

OMEGA ZONE 8
Application No, P/2020/0061/HYBR
Response to Trees & Woodlands Officer response dated 18th February 2020

Trees & Woodlands Officer comment	Applicant Response
Arboricultural Implications and Loss of Woodlands and Hedgerows	
<p>A Tree Constraints Plan has been submitted but there is very little to indicate that trees and woodlands have been considered as constraints in any of the layouts proposed. There is effectively little evidence of any changes to layouts being made so as to seek to retain important woodland habitats and associated features.</p>	<p>It is accepted that the application proposals will result in loss of woodland and hedgerows, including protected woodlands, as well as, other existing habitat features that have been identified on the site. However, every effort has been made to retain as many features as possible given the scale and nature of the proposed development.</p> <p>We would refer the officer to the updated Planning Statement submitted with the application, which includes evidence on the need for the development in terms of its location, scale, layout and design. The Planning Statement is supported by a Market Report outlining the scale and nature of logistics demand in the Region and an Operator Statement from TJM, which provides the business case for the detailed element of the proposals and outlines the rationale behind the proposed layout.</p>
<p>Habitat figures indicate that of 7.99 ha of woodland on site 5.63ha will be lost. Whilst 8.06 ha of new woodland will be created elsewhere on site this does not address the impact on the landscape or biodiversity of the site. (There is reference to Biodiversity Net Gain but this is simply a figure showing the additional woodland planted and is not biodiversity net gain. If the applicants wish to demonstrate biodiversity net gain they should consider an approach such as using the DEFRA Biodiversity Net Gain Metric which takes a more holistic approach to assessing biodiversity net gain). This also does not meet a minimum of 2 for 1 replacement as required by policy and so additional planting should be carried out (only as a last resort should off site mitigation be considered and for this</p>	<p>In the ES Scoping Report (OPP DOC. 11.18a Appendix 1.1) it was confirmed at Para 8.4.1 that the <i>“mitigation hierarchy of avoid, mitigate or compensate will be adopted within the ES. Direct impacts will be avoided where possible through the development and evolution of the layout of the Proposed Development. The principles of Net Gain that are enshrined in the National Planning Policy Framework will guide the way in which mitigation and/or compensation is delivered, following guidance in CIEEM 2019”</i>. It is understood that neither the Council or MEAS raised any concerns with this approach at the Scoping Response Stage and hence it is this approach that was adopted in the ES. Equally, no specific reference was made to the need to use the DEFRA Biodiversity Metric at the Scoping stage.</p> <p>Notwithstanding this we have, in response to the comments received, undertaken an exercise to quantify the impacts of the Proposed Development by use of the DEFRA Biodiversity Metric V2.0. The Metric compares what is being lost with what is being provided in mitigation, taking into</p>

a figure would be needed for mitigation for woodland creation / habitat improvement).

account influencing factors such as habitat quality and strategic importance. The Metric then calculates what the difference is between the two in Biodiversity Units.

The application comprises a 'Hybrid' application, with part of the site affected by detailed planning proposals (Unit 1 - TJM), and the remainder of the site in outline (OWL). Site wide mitigation has been provided for these proposals to supplement any mitigation that on-plot landscaping will provide, now and in the future. This is found in the western triangular portion of land known as the Green Triangle. This covers an area of 10.78% of the entire site. Since this on-site habitat creation is mitigation for the entire hybrid proposals, the mitigation has been apportioned as a percentage relative to the detailed areas and outline areas. The proportionality is therefore 41.34% Detailed (Unit 1) and 47.88% Outline (OWL). Note the infrastructure landscaping area attached to the detailed aspects has been included as part of the outline for simplicity as it is owned by OWL. In this way the level of mitigation provided has been measured for the two different aspects of the hybrid i.e. 47.88% of woodland being provided in the Green Triangle has been 'allocated' as mitigation for the impact caused by the outline proposals, and so on for all habitats created for each of the two detailed/outline impacts.

It is possible to accurately measure what is being lost to the proposals for the entirety of the application's proposals, but as the proposals are being made as a hybrid application it is only possible to accurately measure what is being provided in mitigation for those areas with the detailed part of the hybrid. For those areas within the outline aspects of the hybrid we either defer that calculation to such a time as when the detailed aspects are known, or we make certain assumptions to allow the Metric to be completed at this time, the latter being the preferred alternative.

