hobbies are known to use a site suitable foraging habitat such as open habitat with woodland edges, trees and hedgerows should be protected and/or provided.

Kingfisher (*Alcedo atthis*)
Design considerations
Planning proposals, which affect watercourses, canals and other surface water features need to consider the following:

- Bank side nesting sites, habitat and fishing perches.
- Effects on water quality.
- Water quantity and flow and effects on breeding and feeding habitat.
- Provision of artificial nesting sites along appropriate watercourses.

Little ringed plover (*Charadrius dubius*)
Design Considerations
Planning proposals for a little ringed plover breeding site need to consider the following:

- The retention and/or provision of open bare habitat of a shingly nature close to water.
- Measures to ensure that no work is carried out or disturbance caused during the breeding season.
- Control of public access to any breeding and /or feeding areas during the breeding season.

Peregrine falcon (*Falco peregrinus)*
Design Considerations
Planning proposals need to consider the following:

- Protection of existing breeding or potential breeding sites.
- Where development consists of the refurbishment of existing tall structures, the provision/retention of ledges sheltered from prevailing weather and from disturbance.
- Where proposals involve quarrying, opportunities for creating ledges sheltered from prevailing weather and from disturbance.

Annex 2D Guidance for species Protected by the Wildlife & Countryside Act
Reptiles

General
Four species of Britain's protected reptiles have been recorded in Birmingham and the Black Country. They are:

- Slow worm (*Anguis fragilis*)
- Common lizard (*Lacerta vivipara*)
- Grass snake (*Natrix natrix*)
- Adder (*Vipera berus*)

Legal Framework
These species are protected under Schedule 5 of WCA 1981 against intentional killing or injuring. The animals themselves can be moved, however if this is necessary. It is recommended that it is carried out in liaison with Natural England.

Information Requirements and Survey Standards
Where reptiles are known to be present or have been recorded on or immediately adjacent to a site that is the subject of a planning application, developers will be requested by the Council to provide:

- Information about population status and hibernation, feeding and basking sites.
- An evaluation of the importance of the site to the population using it.
- An assessment of the impact of the proposed development.
- Proposals for mitigation in respect of the population.

Records of these species usually result from chance encounters in suitable habitats. They are mostly inconspicuous and difficult to find. April, May and September are the best months for surveying, when animals are most likely to be seen basking. Use of artificial refugia is a useful survey technique in certain situations. *The Herpetofauna Workers Manual* produced by the Joint Nature Conservation Committee in 1998 provides the most comprehensive digest of surveying. More recently Natural England has published Reptile Mitigation Guidelines (2011).

The future management and monitoring of reptiles and their associated breeding, resting, feeding and hibernating habitat may need to be addressed whilst determining any planning application.

Developers should be aware that re-location schemes are not favoured by the Council as they are not proven and are not regarded as a substitute for the retention and/ or provision of suitable habitat and hibernation sites.

To assist developers, the specific requirements of the four species are set out below.

Annex 2E Guidance for species Protected by the Wildlife & Countryside Act
Guidance for individual reptile species.

Slow worm (*Anguis fragilis*)
Design Considerations
Planning proposals need to consider the following:

- Retention and/or provision of dry grassland and scrub where disturbance is minimal.
- Provision of habitat piles of stones and logs, which are important as resting/hibernation sites.

Common lizard (*Lacerta vivipara*)
Design Considerations
Planning proposals need to consider the following:

- Retention and/or provision of access to areas of suitable open habitat.
- Management to prevent the growth of trees and scrub that would shade the open habitat.
- Protection and/or provision of good quality wildlife corridors linking breeding/ foraging habitat, and enabling dispersal.
- Provision of habitat piles of stones, logs or other suitable material to provide resting/hibernation sites.

Grass snake (*Natrix natrix*)
Design Considerations
Planning proposals need to consider the following:

- Protection and/or provision of suitable accessible habitat on and/or off site.
- Protection and/or provision of access routes linking areas of breeding/foraging habitat.
- Provision of incubation sites in the form of piles of vegetation or grass clippings.
- Well-drained frost-free areas, such as banks or walls with holes, are needed so that they can survive the winter.
- Management to prevent the growth of trees and scrub that would shade the open habitat.

Adder (*Vipera berus*)
Design Considerations
Planning proposals need to consider the following:

- Retention and/or provision of access to areas of suitable open habitat.
- Management to prevent the growth of trees and scrub that would shade the open habitat.
- Protection and/or provision of access routes linking breeding/foraging habitat.
- Well-drained frost-free areas, such as banks or walls retained or provided for winter hibernation.

Annex 3A Other protected species
Badger (*Meles meles*)

Legal Framework
The Protection of Badgers Act 1992 protects the animals themselves from harm or from disturbance when occupying a sett, and protects setts against damage, destruction or obstruction. In order to undertake the development of land (as defined in Section 55(1) of the Town & Country Planning Act (1990)) or to carry out any work that would entail interference with or disturbance of setts, a licence from Natural England, must be obtained.

Information Requirements and Survey Standards
The amount of information required in support of a planning application will depend on the potential impact that the work is likely to have on the local badger population. This information should address:

- The status and occupancy of all setts affected or not, available to the social group(s);
- Effects of the development on setts and on the badger social group(s);
- The presence and location of badger walkways and pathways;
- The extent and location of foraging habitat;
- The scale, nature and timeframe of badger activity;
- Mitigation required to avoid damage to badgers and to comply with legal requirements.

Given this species' liability to persecution, it is of utmost importance that the issues relating to development proposals are dealt with in a confidential manner.

Survey and mitigation proposals and licensed work should be undertaken by recognised and competent ecological consultants with a proven record of badger work.

