



16 November 2021

Matthew Diamond
Principal Project Manager (Development)

By Email to: Matthew.Diamond@exeter.gov.uk

Dear Matthew,

**Planning Application Ref: 21/1291/OUT
Land To The North Of Exeter, Stoke Hill
Outline Planning Application for a development of up to 150 residential dwellings,
community hub, access and associated infrastructure. (All matters reserved except
access)**

We **object** to the outline planning application because we consider that the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity in paragraphs 174d, 175d and 180c of the National Planning Policy Framework or the requirements of paragraph 99 of ODPM Circular 06/2005 Biodiversity and Geological Conservation. The Environment Act 2021 and National Planning Practice Guidance requirements relating to biodiversity net gain have not been addressed. These requirements are reproduced at the end of this letter. Furthermore, the proposals contravene Policy CP16 of the Exeter Core Strategy.

The comments provided below are based on an Interim Ecological Appraisal produced by Richard Green Ecology (September 2021). We consider that insufficient evidence has been provided because –

1. The report states '*This report cannot make a full assessment of the impacts of the proposed development on some ecological receptors, as further survey is still to be undertaken*'. The report is interim only and does not adequately assess the impact of the proposals on habitats or protected species identified with the site. The extent of net habitat loss/gain has not been quantified, and an assessment of this impact, or proposals for subsequent mitigation have not been included within the report. No assessment is made of specific areas within the site which should be targeted for retention and enhancement. Furthermore, a parcel of land included within the application boundary has not been included within the ecological appraisal. Full survey and assessment of this area will be required.

A full Ecological Appraisal is required which includes an assessment of the impact of the proposals on habitats and protected species, with details of subsequent mitigation/compensation. All areas within the application boundary must be considered.

2. Mincinglake Plantation County Wildlife Site (CWS) is situated partially within the site boundary. Lower Covert CWS lies directly adjacent to the proposed development. The report states that proposed buildings have been located '*away from important features, leaving a boundary of semi-natural habitats around the site to provide a buffer between existing*





ecologically important features and the proposed development. However, no detailed development proposals are provided within the application. An 'Illustrative Masterplan' is included, but not referenced within the Interim Ecological Appraisal. The masterplan provides little by way of buffering of the adjacent CWSs. The level of detail provided is not considered sufficient to determine whether the adjacent CWSs will be affected by the proposals.

The report states '*Proposed habitats have been designed to complement existing retained and adjacent habitats, including the designated sites in the area*'. No details of the location or extent of proposed habitats have been provided. The report states '*The exact specification of habitat creation would be produced at a detailed design stage, and would be included within a Landscape and Ecological Management Plan*'. This is not acceptable. The application needs to demonstrate how the adjacent CWS will be buffered, protected and enhanced by the proposed development.

3. Four CWSs (Mincinglake Plantation, Lower Covert, Savoy Hill and Lower Rollestone) and Stoke Woods Site of Special Scientific Interest are located within a 500m radius of the site. The report states that '*It is proposed to include large areas of public green space on the site, including walking routes, seating areas, natural green spaces, orchards and allotments. These features would provide alternative public green space for residents of the proposed development, which would mitigate against the likely increase in recreational pressure on the adjacent designated sites*'. It is not considered likely that the creation of the proposed 4.37 ha of public green space will adequately mitigate for the increased recreation pressure on the adjacent designated sites.

4. Vague assertions are included within the report with regard to habitat creation. No details of landscaping are provided. Whilst it is recognised that landscaping proposals will form part of a reserved matters application, in order to demonstrate that the scheme would not cause a negative impact on the adjacent CWS, outline proposals for landscaping should be provided. The planting scheme should be designed to include a diversity of native species which can be used by native fauna post-development. The planting should be designed to form ecological networks throughout the built environment, which are of benefit to both nature and the establishing community of residents, providing the community with everyday contact with nature. Existing and proposed hedgerows/woodland/scrub should not form garden boundaries. The development should be designed to separate the existing vegetation from gardens (including light) and buildings to safeguard the value of the vegetation for wildlife in the future.

5. Policy CP16 of the Exeter Core Strategy states that '*The Exeter green infrastructure network has been identified to protect and enhance current environmental assets and local identity and to provide a framework for sustainable new development*'. The report states that '*Residential development on the site would result in the destruction of Exeter Biodiversity Network features*' and that '*All land parcels in the surrounding area are designated as Exeter Green Space Tier A or B, and much of the surrounding hedgerows are designated as Exeter biodiversity network features*'. The report states that '*it is proposed to include large areas of public green space on the site*'. This does not provide a sufficient level of detail to demonstrate how the functionality of the green infrastructure network will be maintained post-development.





6. The application does not include a lighting strategy or assessment which concludes that light spill will not impact on potential bat roosting features, commuting/foraging bats or dormice. The potential impact of the lighting scheme needs to be assessed prior to granting planning permission for the development.
7. The report produced for the site does not include an assessment of net gain (or loss) of biodiversity. The most recent DEFRA Biodiversity Metric should be utilised to calculate loss/gain. Biodiversity net gain calculations for the site must be produced using a detailed landscaping plan and must show a minimum gain of 10%.

For the reasons given above, we **object** to the outline planning application and recommend that it is refused.

Yours sincerely,

Carly Ireland MSc. MCIEEM
Devon Wildlife Trust

NPPF para. 131

"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible."

NPPF para. 174

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;"*

NPPF para. 175

"When determining planning applications, local planning authorities should apply the following principles:

- d) opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."*

NPPF para. 180

Planning policies and decisions should ...

- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."*





National Planning Practice Guidance, under the section *What is the baseline for assessing biodiversity net gain?* states that – ‘*The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for*’. Under the section *How can biodiversity net gain be achieved?* it states that ‘*tools such as the Defra biodiversity metric can be used to assess whether a biodiversity net outcome is expected to be achieved*’.

ODPM Circular 06/2005 para. 99

Paragraph 9 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before a planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. In cases where there is a reasonable likelihood of a protected species being present and affected by the development, surveys should be undertaken and any necessary measures to protect the species should be in place (through conditions and/or planning obligations), before a permission is granted.

Environment Act 2021

The act requires biodiversity net gain to ensure developments deliver at least 10% increase in biodiversity.