- **For the detailed part of this application**, a calculator can be provided to accurately measure the impact since we know the composition of on-plot landscaping. **The resultant net gain is -39.43 Biodiversity Units.**
- **For the outline part of this application**, a calculator has been provided that assumes the loss of non-priority habitats (e.g. arable land) will be offset by both [a] the provision of on-plot landscaping in future detailed planning applications and [b] the provision of an improved stream via its diversion. The impact of proposals in this outline area are then

	<p>measured against the 47.88% of habitat areas created in the Green Triangle. The resultant net gain is -38.51 Biodiversity Units.</p> <p>Full details of the Metric calculations can be found in the excel files submitted with this response. Detailed - file <169-03 Omega 8 – DEFRA Metric Unit 1 inc on-plot landscaping> Outline - file <169-03 Omega 8 – DEFRA Metric OWL assuming on-plot landscaping></p> <p>In light of this, the applicant will work with the Council to identify and agreed the appropriate level of off-site compensation that is required to mitigate the proposals and identify what initiatives / improvements the compensation will fund within the Borough. The applicant expects any such compensation would be enshrined within a S106 Legal Agreement associated with a decision on the application.</p>
<p>The proposals show little consideration if any of woodlands as constraints. Whilst we will discuss this in more detail under the reference of the Draft Local Plan I would raise here that the building scale for the unit in the full application part of the site is of a scale that gives little scope for reducing impacts, though it could have been reduced in size and located further to the east. Its carpark also does not have to be located as shown and this also could have been located on the eastern side of the development so allowing for a better buffer zone to be created alongside the Booths Brow Local Wildlife site as well as give scope for retaining more protected woodland.</p>	<p>As above, we would refer the officer to the updated Planning Statement and TJM Operator Statement.</p> <p>The updated landscape plans submitted in response to these comments show a change to the footpath alignment and proposed landscaping along part of the route between the unit and Booth’s Wood. Whilst the changes are not substantial, they do offer an improvement in the buffer zone along this part of the route.</p> <p>The changes can be viewed on the following revised drawings:</p> <ul style="list-style-type: none"> • OPP DWG. 5 – POE_199_001 Rev. F Landscape Strategy; • UNIT 1 DWG. 13a – 2138-DL001-1 Detailed Soft Landscape Proposals 1 of 3; • UNIT 1 DWG. 13b – 2138-DL001-1 Detailed Soft Landscape Proposals 2 of 3; • UNIT 1 DWG. 13c – 2138-DL001-1 Detailed Soft Landscape Proposals 3 of 3; • UNIT 1 DWG. 13d – 2138-DL001-4 Detailed Smoking / Sitting Area Soft Landscape Proposals; • INFRA DWG. 14 – POE_199_004 Rev. C Structural Landscape-Proposed & Existing Contours; • INFRA DWG. 15 – POE_199_005a Rev. E Detailed Planting Plan Sheet 1 of 2; • INFRA DWG. 26 – POE_199_005b Rev. C Detailed Planting Plan Sheet 2 of 2; • INFRA DWG. 18 – POE_199_009 Rev. D Full Landscape Proposals; and • INFRA DWG. 21 – POE_199_010 Rev. C Detailed Application Site Context.

<p>The outline site simply indicates a series of large buildings with no variation in size, shape or location and indicates that there has been no consideration at any attempt to retain important woodland features?</p> <p>The outline part of the site in particular has effectively been treated as a blank canvas with constraints simply removed and disregarded (this includes ponds and streams as well as woodlands habitats. By simply restricting development to the area recommended for development within the St. Helens Draft Local Plan would result in almost all the key habitat features, particularly the protected woodlands being retained within any development proposal. It is therefore this desire to extend the site beyond the area for which a considered approach had been taken within this Draft Local Plan for development that is resulting in such significant habitat loss.</p>	<p>As above, we would refer the officer to the updated Planning Statement and TJM Operator Statement.</p>
<p>The annotations on the Tree Constraints Plan are also poor and very hard to read. The public may very well wish to view these plans and so clear referencing on the plans is required.</p>	<p>The plans are on A1 as the site covers a large area, however the plans do have tree numbers and a legend, which we believe is clear and legible. If clarity is required on specific areas of this site this can be provided upon request.</p>
<p>We note that the report was prepared after only one site visit and we are surprised such a report was able to be fully prepared after only one visit? It took two of us two visits to simply look at the site and we were not taking measurements or making specific assessments of individual trees. It therefore concerns us that a full assessment has been made?</p>	<p>The Arboricultural Survey, Para 2.1.1 confirms that the site was visited on two consecutive days at the start of October and that a full assessment has been carried out in accordance with BS 5837:2012. It is respectfully considered therefore that the officer's comments are inaccurate and there is no reason to question the efficacy of the assessment.</p>
<p>Construction of this route could have a significant impact on the root protection area of trees on the north side of the stream that are part of Booths Brow Wood. As such the</p>	<p>An amended Tree Protection plan (Ref. OPP DOC. 11.22q – ES Vol. 2 Appendix 9.19 Tree Protective Fencing) has been prepared and submitted that includes protection measures for the north side of Booths Wood.</p>