Design Considerations
Planning proposals should take into account the following:

- Any work affecting badgers or their setts is illegal without a licence, issued by Natural England. This may apply to activities up to 30 metres from a sett;
- Timing of work. There is a presumption against issuing licences between December 1st and June 30th when significant disturbance could affect breeding badgers;
- Design layout to accommodate setts and access to foraging habitat;
- Badger use patterns within the site and to and from adjacent habitat;
- Management of foraging habitat where appropriate;
- Protection of badgers and their setts will not be considered sufficient mitigation if foraging habitat or safe access to this is not safeguarded. This should include provisions to avoid or minimise risks of road casualties.

Annex 4A Priority habitats listed in Section 41 of the Natural Environment and Rural Communities Act 2006 found within Birmingham and the Black Country.

Habitats of Principal Importance in England

Broad habitat	Habitat name
Arable and horticulture	**Arable field margins**
Boundary	**Hedgerows**
Freshwater	**Eutrophic standing waters**
Freshwater	**Mesotrophic lakes**
Freshwater	**Ponds**
Grassland	**Rivers**
Grassland	**Lowland calcareous grassland**
Grassland	**Lowland dry acidic grassland**
Grassland	**Lowland meadows**
Grassland	**Purple moor-grass and rush pasture**
Heathland	**Lowland heathland**
Inland rock	**Inland rock outcrops and scree habitats**
Inland rock	**Open mosaic habitats on previously developed land**
Wetland	**Coastal and floodplain grazing marsh**
Wetland	**Lowland fens**
Wetland	**Lowland raised bog**
Wetland	**Reedbeds**
Wetland	**Lowland mixed deciduous woodland**
Woodland	**Upland mixed ashwood**
Woodland	**Upland oakwood**
Woodland	**Wet woodland**
Woodland	**Wood pasture and parkland**

Annex 4B Local priority habitats identified in the Birmingham and Black Country Biodiversity Action Plan.

Habitat name	Notes
Ancient woodland	Land believed to have been wooded since at least 1600.
Canals	Linear water bodies performing a similar ecological function to rivers. There are 220 kilometres within Birmingham and the Black Country.
Parks and open space	Historic parks and more recent open space containing a range of habitat types from mature trees to open water.
Allotments	A study for the Birmingham and Black Country Flora found vegetation similar to arable field margins with uncommon plants recorded.
Gardens	Gardens collectively cover about 17,500 hectares within Birmingham and the Black Country and mimic many priority habitats including hedgerows, woodlands and arable field margins.

These are the local priority habitats currently identified. The list may be amended in the future on the advice of the Birmingham and Black Country Biodiversity Steering Group. Appendix 3 of the Birmingham and Black Country Biodiversity Plan sets out criteria for the selection of local priority habitats.

Annex 4C Priority species listed in Section 41 of the Natural Environment and Rural Communities Act 2006 found within Birmingham and the Black Country.

Species of Principal Importance in England

Amphibians and reptiles	
Bufo bufo	Common Toad
Triturus cristatus	Great Crested Newt
Anguis fragilis	Slow-worm
Natrix natrix	Grass Snake
Vipera berus	Adder
Zootoca vivipara	Common Lizard

Bee	
Andrena tarsata	Tormentil Mining Bee

Beetles	
Amara famelica	Early Sunshiner
Melanapion minimum	Sallow Guest Weevil

Birds	
Alauda arvensis subsp. arvensis	Sky Lark
Anthus trivialis	Tree Pipit
Aythya marila	Greater Scaup
Botaurus stellaris	Bittern
Caprimulgus europaeus	Nightjar
Coccothraustes coccothraustes	Hawfinch
Crex crex	Corn Crake
Cuculus canorus	Common Cuckoo
Emberiza calandra subsp. calandra	Corn Bunting
Emberiza citrinella	Yellowhammer
Emberiza schoeniclus	Reed Bunting
Larus argentatus subsp. argenteus	Herring Gull
Limosa limosa subsp. limosa	Black-tailed Godwit
Locustella naevia	Grasshopper Warbler
Lullula arborea	Wood Lark
Melanitta nigra	Common Scoter
Muscicapa striata	Spotted Flycatcher
Numenius arquata	Curlew
Passer domesticus	House Sparrow
Passer montanus	Tree Sparrow
Perdix perdix	Grey Partridge
Phylloscopus sibilatrix	Wood Warbler
Streptopelia turtur	Turtle Dove
Sturnus vulgaris subsp. vulgaris	Starling
Turdus torquatus	Ring Ouzel
Vanellus vanellus	Lapwing

Bug	
Hydrometra gracilenta	Lesser Water Measurer

Butterflies & moths	
(Butterflies)	
Boloria selene	Small Pearl-bordered Fritillary
Coenonympha pamphilus	Small Heath
Cupido minimus	Small Blue
Erebia epiphron	Mountain Ringlet
Erynnis tages	Dingy Skipper
Lasiommata megera	Wall

