

Peveril Securities Limited

Matter 14: Hearing Statement

Respondent Reference Numbers:

AGT24-048-01-01, AGT24-048-01-02 and AGT24-048-01-03

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PLANNING

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1.0 Introduction

CarneySweeney are acting on behalf of Peveril Securities Limited in making representations to the emerging South Staffordshire Local Plan (SSLP), with representations having been made to the previous Regulation 19 consultation stage in relation to two sites within Peveril Securities Limited's ownership: land north-west of Featherstone and land south of Hilton Cross Strategic Employment Site.

Our previous representations are not repeated here but should be read in conjunction with this Hearing Statement to the Inspectors' Matters, Issues and Questions for Matter 14.

As requested, we have provided separate Hearing Statements for the following Matters:

- Matter 2: Duty to Co-operate
- Matter 4: Development Needs and Requirement
- Matter 12: Building a Strong Local Economy
- Matter 14: Protecting and Enhancing the Natural Environment

This document covers Matter 14 – Protecting and Enhancing the Natural Environment with responses provided in respect of Biological Alert Sites, one of which lies within our client's proposed extension to the Hilton Cross Strategic Employment Site.



2.0 Matter 14 – Protecting and Enhancing the Natural Environment

Respondent Reference Numbers: AGT24-048-01-01, AGT24-048-01-02 and AGT24-048-01-03

Issue 1:

Whether the approach of the Plan to the natural environment is justified, effective and consistent with national policy

Questions:

1. In terms of Policy NB1:

- a. What is the basis of this policy approach, and is it justified and consistent with national policy?*
- b. What is the difference between ‘valued soils’ and ‘best and most versatile land’ for the purpose of interpreting this policy? Is the policy approach to soils justified and consistent with national policy?*
- c. Is the policy consistent with national policy and the Habitat Regulations (2017) in relation to SSSIs and other nationally designated sites?*
- d. Is the precautionary approach to non-designated sites justified and consistent with national policy?*
- e. Is the policy requirement for the submission of details in instances where the protected species mitigation licencing regime is triggered justified? What effect, if any, would there be on the speed of decision taking?*
- f. What is the policy approach to local Biological Alert Sites and is this justified and consistent with national policy?*

There are no references to Biological Alert Sites in the SSLP Written Statement, therefore the SSLP does not appear to adopt a policy approach to Biological Alert Sites. This is despite allocating land as Biological Alert Sites on the Policies Map. Aside from a potential undated appraisal of Friars Gorse/Mount Pleasant Covert, Lawnswood on pages 11-13 of the Local Green Space Methodology & Assessment Topic Paper April 2024, which refers to a “Biodiversity Alert Site”, there are no references to Biological Alert Sites in the evidence base. We do not consider this to be “adequate and proportionate” evidence to justify the allocation of Biological Alert Sites as required by Paragraph 31 of the National Planning Policy Framework, December 2023. If development was to come forward which would impact a Biological Alert Site, there would be no policy approach to guide the Council or an Applicant.



This was first brought to the Council's attention in our representations to the first Regulation 19 consultation in 2022. Whilst the 'Regulation 19 Consultation Representations and South Staffordshire District Council Responses December 2024' document provides an explanation of what Biological Alert Sites are, there has been no change to Policy NB1 in the intervening period to set out the justification for their inclusion in the SSLP and any subsequent policy approach to them.

It is noted that the Council are due to provide a response through the submission of their Hearing Statement, following a review of which, we may wish to make further comments during the Hearing Session.

g. Are any modifications necessary in the interests of soundness?

In the absence of any policy approach pertaining to Biological Alert Sites in the SSLP, there is no basis for the inclusion of Biological Alert Sites on the Policies Map. For the SSLP to be considered sound, Biological Alert Sites should be removed from the Policies Map.