<p>Tree Protection Plan needs amendment so that the fencing encompasses this proposed path and also details how tree protection will be addressed when it is constructed, as it will also affect trees along the boundary of the site not within the area shown within the tree protection plan (in the area referred to as the landscape mitigation buffer). More detailed and accurate tree protection plans, that fully consider all the impacts of the development proposal, are therefore required including locations and detailed specifications for no dig methodologies to be used if required.</p> <p>Construction of this route could have a significant impact on the root protection area of trees on the north side of the stream that are part of Booths Brow Wood. As such the Tree Protection Plan needs amendment so that the fencing encompasses this proposed path and also details how tree protection will be addressed when it is constructed, as it will also affect trees along the boundary of the site not within the area shown within the tree protection plan (in the area referred to as the landscape mitigation buffer).</p> <p>More detailed and accurate tree protection plans, that fully consider all the impacts of the development proposal, are therefore required including locations and detailed specifications for no dig methodologies to be used if required.</p>	<p>This plan has also been included within the Construction Environmental Management Plans (CEMP) that have recently been prepared and submitted in support of the detailed element of this application. These CEMPs have been prepared for both the Unit 1 construction works (UNIT 1 DOC. 7) and the off-plot infrastructure works associated with the Unit 1 development (INFRA DOC. 1) and are submitted for approval as part of the application.</p> <p>In addition to the usual CEMP requirements, these documents include a CEMP: Biodiversity Document, Ecological Clerk of Works Method Statement, Arborist Clerk of Works Method Statement, Woodland & Tree Clearance method Statement and Pond Clearance Method Statement and provide specific details for the fencing along the north side of Booths Wood and details of root protection measures and digging methodology for construction activities that will be taking place close to Booths Wood.</p>
<p>Under Section 4.2 it refers to Warrington Borough Council confirming the site is not within a Conservation Area and that some of the woodlands are covered by a tree preservation order. This is a relatively straight forward oversight but it is best to make it clear they checked with</p>	<p>We can confirm that this is a drafting error and that the reference should have been to St Helens Council.</p>

<p>the correct authority i.e. St.Helens Council as otherwise the statement is correct.</p>	
<p>Whilst we would not expect a permanent site presence a scheme of this nature must have an Arboricultural Consultant fully engaged in a programme of ongoing monitoring and supervision. This report must have an Arboricultural Supervision Method statement included.</p>	<p>An Arborist Clerk of Works Method Statement has been prepared and is submitted as part of the CEMP's that have been submitted for approval as part of this application (as referred to above).</p>
<p>Under 6.6.5 refers to access facilitation pruning and it says that if required must be approved by the project arboriculturist. Whilst this is acceptable, I would say that as there is a high chance it will be protected trees affecting the development it may require additional consent for work if it has not already been approved. I would therefore advise that the applicant provides further information in Table 5 Recommended Tree Works specifying exactly what pruning work will be required on any retained trees as if it is not specified a separate application would have to be made (which otherwise can take 6 to 8 weeks to gain consent for if approved). For example would any trees need pruning to facilitate boundary fences or paths / roads constructed close to them?</p>	<p>Whilst this is noted, it is our belief that Table 5 within the Arboricultural Report is complete. It is considered that no other trees work should be necessary to undertake the proposed works, beyond those identified within the report and the Tree Protection Plan.</p>
<p>With regards hedgerows we would see them as integral to the site and would object to their removal, particularly where they are strongly associated with existing woodlands, ponds and ditches throughout the site.</p>	<p>It is acknowledged that the development proposals will result in the loss of hedgerows, however as discussed above the proposals scale and layout of the development is in direct response to an occupier led, build to suit requirement and a more general need for larger-scale logistics development in the Region, which it I argued can only be delivered in this location, in the manner proposed. This need, combined with the economic, social and environmental benefits are considered to outweigh the harm associated with the loss of these hedgerows.</p>
<p>Landscaping</p>	
<p>The general principles and approach identified within these landscape proposals are sound and outline the principles of the design and principles of management. However part of this application is for full consent and there should be detailed information provided as to how these areas will</p>	<p>Landscape Management and Maintenance Strategies for both the on-plot (UNIT 1 DOC. 9) and off-plot landscape proposals (INFRA DOC. 3) submitted as part of the detailed element of the application have been prepared and are now submitted for approval as part of this application.</p>