Leptidea sinapis	Wood White
Limenitis camilla	White Admiral
Satyrium w-album	White Letter Hairstreak
(Moths)	
Acronicta psi	Grey Dagger
Acronicta rumicis	Knot Grass
Agrochola helvola	Flounced Chestnut
Agrochola litura	Brown-spot Pinion
Agrochola lychnidis	Beaded Chestnut
Allophyes oxyacanthae	Green-brindled Crescent
Amphipoea oculea	Ear Moth
Amphipyra tragopoginis	Mouse Moth
Apamea remissa	Dusky Brocade
Aplasta ononaria	Rest Harrow
Aplota palpella	Scarce Brown Streak
Aporophyla lutulenta	Deep-brown Dart
Arctia caja	Garden Tiger
Aspitates gilvaria subsp. Gilvaria	Straw Belle
Atethmia centrago	Centre-barred Sallow
Blepharita adusta	Dark Brocade
Brachylomia viminalis	Minor Shoulder Knot
Caradrina morpheus	Mottled Rustic
Celaena leucostigma	Crescent
Chesias legatella	Streak
Chiasmia clathrata	Latticed Heath
Diarsia rubi	Small Square-spot
Diloba caeruleocephala	Figure of Eight
Ecliptopera silaceata	Small Pheonix
Ennomos erosaria	September Thorn
Ennomos fuscantaria	Dusky Thorn
Ennomos quercinaria	August Thorn
Epirrhoe galiata	Galium Carpet
Eugnorisma glareosa	Autumnal Rustic
Eulithis mellinata	Spinach
Eustroma reticulatum	Netted Carpet
Euxoa nigricans	Garden Dart
Graphiphora augur	Double Dart
Hemistola chrysoprasaria	Small Emerald
Hepialus humuli	Ghost Moth
Hoplodrina blanda	Rustic
Hydraecia micacea	Rosy Rustic
Lycia hirtaria	Brindled Beauty
Malacosoma neustria	Lackey
Melanchra persicariae	Dot Moth
Melanchra pisi	Broom Moth
Mesoligia literosa	Rosy Minor
Mythimna comma	Shoulder-striped Wainscot
Noctua orbona	Lunar Yellow Underwing
Orthonama vittata	Oblique Carpet
Orthosia gracilis	Powdered Quaker
Pelurga comitata	Dark Spinach
Sciota hostilis	Scarce Aspen Knot-horn
Scotopteryx chenopodiata	Shaded Broad-bar
Spilosoma lubricipeda	White Ermine
Spilosoma luteum	Buff Ermine
Tholera cespitis	Hedge Rustic
Timandra comae	Blood Vein
Tyria jacobaeae	Cinnabar

Watsonalla binaria	Oak Hook-tip
Xanthia icteritia	Sallow
Xanthorhoe ferrugata	Dark-barred Twin-Spot Carpet
Xestia agathina	Heath Rustic
Xestia castanea	Neglected Rustic

Crustacean	
Austropotamobius pallipes	White-clawed crayfish

Fish	
Anguilla anguilla	European Eel
Cobitis taenia	Spined Loach

Mammals	
Arvicola terrestris	Water Vole
Erinaceus europaeus	Hedgehog
Lepus europaeus	Brown Hare
Lutra lutra	Otter
Micromys minutus	Harvest Mouse
Mustela putorius	Polecat
Nyctalus noctula	Noctule
Pipistrellus pygmaeus	Soprano Pipistrelle
Plecotus auritus	Brown Long-eared bat
Rhinolophus hipposideros	Lesser Horseshoe Bat

Lichen	
Collema dichotomum	River Jelly Lichen

Vascular plants	**Common name**
Artemisia campestris	Field Wormwood
Campanula patula	Spreading Bellflower
Campanula rapunculus	Rampion Bellflower
Carum carvi	Caraway
Centaurea cyanus	Cornflower
Dianthus armeria	Deptford Pink
Illecebrum verticillatum	Coral-necklace
Juniperus communis	A Juniper
Luronium natans	Floating Water Plantain
Mentha pulegium	Pennyroyal
Muscari neglectum	Grape-hyacinth
Oenanthe fistulosa	Tubular Water-dropwort
Pilosella flagellaris	Shetland Mouse-ear-hawkweed
Potamogeton compressus	Grass-wrack Pondweed
Ranunculus arvensis	Corn Buttercup
Stellaria palustris	Marsh Stitchwort

Annex 4D Local priority species identified in the Birmingham and Black Country Biodiversity Action Plan.

Triturus cristatus	**Great Crested-Newt**
The Black Country holds internationally important populations of great-crested newt. They require a landscape mosaic of small ponds, tall grassland and scrub. Not all foraging and hibernation sites are within designated sites. The species is under threat from development and fragmentation of habitat and inappropriate wetland management.	
Austropotamobius pallipes	**White-clawed crayfish**
The local populations live in a largely closed system which makes contamination from non-native populations less of a risk. Populations have declined due to loss of wetlands, increased pollution, re-engineering of river banks and the spread of disease from non-native species.	
Arvicola terrestris	**Water vole**
Birmingham and the Black Country is a stronghold for this species which has disappeared from many rural areas. Most water voles in this area are associated with canals.	
Phoenicurus ochruros	**Black redstart**
Birmingham and the Black Country holds a nationally important population of this migratory species. It is associated with old building adjacent to brown field land and canals.	

These are the local priority species currently identified. The list may be amended in the future on the advice of the Birmingham and Black Country Biodiversity Action Plan Steering Group. Appendix 3 of the Birmingham and Black Country Biodiversity Plan sets out criteria for the selection of local priority species.

Annex 5 List of existing plans, policies and programmes relevant to this SPD (In chronological order)

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Sites of Importance for Nature Conservation in the West Midlands. English Nature 1997. Not available on-line.

