



Shropshire Council Site Allocations and Management of Development (SAMDEV) Plan

Main Modifications consultation

1 June 2015 – 13 July 2015

For Shropshire Council use

Respondent no:

Main Modifications Consultation Form

The SAMDev Plan Schedule of Main Modifications includes a series of changes to the published SAMDev Plan. These suggested changes are being consulted on for a period of six weeks. For advice on how to respond to the consultation, and how to fill in this form please see the guidance notes on the Council's SAMDev Plan website at: <http://shropshire.gov.uk/planning-policy/samdev-examination/main-modifications-consultation/>.

Submitting comments:

Please fill in this form and return:

- Via email to: Programme.Officer@shropshire.gov.uk
- By posting to: Daphne Woof - Programme Officer
c/o Planning Policy Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND
- Comments must be received by 5pm on 13 July 2015. **Comments received after this time will not be accepted and will not be considered by the Inspector.**
- Please fill a separate for each Main Modification you are commenting on.
- Please clearly identify which Main Modification your comments refer to using the reference (i.e. MM1, MM2 etc) in the SAMDev Plan Schedule of Main modifications.
- Please do not repeat your previous comments as these have already been considered by the Planning Inspector. **Comments will only be considered that refer to a change as shown in the SAMDev Plan Schedule of Main Modifications.**

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- All comments received on the proposed changes within the time period will be considered by the Planning Inspector as part of the examination of the SAMDev Plan. The Inspector may wish to contact you to discuss your comments and concerns, prior to concluding the formal examination into the Plan.
- The personal information will only be used for purposes related to the consultation and the SAMDev Plan examination. The Council will place all the representations and the names of those who made them on its website, but will not publish personal information such as telephone numbers, emails or private addresses. However other information will be shared with the Planning Inspector.
- The information relating to your comments on the Main Modification (Part B) will be published on the Shropshire Council SAMDev Plan examination webpage.

A) Your details:

1) Who is making this representation?

Name:	Ian Lings
Organisation (if applicable):	Woodland Trust
Address:	
Email:	
Telephone:	

Client's details (only applicable if you are acting as agent on behalf of another person or business)

Name:	
Organisation (if applicable):	
Address:	
Email:	
Telephone:	

B) Your representations: What do you wish to object to/support?

Please use a separate form for each Main Modification you wish to comment on. Only comments relating to a proposed Main Modification will be considered.

1) Please give the Main Modification reference your comment relates to.

Main Modification reference - MM67

2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these

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terms:

The layout of any proposed development should respect the topography and character of the site and the surrounding area and sensitively incorporate natural and historic features such as trees, hedges, ponds and historic built environment features within the site.

There are quite a few modifications to the SAMDev Plan where monitoring indicators are being amended, and whilst this includes some for Policy MD12 (MM71) so that woodland being lost or gained is annually monitored, other environmental targets, such as trees and open space should also be taken into account with delivery and included as a monitoring indicator. Local Planning Authorities should identify suitable indicators for monitoring the plan, but 'net gain' is not identified as something that should be measured. Therefore, measuring the area of local BAP habitat proposed, created, restored or managed as a result of local planning decision, against the area of habitat lost, damaged or declining as result of a planning decision, should also be taken into account with your Local Plan Annual Monitoring Reports.

Emerging national policy is increasingly supportive of absolute protection of ancient woodland and ancient trees. The **Communities and Local Government (CLG) Select Committee** published its report following its June 2014 inquiry into the '**Operation of the National Planning Policy Framework (NPPF)**', in which it has specifically recognised the need for better protection for ancient woodland (Tues 16th Dec 2014). The **CLG Select Committee report** states: '*We agree that ancient woodland should be protected by the planning system. Woodland that is over 400 years old cannot be replaced and should be awarded the same level of protection as our built heritage. We recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be "wholly exceptional". We further recommend that the Government initiate work with Natural England and the Woodland Trust to establish whether more ancient woodland could be designated as sites of special scientific interest and to consider what the barriers to designation might be.*' <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf>.

This shows a clear direction of travel, recognising that the NPPF does not currently provide sufficient protection for ancient woodland. Until the NPPF is amended, there is a clear role for Local Plans and associated documents to provide this improved level of protection and to ensure that irreplaceable habitats get the same level of protection as heritage assets enjoy under the NPPF.

Other national policies supporting protection of ancient woodland are -

- The Government's policy document '**Keepers of Time – A statement of Policy for England's Ancient & Native Woodland**' (Defra/Forestry Commission, 2005, p.10) states: '*The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland*'.
- The Government's **Independent Panel on Forestry** states: '*Government should reconfirm the policy approach set out in the Open Habitats Policy and Ancient Woodland Policy (Keepers of Time – A statement of policy for England's ancient and native woodland).....Reflect the value of ancient woodlands, trees of special interest, for example veteran trees, and other priority habitats in Local Plans, and refuse planning permission for developments that would have an adverse impact on them.*' (Defra, Final Report, July 2012). This has been endorsed by the response in the recent **Government Forestry Policy Statement** (Defra Jan 2013): '*We recognise the value of our native and ancient woodland and the importance of restoring open habitats as well as the need to restore plantations on ancient woodland sites. We, therefore, confirm our commitment to the policies set out in both the Open Habitats Policy and Keepers of Time, our statement of policy for England's ancient and native woodland*'.
- The Government's Natural Environment White Paper – **The Natural Choice: securing the value of nature** (HM Government, July 2011, para 2.56) states that: '*The Government is committed to providing appropriate protection to ancient woodlands....*'.
- The **Biodiversity Strategy for England** (*Biodiversity 2020: A Strategy for England's Wildlife & Ecosystem Services*, Defra 2011, see 'Forestry' para 2.16) states that – '*We are committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland site*'.

Continue on a separate sheet if necessary

4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It

will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whilst landscape character and important woodland and trees are still acknowledged as natural assets that must be conserved, restored and enhanced with Policy MD12, the Woodland Trust believes that in some circumstances where it may be necessary to remove trees for operational or visual amenity reasons, appropriate replacement planting should also take place so as to mitigate such action. Therefore, this should also be acknowledged with Policy MD12 as a modification to Site Allocations and Management of Development Plan for Shropshire.

Also, whilst Policy MD12 does acknowledge the importance of landscape character and “important woodland” as a natural asset, ancient woodland and veteran trees should be protected absolutely.

Continue on a separate sheet if necessary.

Please note you should cover all the information, evidence and supporting information necessary to justify the representation and the suggested change. After this stage, further submissions will only be accepted at the request of the Inspector.

You must return this form by 5pm on Monday 13 July 2015.

You can e-mail it to:

Programme.officer@shropshire.gov.uk

Or return by post to: Daphne Woof - Programme Officer, c/o Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

The Programme Officer will acknowledge receipt of comments submitted by e-mail.