<p>be managed and maintained and this information must be submitted as part of this application .e.g. what management regimes will be in place to manage wetlands and grasslands etc. as without this the landscaping will degrade, how will retained woodlands be managed e.g. rhododendron and Himalayan balsam removal as well as ongoing work? This is not something that should be conditioned but be something that is clear and detailed as part of any full submission.</p>	
<p>Whilst the general principles of the species specifications are fine I am concerned that some of the species specifications are not appropriate for the location. In particular I would want to see the following changes:-</p> <p>Quercus petrea is not a species common to the area being a tree more typical of more upland environments. Quercus robur is the dominant species and we would want to see most of the quercus petrea replaced by quercus robur (2% petrea is probably the typical distribution of this tree in the area).</p> <p>Tilia platyphyllos should be replaced with tilia cordata which is the principle native species of lime tree generally present in the area (though some platyphyllos are present in woodlands in the locality).</p> <p>Ulmus glabra is wych elm and whilst an excellent tree for wildlife it is highly susceptible to Dutch elm disease which is having a resurgence in the area and as such I would not advise planting it. I would try and replace with Dutch elm resistant varieties where individual trees are specified and in woodland environments replace it with carpinus betulus.</p>	<p>These comments and recommendations have been taken on board and adopted in the revised landscape plans that have been submitted for approval as part of this application.</p> <p>The species mixes have been amended as broadly requested, however given Quercus petrea’s tolerance of shade, there has been some adjustment to the species to reflect its importance in this regard. This results in a species mix where there is 20% Q.robur and 7% Q.petrea, which we we trust is acceptable.</p> <p>Elsewhere specie mixes in hedgerow and approach to planting has been amended in line with the comments with only minor changes in approach.</p> <p>The amendments can be viewed on the following revised drawings:</p> <ul style="list-style-type: none"> • OPP DWG. 5 – POE_199_001 Rev. F Landscape Strategy; • UNIT 1 DWG. 13a – 2138-DL001-1 Detailed Soft Landscape Proposals 1 of 3; • UNIT 1 DWG. 13b – 2138-DL001-1 Detailed Soft Landscape Proposals 2 of 3; • UNIT 1 DWG. 13c – 2138-DL001-1 Detailed Soft Landscape Proposals 3 of 3; • UNIT 1 DWG. 13d – 2138-DL001-4 Detailed Smoking / Sitting Area Soft Landscape Proposals; • INFRA DWG. 14 – POE_199_004 Rev. C Structural Landscape-Proposed & Existing Contours; • INFRA DWG. 15 – POE_199_005a Rev. E Detailed Planting Plan Sheet 1 of 2; • INFRA DWG. 26 – POE_199_005b Rev. C Detailed Planting Plan Sheet 2 of 2; • INFRA DWG. 18 – POE_199_009 Rev. D Full Landscape Proposals; and • INFRA DWG. 21 – POE_199_010 Rev. C Detailed Application Site Context.

<p>Fagus sylvatica is proposed and whilst present in the area I would only plant where sites are dry. Overall we suspect this site will be a wet one and so it would be better to replace with quercus robur (there is no issue with having woodlands that are 20 to 25% quercus robur as this would not be an untypical mix within the locality.</p>	
<p>The native hedgerow mix is not typical of the locality. The plan proposes a 40% crataegus monogyna (hawthorn) mix but hawthorn is the dominant species in the locality. Whilst some hedges are just monocultures we would still expect a native hedgerow in the area to be dominated by this species. I would therefore suggest a mix of 80% crataegus monogyna, 5% corylus avellana, 5% viburnum opulus and 5% ilex aquifolium and 5% rosa canina. Planting in blocks of species is also not typical. Effectively the native hawthorn forms the matrix in which the other species are randomly scattered within it. The hedgerow should then have standard root balled trees, secured with tree stakes and ties every 10 to 20 metres using key species such as betula pendula, quercus robur, sorbus aucuparia, acer campestre and tilia cordata along the hedgerow.</p>	<p>These comments and recommendations have been taken on board and adopted in the revised landscape plans (listed above) that have been submitted for approval as part of this application.</p>
<p>The general principle of the distribution of hedges is acceptable but I am concerned that an opportunity to extend a native hedge along the motorway boundary has been missed. This will give better connectivity and some limited screening. There is a short section proposed but we would want to see it along its entire boundary with the motorway. Tree species also need to be incorporated within it along this boundary and should be heavy standard.</p> <p>At present the landscape plan shows retained trees along the motorway boundary within the curtilage of the</p>	<p>These comments and recommendations have been taken on board and adopted in the revised landscape plans (listed above) that have been submitted for approval as part of this application.</p> <p>The tree and whip species have been altered to those suggested, adding trees to hedgerows and further hedging along the motorway boundary, whilst taking all easements and wayleaves for overhead cables into consideration.</p>

<p>motorway. However, these are all ash trees and it is extremely likely that at least 95% of these trees will die from ash dieback disease within the next 10 years. Whilst we do not expect the hedge and trees to screen the development we would expect a soft boundary with scattered trees to break up and soften the boundary and appearance of eth development from the motorway. This can be done with the hedge mix I have proposed and scattered trees without compromising the adjacent SUD's scheme.</p> <p>These details need to be added to the Preliminary Landscape Proposals plans Sheet 1 of 3 and 2 of 3</p>	
<p>Detailed Planting Plan POE_199_005 Revision A Shows landscaping along the cycle corridor. As much as we would like to see good habitat and landscape connectivity we would be concerned that the woodland mixes proposed WE 6, 7, 8, 9 and 10 may end up creating a dense scrubby corridor that may become difficult to manage and potentially intimidating to users of the path. We would recommend the hedges are kept and the woodland mixes removed. We would though recommend that the mixes are replaced with more individual heavy standard root balled trees, secured with tree stakes and ties so there is still a wooded corridor but it is one that is more open creating good habitat connectivity whilst leaving a more open corridor that feels safer to user and be easier to maintain.</p>	<p>These comments and recommendations have been taken on board and adopted in the revised landscape plans (listed above) that have been submitted for approval as part of this application.</p> <p>Adjustments have been made to the landscape general arrangement to the "southern cycleway / footpath corridor and whilst some (albeit reduced) woodland edge mix areas have been retained the revised proposals set back the fencing and vegetation adjacent to the cycleway to open up otherwise narrow areas, and create a wider corridor through which pedestrians can pass, and a clear view from start to finish.</p>
<p>The landscape plans have not included any landscape enhancements for retained features, particularly the woodlands (e.g Plain Plantation and parts of Booths Brow Wood). These need to be incorporated into the landscape plans as well as any management plans that also need to</p>	<p>These comments and recommendations have been taken on board and adopted in the revised landscape plans (listed above) that have been submitted for approval as part of this application.</p> <p>In response additional detail for Plain Plantation is provided, which is the only area of established woodland within the detailed proposals area, whilst two additional areas of work are proposed.</p>