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http://www.sustainable-development.gov.uk/publications/uk-strategy99/index.htm

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http://www.wildlifetrust.org.uk/urbanwt/ecorecord/bap/html/main.htm

Tree Preservation Orders: A Guide to the Law and Good Practice. DCLG 2000 (updated May 2009).
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Regional Spatial Strategy for the West Midlands. ODPM 2004.
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~~**Planning Policy Statement 9: Biodiversity and Geological Conservation**. ODPM 2005
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Restoring the Region's Wildlife: Regional Biodiversity Strategy for the West Midlands. West Midlands Biodiversity Partnership 2005.
http://www.wmbp.org/assets/userfiles/000424.pdf

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Local Sites: Guidance on their Identification, Selection and Management. Defra 2006. http://www.defra.gov.uk/wildlife-countryside/ewd/local-sites/localsites.pdf

Planning for Biodiversity and Geological Conservation: A guide to good practice. ODPM 2006. http://comunities.gov.uk/index.asp?id=1143832

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A Strategy for England's Trees, Woods and Forests. Defra 2007. http://www.defra.gov.uk/wildlife-countryside/rddteam/pdf/0706forestry-strategy.pdf

Green Infrastructure: A prospectus for the West Midlands Region. West Midlands Regional Assembly Environmental Partnership (2007) http://www.growingourfuture.org/wmwff/taskgroups/gip/prospectus.pdf

Regional Spatial Strategy for the West Midlands. Government Office for the West Midlands: Department for Communities & Local Government (2008). http://www.wmra.gov.uk/page.asp?id=47

Securing biodiversity: a new framework for delivering priority species and habitats in England. Natural England (2008) http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=5b8ad336-a23b-4184-9ad2-ce98f3d92502
Likely to be superseded soon.

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UK Biodiversity Action Plan: priority habitat descriptions. Biodiversity Reporting and Information Group JNCC (2008) Updated 2010. http://jncc.defra.gov.uk/_ukbap/UKBAP_PriorityHabitatDesc-Rev2010.pdf

Birmingham and the Black Country Biodiversity Action Plan. (2010). http://www.bbcwildlife.org.uk/sites/default/files/bbcbapfinal2010.pdf

Managing for species- integrating the needs of England's priority species into habitat management. Natural England (2010) http://naturalengland.etraderstores.com/NaturalEnglandShop/NERR024

Black Country Core Strategy. Adopted by Walsall Council February 2011. http://cms.walsall.gov.uk/planning_core_strategy.pdf

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Biodiversity 2020: a strategy for England's wildlife and ecosystem services. Defra 2011
http://www.defra.gov.uk/publications/files/pb13583-biodiversity-strategy-2020-111111.pdf

Birmingham and Black Country Nature Improvement Area. 2012 (See Annex 7)
http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/funding/nia/projects/birmingham.aspx
http://www.bbcwildlife.org.uk/NIA

National Planning Policy Framework. Department for Communities and Local Government (2012)
http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf

Annex 6 Development Plan policies relevant to this SPD

BLACK COUNTRY CORE STRATEGY: KEY POLICIES

ENV1: Nature conservation
ENV2: Historic character and distinctiveness
ENV4: Canals
ENV5: Flood risk, Sustainable Drainage Systems and Urban Heat Island
CSP1: The Growth Network
CSP2: Development outside the Growth Network
CSP3: Environmental infrastructure
MIN1: Managing and safeguarding mineral resources
MIN3: Maintaining supplies of brick clay
MIN4: Exploitation of other mineral resources
MIN5: Resource management and new development

UNITARY DEVELOPMENT PLAN: KEY POLICIES

ENV8: Great Barr Hall and estate and St Margaret's Hospital
ENV10: Pollution
ENV14: Development of derelict and previously developed sites
ENV15: Forest of Mercia
ENV16: Black Country Urban Forest
ENV17: New planting
ENV23: Nature conservation and new development
ENV24: Wildlife corridors
ENV26: Industrial archaeology
ENV30: Registered Parks and Gardens
ENV32: Design and development proposals
ENV33: Landscape design
ENV40: Conservation, protection and use of water resources
JP4.1: East of M6 Junction 10
LC1: Urban Open Space

UNITARY DEVELOPMENT PLAN: OTHER POLICIES
ENV6: Protection and encouragement of agriculture
ENV9: Environmental improvement initiatives
JP8: Bad neighbour industrial uses
T5: Highway improvements

Annex 7a Birmingham & Black Country Nature Improvement Area: Key Objectives and Delivery Themes

"To achieve long-term environmental gains for the wildlife and people of Birmingham & the Black Country by delivering targeted, on-the-ground, biodiversity projects at a landscape scale."

The Birmingham & Black Country Nature Improvement Area is a partnership of over 50 organisations that have come together to deliver significant improvements to the natural environment of Birmingham, Dudley, Sandwell, Walsall and Wolverhampton. The Nature Improvement Area is the culmination of decades of working towards our vision of an urban landscape permeated by a network of high quality greenspace which is rich in wildlife and enjoyed by the people who live and work here. It represents a step-change away from site-focused nature conservation to a more ambitious and joined-up landscape-scale approach.

The **Key Objectives** of the Nature Improvement Area are:

Bigger *– to increase the amount of wildlife habitat in the landscape*
Better *– to enhance the value of existing habitats across the landscape*
More *– to increase the number of sites with wildlife value across the landscape*
Joined *– to target action on ecological corridors and stepping stones*
People *– to connect communities with their landscape and its wildlife*

The partnership has identified a number of **Delivery Themes** which prioritise the types of projects that will be undertaken in this first phase (2012 – 2015) of the Nature Improvement Area. These have been informed by the partnership's collective understanding of the Birmingham and Black Country landscape, its ecology and its needs. The Delivery Themes are **Woodland**, **Grassland**, **Heathland**, **Corridors**, **Geology** and **Community Engagement**. These priorities enable each partner to maximise their contribution to landscape-scale change by ensuring their projects form part of larger and linked actions which are being rolled-out across Birmingham & the Black Country.

Woodland – *management & enhancement of recently established woodland*
There are remnant concentrations of old, ecologically diverse and historically valuable woodlands in parts of Birmingham & the Black Country. These are most commonly found in those areas that were least altered by the land-use changes of the Industrial Revolution, whereas in those areas that saw the most dramatic changes much of the agricultural landscape and the woodlands this contained were lost. Over the past half century woodland cover in these areas has greatly increased through large-scale planting of new woodland. This has gone some way to redress the ecological imbalance these differing land-use histories have created, however, these new woodlands are often structurally and ecologically poor, and do not support the variety or abundance of flora and fauna found in the older woodlands.