<p>be submitted for the full application part of the site. Without addressing enhancement of retained features there is the risk of creating management problems for the new features being created? In particular I would want plans to show the entire rhododendron being removed from the retained woodland and the woodland understorey then being planted up with new native understorey (e.g hazel, holly, yew etc) and canopy species, ponds and ditches within the woodland may need Himalayan balsam removing and new native marginal plants introduced</p>	<p>Firstly, the strategy for the removal and management of non-native invasive species and secondly the provisional item noted on the revised drawings regarding understory planting, have been dealt with in the Landscape Management and Maintenance Strategies (UNIT 1 DOC. 9 & INFRA DOC. 3).</p> <p>Landscape & Environmental Management Plans for both the Unit 1 proposals (UNIT 1 DOC. 8) and the Infrastructure works (INFRA DOC. 2) have also been prepared and are now submitted for approval as part of this application.</p>
<p>More information is required as to how the grassland habitats will be created. Whilst the species mixes offer diversity they can be difficult to establish and maintain. This is particularly the case on highly fertile farmland areas. Therefore we need to know how the site will be prepared so that low nutrient environments can be created that will support a sustainably managed diverse meadow environment into the future. This needs detailing in the landscape proposals with additional information in and management plans submitted for the full application part of the site.</p>	<p>These details will be informed by soil testing to determine fertility levels, which in turn will guide what steps will be required to prepare those areas identified as wild flora in an appropriate manner.</p> <p>However, this information is not yet available so we would respectfully suggest that this element of the design be conditioned (prior to any planting taking place), pending completion of the soil testing and more detailed design being produced.</p>
<p>There should be an improved buffer to the Local Wildlife Site, Booths Brow Wood. The proposed parking areas are close to the woodland and stream edge and also have a cycleway and associated features also close to this edge.</p>	<p>Where possible, the proposed Unit 1 layout and cycleway corridor have been amended to create an improved buffer between the development and the LWS , which also creates higher amenity levels for users of the cycleway.</p> <p>The revised landscape proposals provide a new boundary alignment to the Unit 1 plot where it impacts in part the corridor with Booths Wood. Whilst this does not address the full length of this narrow corridor, it does improve the situation where this has been practicable so to do. This has allowed us to move the alignment of the footpath link further away from Booths Wood where possible to give a buffer zone between the development and the Wood.</p>

	Elsewhere the soft landscape design has been adjusted slightly to provide a less constrained corridor.
It would be beneficial to have more detailed landscape plans so that it is possible to more accurately assess the location and extent of features proposed. This is particularly the case for the cycleway corridor which could do with designs more akin to the scale and detail shown on the Unit 1 landscape plans.	A larger scale version of the southern cycleway corridor has been prepared (Ref. INFRA DWG. 26 POE_199_005b Omega Zone 8 Detailed Planting Plan Sheet 2 of 2), which should provide sufficient clarity on the proposed works.
Ecology / Biodiversity / Invasive Species	
<p>There are several references to Biodiversity Net Gain within the submitted documents. There has though been no assessment of Biodiversity Net Gain. It is true that larger areas of woodland are being created on site (albeit not meeting a minimum of 2 for 1 replacement in terms of area of woodlands lost) but the woodlands being removed are mature and long established in the locality (continuous woodland for hundreds of years). You cannot mitigate for these woodland area losses as well as other habitats by just planting larger areas. For example, many of the woodlands contain old mature trees, with dead wood and cavities. These are essential for many breeding species including a wide variety of bats, invertebrates, birds and also vital for fungi. The new woodlands created would take at least 150 years to begin to develop over mature trees with dead wood and cavities and so it is not a simple case of providing Biodiversity net gain by planting more woodland. Biodiversity gain must therefore not be confused by using a simple area calculation.</p> <p>Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be</p>	See comments above regarding Biodiversity Net Gain and subsequent use of the DEFRA Biodiversity Metric 2.0.

<p>achieved on-site, off-site or through a combination of on-site and off-site measures. Whilst there are elements of the design which address this there has not been an assessment of biodiversity net gain for this application. The best mechanism for doing this is the DEFRA metric for calculating Biodiversity Net Gain and so if the applicant's wish to evidence they are providing Biodiversity Net Gain they are best to use this approach to evidence this.</p>	
<p>Whilst invasive species have been identified no programme for removal has been included with this application. This is required for the full part of the application site and need to look to remove rhododendron and Himalayan balsam and indicate how it will be managed to prevent its return. The landscape plans also need to show replacement planting within the woodland areas.</p>	<p>The POE Landscape Maintenance Strategy for the Infrastructure / Off-plot landscape works (INFA DOC. 3) provides details of the removal of these species (Section 2: Landscape Management & Maintenance) and states:</p> <p><i>Whilst there is no legal requirement incumbent upon the Developer to remove this, there is an obligation to control the spread of these non-native species. Therefore in year one of the planned programme of implementation and maintenance, all stands of Himalayan Balsam and Rhododendron will be carefully removed in accordance with best practice guidance and in line with protected species constraints – in the case of the former, after growth has started and before flowering and seeding, and disposed of on site in an appropriate manner, in all instances taking care not to disturb habitat within the immediate vicinity .</i></p> <p>The updated landscape plans provide further detail on replacement planting within Plain Plantation, which is the only area of established woodland within the detailed proposals area, in the form of the provisional item noted on the drawings regarding understory planting which is considered an appropriate response.</p>
<p>No wintering bird survey has been provided with this application. Farmland sites can provide important wintering bird sites for a wide variety of species and a survey should have been carried out so as to fully assess the importance of the site for such birds (there is reference to one having being carried out for the EIA Scoping Report but no wintering survey is included within this or anywhere else in this submission). Whilst we visited the site we noted relatively large flocks of wintering farm</p>	<p>It is accepted that there is a moderate amount of potential for wintering bird habitat, as identified at the EIA Screening stage and a Non-breeding Wintering Bird Survey is now available and has been submitted to the Planning Authority. This was not available at the time of submission due to the fact that there was a potential requirement for further survey work to be carried out between Jan – Mar 2020 pending the outcome of the Jan 2020 survey results.</p> <p>Six surveys were conducted at the Application Site between October 2019 – January 2020, inclusive. Surveys were undertaken during peak times of high tide within the Mersey Estuary, when Mersey Estuary SPA associated birds are most likely to visit functionally linked land outside</p>

<p>bards which included linnets and yellowhammers (at least 12 of the later species in one flock). The site also has the potential for tree sparrow and corn bunting that is also present in the locality.</p>	<p>the SPA boundary. The surveys went on to find that no Mersey Estuary SPA qualifying birds, or notable waterfowl and waders, were discovered to use the Site during these times.</p> <p>A full copy of the Habitats Regulations Assessment which provides more details of the wintering birds surveys and findings can be provide on request.</p>
<p>The breeding bird surveys did not seem to pick up on barn owls. The site is highly suitable to barn owls and they have been recorded in the area. We would want to see barn owl boxes provided as part of any mitigation a seven if the site is developed the ditches and grassland corridors as well as adjacent farmland provide excellent foraging habitat for these birds. If the boxes cannot go in buildings or retained woodlands then they need to go on telegraph poles within suitable habitat. They will though need nest boxes to be provided (the only one suggested is only really suitable for tawny owl, which though still required there should also be barn owl box provision).</p>	<p>We can confirm that no field signs or sightings of Barn Owls were recorded during scoping surveys or during multiple dusk surveys for bats on site.</p> <p>As a consequence, we do not believe that justification exists for the installation of Barn Owl boxes especially given the proximity of the detailed element of the application to the M62.</p> <p>We would however be willing to accept a planning condition requiring the further approval of the number, type and location of Barn Owl boxes on the OPP part of the site, which is farther removed from the M62 and would be screened by the Unit 1 development.</p>
<p>There is a lack of information as to how the developers propose to mitigate the impacts of the proposed development. Landscape plans do show new habitat being created but little of this will benefit existing farmland species on the site. There will be a significant loss of farmland habitat used by farmland breeding birds (as well as other habitats) and the proposals to mitigate this need to be clearly set out in any full application (not as stated being detailed, within a Construction Environmental Management Plan. This needs to be provided with the application for the full application part of the site. Do the applicant's propose any off site mitigation? This may require financial contribution for farmland bird enhancement and / or programmes of funding for farmland bird feeding in partnership with local farmers?</p>	<p>See comments above regarding Biodiversity Net Gain and subsequent use of the DEFRA Biodiversity Metric 2.0.</p>