The aim of the Woodland Delivery Theme is therefore to re-establish a network of high quality woodlands across Birmingham & the Black Country through the enrichment and diversification of our young woodlands. This will be achieved through thinning, coppicing, under-planting and the introduction of native field-layer species sourced from our remaining old woodlands.

Grassland – *restoration & linking of long-established grassland*
The industrialisation which began in the 18th century and the large-scale suburban expansion of the 20th century drastically reduced and fragmented the area of permanent grassland in Birmingham & the Black Country. There remain rural areas in the Nature Improvement Area with concentrations of commercially farmed and often floristically diverse semi-improved grassland, whilst in the rest of the area there is a much more complex landscape which retains fragments, ribbons and patches of remnant ancient countryside comprising small fields and often outgrown and defunct hedgerows. These grasslands frequently lose their floristic and associated faunal diversity through a lack of management: first becoming rank and dominated by tussocky grasses, quickly followed by colonisation by tall perennial herbs, bramble and scrub.

There is a recent history in the Nature Improvement Area of pioneering work to create diverse grassland of native species - techniques which have since been adopted nation-wide. The Grassland Delivery Theme will build on this work by creating a network of new species-rich grassland sites across our area, whilst also restoring long-established grassland through the re-introduction of appropriate management.

Heathland – *restoration & linking of long-established heathland*
Prior to the large-scale landscape changes of the last 200 years large parts of Birmingham and Walsall were dominated by heathland, whilst smaller heaths existed scattered throughout the Nature Improvement Area. There remains a core area of high quality heathland in the north-east, with smaller and more isolated sites surviving at other relict heaths.

Often the most active threat to our heathland is the lack of traditional management and the associated colonisation by plant species such as bracken and bramble, followed by the inevitable succession to species-poor scrub. There are also examples of sites which formerly supported a heathland/acid grassland mosaic where a lack of appropriate management (often with associated trampling by people) has led to a loss of the heather cover and the dominance of acid grassland.

The focus of the Heathland Delivery Theme is therefore to restore existing heathland through the clearance of undesirable vegetation and the re-introduction of appropriate management; and to recreate heathland using locally sourced seed on former heathland or other suitable sites.

Corridors – *improving quality, linkage & bridging gaps*

Birmingham & the Black Country comprises a deeply fragmented landscape and therefore our blue (wetland) and green (terrestrial) habitat corridors are often key to species movement, site colonisation and population expansion.

Wetland corridors in the Nature Improvement Area vary greatly in form and scale, however, a vast network of canals, rivers and streams reaches almost every part of Birmingham & the Black Country. This network links the other land cover and habitat types, and often provides the primary opportunity for wildlife to enter and cross the most inhospitable parts of the landscape.

Green corridors frequently mirror wetland corridors with associated narrow strips of woodland, scrub, grassland or heathland following the canals and rivers. Larger-scale terrestrial corridors also exist within the Nature Improvement Area; often these are a complex mix of remnant pre-industrial agricultural land and reclaimed post-industrial sites, linked by accident of history. Some reach deep into the conurbation from the surrounding countryside, some exist entirely surrounded by dense development.

Very often, however, these corridors are of poor quality or are incomplete: rivers and streams, for example, are frequently constrained in highly modified and homogenous channels with little variation of conditions and little semi-natural habitat; the habitats which comprise green corridors may be degraded through abuse or simple neglect, or there are gaps where inappropriate land-use or development forms a barrier to movement.

The focus of the Corridors Delivery Theme is therefore to improve the ecological quality of the Nature Improvement Area's wildlife corridors, improve links between sites along corridors and to create species or species-group specific corridors. Actions on corridors will not only aim to enhance links within the conurbation, but also to enhance ecological links to the surrounding countryside.

Geology & Geomorphology – *linking Geodiversity and biodiversity*
The underlying geology of the Nature Improvement Area is remarkably complex, diverse and well recorded, and many nationally and even internationally important designated sites are found here. There are many locations across the Nature Improvement Area where work to enhance access to geological exposures can be combined with gains for biodiversity: for example, removing scrub can improve the educational and aesthetic value of exposures whilst also restoring habitat for scarce plant and invertebrate species reliant on skeletal soils or un-shaded exposures.

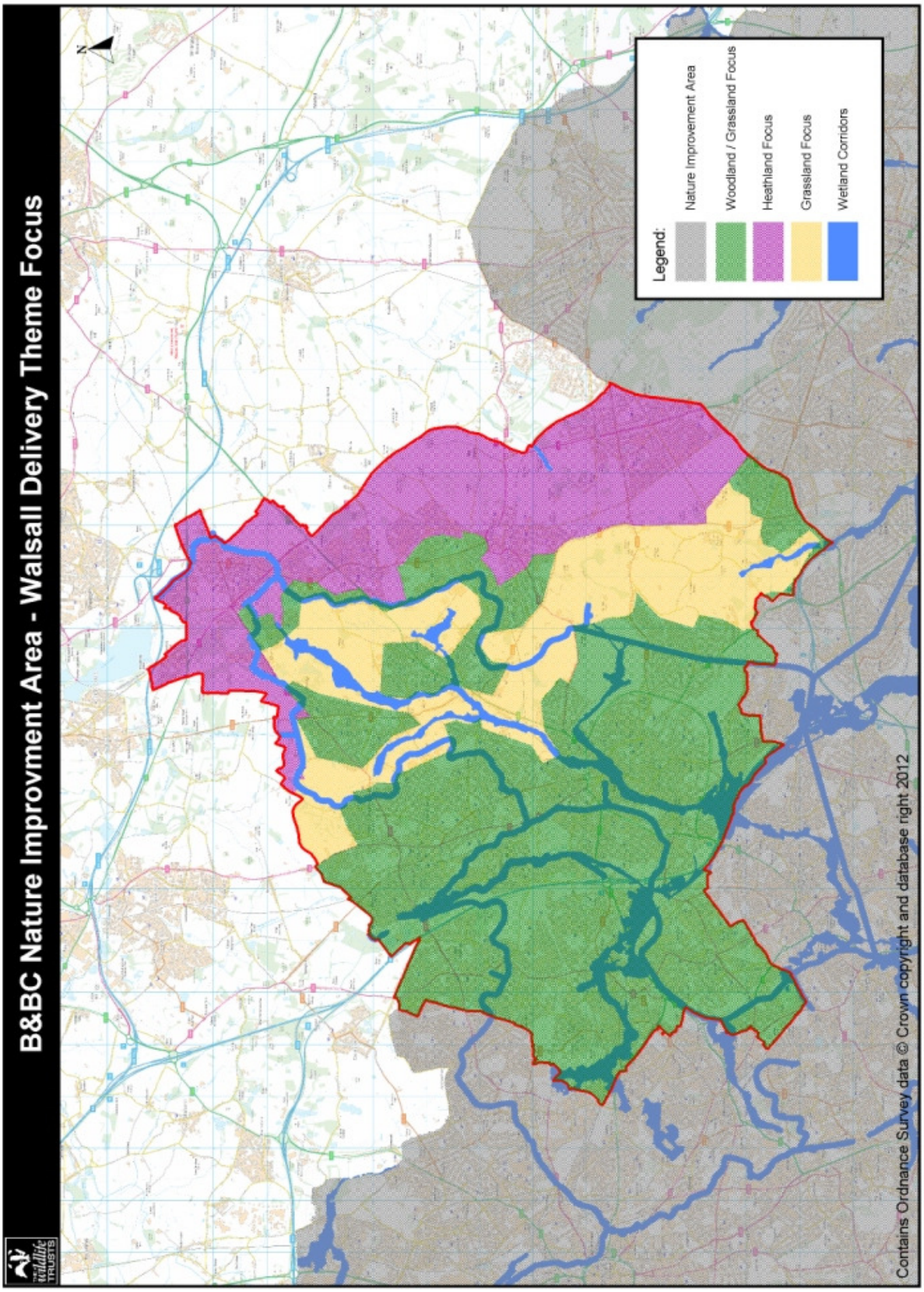
The focus of the Geology & Geomorphology Delivery Theme is therefore to target actions for gains to geodiversity where there is a demonstrable associated biodiversity gain.

Community Engagement – *involving people*
Birmingham & the Black Country has a population of over 2 million people, and it is key to the success of the Nature Improvement Area that there is widespread public awareness, engagement and involvement in the work of the partnership. Resources are therefore being invested in securing community benefit and in maximising nature improvement gain through the engagement of individual volunteers and local groups.

Well over 200 friends' groups are engaged with open spaces across Birmingham & the Black Country, and clearly there is an opportunity to involve these with the delivery of Nature Improvement Area projects. There are also countless other opportunities for activities which involve the general public and a wide range of groups who are not already engaged with their local open spaces - including social care organisations, schools, housing associations and many others.

The focus of the Community Engagement Delivery Theme is simply providing opportunities for awareness-raising and the involvement of people with all aspects of the Nature Improvement Area.

Annex 7b Birmingham & Black Country Nature Improvement Area: Walsall Delivery Theme Focus



Annex 8 Trees and shrubs native to the Black Country

Common name	Scientific name	Notes on use of the species.
Alder	***Alnus glutinosa***	**Wet sites**
Alder Buckthorn	***Frangula alnus***	
Crab apple	***Malus sylvestris***	
Ash	***Fraxinus excelsior***	
Aspen	***Populus tremula***	
Black Poplar	***Populus nigra subsp. betulifolia***	**Only stock of local origin should be used**
Blackthorn	***Prunus spinosa***	**Hedging**
Broom	***Cytisus scoparius***	**Acid sites**
Crack Willow	***Salix fragilis***	**Wet sites**
Dog Rose	***Rosa canina***	
Dogwood	***Cornus sanguinea***	
Downy Birch	***Betula pubescens***	**Wet, acid sites**
Elder	***Sambucus nigra***	
Field Maple	***Acer campestre***	
Goat Willow / Pussy Willow	***Salix caprea***	**Wet sites**
Gorse	***Ulex europaeus***	**Acid sites**
Grey Willow	***Salix cinerea***	**Damp sites**
Guelder-rose	***Viburnum opulus***	**Wet with heavy soils**
Hawthorn	***Crataegus monogyna***	**Hedging**
Hazel	***Corylus avellana***	**Shaded sites**
Holly	***Ilex aquifolium***	
Honeysuckle	***Lonicera periclymenum***	**Climber**
Ivy	***Hedera helix***	**Climber**
Midland Hawthorn	***Crataegus laevigata***	**Shaded sites. Only stock of local origin should be used**
Osier	***Salix viminalis***	**Wet sites**
Pedunculate Oak/ Common Oak	***Quercus robur***	
Rowan/ Mountain Ash	***Sorbus aucuparia***	
Sessile Oak	***Quercus petraea***	
Silver Birch	***Betula pendula***	**Acid sites**
Small-leaved Lime	***Tilia cordata***	**Only stock of local origin should be used**
Spindle	***Euonymus europaeus***	**Neutral or alkaline soils**
White Willow	***Salix alba***	**Wet sites**
Wild Cherry	***Prunus avium***	
Yew	***Taxus baccata***	

Please note that some of these species should not be planted close to buildings. In selecting plants for inclusion in a landscape plan it is therefore recommended that appropriate professional advice is obtained.