<p>This needs further clarity and we are happy (subject to MEAS's comments) to explore options with the applicant.</p>	
<p>I do not believe the impacts on species such as brown hare will not be adverse. This area is one of the strongholds for hares in the borough. Brown hares were more evident in the area before the adjacent Omega site was built. However hares are still regularly seen in the fields (the survey surprisingly had only one sighting?). On our site visits which were not surveys we observed 8 hares (6 definite separate hares seen within only 20 minutes of going on site) and 4 brown hares on a second visit at the western end and so we believe there needs to be greater consideration of this species and mitigation considered. Fencing design also needs to consider this species and gaps are required beneath security fencing to allow hares and other species to pass beneath so they can still access the wider farmland environment around the development).</p>	<p>Brown Hare are present on site, but no more than two have been seen on any single occasion when survey work has been undertaken. Brown Hare are not considered to be a protected species, but as a priority and BAP species they have been addressed in the CEMP: Biodiversity Document and associated Woodland & Tree Clearance Method Statement, which are included as appendices in both CEMPs that have been submitted for approval.</p> <p>Appropriate fencing design and installation methodology is also considered in the CEMPs.</p>
<p>There are bird and bat box proposals but many are shown as being put up along the north side of Booths Brow Wood. Whilst there are some trees on the north side of the ditch this does not completely coincide with where they are showing boxes being erected. Whilst I support the provision of such boxes are there trees in this location on the north side of the ditch and if they are on the south side does the applicants have control of the south side i.e. are the boxes going up on the applicant's land as they may be outside of the red line of the site. This needs confirming?</p>	<p>We can confirm that none of the proposed bird or bat box locations are proposed to be erected in locations outside the applicant's control.</p>
<p>With regards the assessment of bat roosts on site I feel there needs to be more information provided. Section 9.3.67 of the Environmental Statement says that 169 bat roosts were identified as having low / moderate / high potential and yet it was concluded that after further survey work only 3 roosting sites of which only one was on site</p>	<p>Full details of the Tree Survey work undertaken in relation to bat roosts is provided in Sections 9.2.16 – 9.2.19 of the ES. This confirms that where trees were identified as having a 'moderate' potential they were surveyed a minimum of 2 times and those with 'high' potential a minimum of 3 times. Where dusk surveys were necessary, a surveyor was positioned at each tree 15mins before sunset and approx. 1.5 – 2hrs after sunset and conversely for dawn surveys 1.5 – 2hrs</p>

were identified? This seems an extremely low figure considering how many potential sites were identified. From our inspection of the site, which was not a survey, we observed that there were a significant number of good moderate and high potential roosts sites throughout the woodland areas on site, including those woodlands proposed to be removed.

In surveying to assess bat roosts it is particularly time consuming, often requiring multiple, trained observers for each potential tree as observation of as emerging and returning to roosts is very difficult to do. We would therefore expect to know more about where these potential roosts were, exactly how and when they were surveyed and by whom?

It also needs to be acknowledged that bats are highly transitory in how they use woodland roost sites and are likely to move locations, sometimes from day to day so the presence of these roosts, especially the medium and high potential roosts.

We also require similar supporting information for how the transects were conducted and by whom? The edge of Booths Brow Wood is identified as being of low value but this edge needs to be treated as being of higher value as it is clearly being used and is in association with other habitats such as ponds and streams.

With further landscape enhancement as proposed it could become more important and so a good buffer strip with suitably designed lighting is important particularly along this boundary.

before sunrise until 15mins after. It is considered that the survey methodology undertaken is appropriate and robust.

In terms of the Bat Transect Surveys, details of these are provided at Sections 9.2.20 & 9.2.21 of the ES and the results are shown in ES Vol. 2 Appendix 9.14 (OPP DOC. 11.221).

In terms of the value attributed to Booth's Wood, Section 9.3.70 of the ES states that the site habitat was deemed as 'moderate' suitability for bats. This is borne out in the survey findings, detailed in Sections 9.3.71 & 9.3.72 of the ES, where 'limited activity was noted on the northern boundary of Booth's Wood'. The survey work undertaken is considered to be have been undertaken in a robust and commensurate manner and we stand by the conclusions reached as they reflect the survey findings.

Additionally, we have recognised the value of Booth's Wood by altering the design of the scheme to not impact the woodland and have introduced a lighting scheme to avoid illuminating the trees.

<p>As with arboricultural supervision an ecological clerk of works / ecologist will need to supervise key aspects of the work on site and a methodology for this will be required.</p>	<p>An Ecological Clerk of Works Method Statement is submitted as an appendix to both CEMPs.</p>
<p>Landscape and Visual Impact Assessment</p>	
<p>The methodology for this assessment has been carried to the industry standard guidelines and is of an acceptable standard. It includes photomontages that are a representative sample of views to give an accurate picture of the proposed development. The assessment of impacts is comprehensive in scope and generally, the conclusions on the severity of impacts can be accepted as accurate. We do though have some concerns about the overall conclusions, which seem to place an over reliance on the ability of the landscape measures proposed as part of this development to mitigate the impacts of the proposed development. There are a number of major / adverse effects from properties and areas of open space such as Griffin Wood and also key routes in Bold Forest Park. It is though clear from a number of the photomontage images provided that regardless of how tall new woodland areas and landscaping get they will have limited impact on mitigating these major / adverse effects. What has not been considered within any of the proposed mitigation measures is the scale of the proposed building in the full application part of the site. It is clear from the photomontages provided that from many of the viewpoints the views of the existing buildings are limited whilst the proposed building is clear visible within the landscape. Many of the existing buildings are around 30 metres in height and this clearly indicates that the scale of the proposed building is of a magnitude beyond these (41.6 metres). Clearly a reduction in this height would be a</p>	<p>As has already been discussed, the detailed element of this hybrid application responds to a specific occupier-led requirement and therefore there is limited scope for change in building design and in particular building height.</p> <p>The height of the building is dictated by the bespoke 'high-bay' racking system that is due to be installed within the building. Full details are provided in the Operator Statement submitted with the Planning Statement (Appendix 5). A 'high-bay' solution has been chosen to maximise the efficiency of the building and follows growing trend for greater building heights due to increased automation within the logistics sector, which is direct related to the growth in the retail / e-commerce sector and the fast response times required by the market. The 'high-bay' racking solution also minimises the footprint of the building. If the height was to be reduced, then there would need to be a compensatory increase in the footprint of the building to accommodate a more spread out racking solution.</p> <p>As a consequence, whilst a reduction in height could lessen the visual impact of the development, it would lead to an increase in land required within the Green Belt and therefore other harm to the Green Belt would be greater.</p>