See also Flora of Birmingham & The Black Country for plants native to the sub-region.

Annex 9 Checklist of information required where European Protected Species are present on a development site.

Conservation of Habitats and Species Regulations 2010 known as the Habitats Regulations sets out 'three tests' which have to be met before the Council can grant planning permission for a development which affects a European Protected Species. The three tests under the Habitats Regulations are as follows:

Test 1: the 'Purpose' Test.
Is the development for the purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'?

Test 2: the 'No Satisfactory Alternative' Test.
Is there a satisfactory alternative?

Test 3: the 'Maintenance of Favourable Conservation Status' Test.
Will populations of the species be adversely affected?

In any planning application affecting a European Protected Species, the applicant will be required to demonstrate that their proposal fulfil the requirements of these tests. Tests 1 and 2 require information which can only be provided by the applicant. Test 3 normally requires detailed ecological knowledge. The information should be supplied concisely. The relevant checklists are appended to this note. They are not exhaustive but indicate the sort of information which will be required the demonstrate to the Council that the requirements of the tests have been fulfilled.

While this is bureaucratic, it is also important. Any planning decision issued by the Local Planning Authority can be challenged by judicial review if it is not seen to fully consider these tests when determining a planning application where a European Protected Species is present.

Checklist: the 'Purpose Test'

'Imperative reasons for overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'. The applicant has to demonstrate that the weight given to the proposed development outweighs the nature conservation interest.

Checklist of questions:

- What need is the proposed development designed to meet?
- How was the need identified? (Is there a legislative requirement for the development at a European, national or regional level? Is the proposal supported in the Regional Spatial Strategy of Local Development Framework.
- Through what process of scrutiny has the proposal been subject, if any? (For example, Public Inquiry, public meetings, consultations or similar?)
- How does the proposed development meet the identified need?

- Who will benefit from the completed development and how? Is it the public and/ or private sectors? One person, one family, one business, the community?
- Does the proposed development deliver or contribute to social need at a local, regional and/ or national level? (For example, housing (including social housing), specialist social care, hospitals, schools or other education establishments etc.
- Does the proposed development deliver or contribute to economic needs at a local, regional and/ or national level? (For example, employment, regeneration, mineral extraction etc.)
- Are there any beneficial consequences of primary importance for the environment as a result of the proposed development?
- Does the proposed development contribute to sustainable development and take into account other environmental concerns, such as green energy or sustainable transport?
- Are there any beneficial consequences for wildlife and protected species as a result of the proposed development?
- Will the development improve species/ habitat poor sites to sites with integral and/ or significant wildlife habitats and green space?

This checklist is not exhaustive and other more relevant questions may become evident. Evidence will be required by applicants to support answers given to these questions.

Checklist: the 'No Satisfactory Alternative Test'

Regulation 44(3)(a) requires that no licence should be issued unless 'there is no satisfactory alternative'. The applicant has to demonstrate that there is no satisfactory alternative to the proposed development. For an alternative to be 'satisfactory' it has to be an alternative means of meeting the need whilst causing less (or no) damage to the European Protected Species.

Checklist of questions:

- What alternatives to the proposed development were considered, including the use of alternative sites at the local level. Also consider the alternative of doing nothing. What would be the consequences of doing nothing?
- Why was the preferred option chosen? What criteria were used in the selection process? What were the limiting factors?
- Could the proposed development be achieved in a way (such as design, layout, positioning etc.) that would mean no or reduced impacts for European Protected Species? Why is this not possible? Why was it rejected?
- Why does the proposed development have to be carried out in the timescale proposed? Why is it not satisfactory to delay the implementation of the proposal?

Again this checklist is not exhaustive and other more relevant questions may become evident in individual cases. Evidence will be required by applicants to support answers given to these questions.

The 'Maintenance of Favourable Conservation Status Test'

The Regulations require: that the development authorised (by planning permission) 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

The requirements of this test can only be met by detailed, targeted ecological field work in accordance with the standards set out in this SPD. Following on from conclusive survey work, an outline of any mitigation or compensatory proposals together with a written justification and a plan showing their location will be required.

APPENDICES

APPENDIX 1: REFERENCES

WALSALL SITES & SPECIES

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BS 1192 **Construction drawing practice Part 4 Recommendations for landscape drawings**

BS 1377 **Methods of test for soils for civil engineering purposes**

BS 1722 **Fences**
- Part 1 Specification for chain link fences
- Part 4 Specification for cleft chestnut pale fences

BS 3882 **Specification for topsoil and requirements for use**

BS 3936 **Nursery Stock**
- Part 1 Specification for trees and shrubs
- Part 4 Specification for forest trees, poplars and willows

BS 3998 **Recommendations for tree work** (2010)

BS 4043 **Recommendations for transplanting root-balled trees**

BS 4428 **Code of practice for general landscape operations (excluding hard surfaces)**

BS 5930 **Code of practice for site investigations**

BRE Digest 240 **Low-rise buildings on shrinkable clay soils: Part 1**, 1993

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NHBC Standards, Chapter 4.2 **'Building near trees'**

Tree Preservation Orders 'A guide to the law and good practice' March 2000 (updated May 2009)

APPENDIX 2: CONTACTS: ECOLOGY & GEODIVERSITY

Walsall Council
Natural Environment Team, Civic Centre, Darwall Street, Walsall. WS1 1TP.
Tel: 01922 654739.

Natural Environment Team:-Information and advice on nature conservation matters including surveys, records, habitat protection, restoration and creation and the Birmingham and Black Country Biodiversity Action Plan.

Planning & Building Control, Civic Centre, Darwall Street, Walsall. WS1 1DG.

Tel: 01922 652677.

Development Control:- Information and advice on submission of planning applications.

Badger Trust
Advice on badger conservation and legal requirements, contact for local badger groups.

Badger Trust, PO Box 708, East Grinstead RH19 2WN
Tel: 08458 287878

www.badgertrust.org.uk

Bat Conservation Trust
Advice and information on bat ecology, conservation and legal requirements. Leaflets on bat species and their conservation.

5th Floor, Quadrant House, 250 Kennington Lane, London SE11 5RD
enquiries@bats.org.uk

Bat Helpline 0845 1300228

Birmingham and Black Country Biodiversity and Geodiversity Partnership
Co-ordinates the implementation of the Black Country Biodiversity and Geodiversity Action Plans.
~~28 Harborne Road, Edgbaston, Birmingham B15 3AA.~~
16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU (biodiversity)
Tel: 0121 454 1199
~~**Birmingham and Black Country Geodiversity Partnership**~~
~~Co-ordinates the implementation of the Black Country Geodiversity Action Plan.~~
The Studios, 53 High Street, Stourbridge, Dudley DY8 1DE (geodiversity)
Tel: 01384 443644

Canal and River Trust
Information and advice relating to canals and their wildlife, including water voles.

National office: Head Office, First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB

Tel: 0303 040 4040

Email: enquiries.customer.service@canalrivertrust.org.uk

Birmingham and Black Country: Peels Wharf, Lichfield Street, Fazeley, Tamworth B78 3QZ
Tel: 01827 252000

Buglife
Information and advice relating to invertebrate conservation.

Buglife - The Invertebrate Conservation Trust, First Floor, 90 Bridge Street,
Peterborough PE1 1DY
Tel: 01733 201 210

EcoRecord
The Local Biological Records Centre for the Black Country and Birmingham.
Site and species data provided (a fee may be charged).

~~28 Harborne Road, Edgbaston, Birmingham B15 3AA.~~
16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU
Tel: 0121 454 1808

Environment Agency
For any proposal affecting watercourses, ponds or other surface water features and disposal of waste water. For advice on sustainable treatment of surface water, management of water courses, pond creation and management.

Area office: Central Area
Sentinel House, Wellington Crescent, Fradley Park, Lichfield, Staffordshire, WS13 8RR
Tel: 0370 8506506

Midlands Regional Office
Sapphire East, 550 Streetsbrook Road, Solihull, West Midlands, B91 1QT
Tel: 0370 8506506

Froglife
Advice on the conservation of all amphibians and on pond creation and management.

2A Flag Business Exchange, Vicarage Farm Road, Fengate, Peterborough PE1 5TX
Tel: 01733 558844

info@froglife.org

Herpetological Conservation Trust
Advice on the conservation of amphibians and reptiles.

655a Christchurch Road, Boscombe, Bournemouth, Dorset BH1 4AP
Tel: 01202 391319

Natural England
Must be contacted regarding any proposal affecting protected species.
Information on habitat and species management practices.
Information on National and Local Biodiversity Action Plans

West Midlands Region:
Natural England, Parkside Court, Hall Park Way, Telford TF3 4LR
Tel: 0300 060 0676

National Office:
Natural England, 1 East Parade, Sheffield S1 2ET
Tel: 0300 060 6000

Wildlife Licensing Unit
First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB
Tel: 0845 6014523

Royal Society for the Protection of Birds
Information on habitat and management requirements for birds.

Headquarters:
The Lodge, Potton Road, Sandy, Bedfordshire SG19 2DL.
Tel: 01767-680551

Midlands Regional Office
46 The Green, South Bar, Banbury, Oxfordshire, OX16 9AB
Tel: 01295 253330

West Midlands Bird Club
Information on the distribution and status of the region's birds.

West Midland Bird Club, 147 World's End Lane, Birmingham, B32 1JX.

west-mid-recorder@westmidlandbirdclub.com

Wildlife Trust for Birmingham and the Black Country
Information on National and Local Biodiversity Action Plans. Information on site, habitat and species management practices. Environmental appraisal and surveys

~~28 Harborne Road, Edgbaston, Birmingham B15 3AA.~~
16 Greenfield Crescent, Edgbaston, Birmingham B15 3AU
Tel: 0121 454 1199

APPENDIX 3 CONTACTS: TREES AND WOODLANDS

Arboricultural Advisory and Information Service
Forest Research Station, Alice Holt Lodge, Farnham,
Surrey GU10 4LH

Tel: 01420 22022.
Fax: 01420 22000
Email: admin@treehelp.info
Website: www.treehelp.info

Arboricultural Association
The Malthouse, Stroud Green, Standish, Stonehouse, Gloucestershire GL10 3DL

Tel: 01242 522152.
Email: admin@trees.org.uk
Website: www.trees.org.uk

Ancient Tree Forum
c/o Woodland Trust, Autumn Park, Dysart Road, Grantham, Lincolnshire
NG32 6LL

Tel: 01476 581135
Email:ancient-tree-forum@woodlandtrust.org.uk
Website:www.woodland-trust.org.uk/ancient-tree-forum

Horticultural Trades Association (HTA)
Horticulture House, 19 High Street, Theale RG7 5AH

Tel: 0118 930 3132
Email: info@the-hta.org.uk
Website: www.the-hta.org

Institute of Chartered Foresters
59 George Street, Edinburgh EH2 2JG

Tel: 0131 240 1425
Email:icf@charteredforesters.org
Website: www.charteredforesters.org

International Society of Arboriculture, UK and Ireland Chapter
148 Hydes Road, Wednesbury, West Midlands WS10 0DR

Tel 0121 556 8302
Email: enquiries@isa-uki.org
Website:www.isa-uk.org