highly effective way in reducing these major / adverse impacts.	
St.Helens Local Plan 2020-2035 Submission Draft January 2019 / Greenbelt	
<p>Of particular concern is that the St.Helens Local Plan 2020-2035 Submission Draft January 2019 has indicated a development site in the locality LPSD Ref: 1EA Omega South Western Extension, Land North of Finches Plantation, Bold. This allocation has a western boundary that falls considerably short of where this development is proposing the extent of development. We therefore cannot support this application, as many of the key detrimental impacts of this proposal on the landscape and ecology of the area stem from the scale and extent of the proposal. Were the development to be confined to the area proposed in the Draft Submission then the ecological and landscape impacts would be greatly reduced. The need to remove any protected woodland would almost be negated and the number of ponds lost would be greatly reduced.</p>	<p>It is accepted that the proposed development exceeds the boundaries of the allocation in the St Helens Local Plan 2020-2035 Submission Draft, however as has already been explained there is an identified need for development of the scale and nature of the proposed development, for which there are no suitable alternative sites available in the area.</p> <p>The proposed allocation in the Submission Draft is for a long, narrow site that would not be capable of responding to the identified need for large-scale logistics development and in particular would not be capable of accommodating the specific occupier led requirement that forms the detailed element of the proposals. Whilst this may mean that the proposed development has a greater impact on landscape and ecology than may otherwise have been the case, it is argued that ‘very special circumstances’ exist and that the “adverse impacts” of the development would not “significantly and demonstrably outweigh the benefits”.</p> <p>It remains our considered opinion that the proposed development offers the opportunity to create a new defensible long-term boundary through the creation of the new wild flora meadow and associated tree planting to the north-west of the site, which will link with the existing woodland areas at Plan Plantation and Booths Wood to provide a more continuous landscape buffer that will safeguard against further encroachment into the Green Belt.</p>
Bold Forest Park / Heritage / Access	
<p>Policy BFP ENV3: Heritage states that “St.Helens Council will protect the heritage of Bold Forest Park by protecting designated and undesignated assets.... and “ensure that all new developments respect the significance and, where possible enhance the distinctiveness of the built and historic environment of the Forest Park area in their location, design and layout”. However, this proposal extends into the area designated as the medieval Deer Park and will remove key features of this landscape, particularly the protected woodlands and as such does not respect or conform to this policy. Had development been</p>	<p>See comments above regarding the Local Plan.</p>

<p>restricted to the zone identified in the Draft Local Plan for development this would not be the case (assuming the development was to a scale appropriate to the location).</p>	
<p>Policy BFP INF6: Creating an Accessible Forest Park looks to see the network of routes both enhanced and protected. This includes the development of a proposed bridleway. This route would have used the farm bridge that will be truncated by this proposed development. Removing this link will effectively remove the potential to create this route (though we would acknowledge that any route proposed would rely on the support of landowners to deliver it. An alternative east west cycle route / footpath is proposed and it would be ideal to have this designed to not only provide access for cyclists and pedestrians but also provide access for horse riders. This would require modest modification of the route corridor to facilitate this. To provide ongoing linkage it would still require negotiation with other landowners (or land acquisition) but by at least designing in the propensity of the route to accommodate horse riders it will at least provide the opportunity for the development of a bridleway network.</p>	<p>The applicant is in discussion with the Council about the nature and route of the footpath / cycleway and would be willing to consider including a bridleway within the proposals if suitable onward connection can be made that would make this a viable proposition.</p>
<p>Whilst it is important to promote sustainable development and use of the site it may be beneficial to provide some public car parking for members of the public to use so they can access any new landscape / ecological areas. This is particularly important for any people with mixed abilities or designated as being disabled. The provision of some public car parking (which is absent from most of the current Omega) would be beneficial, especially if any paths created can also be Disability Discrimination Act compliant.</p>	<p>We do not consider that it would be appropriate to encourage additional private vehicle trips into the site and would be concerned that any such parking provision could be open to abuse from HGV drivers looking for lay-over opportunities on the site – it is for these reasons any such areas have been resisted on Omega to-date.</p> <p>It is also considered that the proposed layout does lend itself to any such parking areas as vehicular access to the landscape / ecological areas will be restricted and therefore any such parking areas would be remote from the areas of interest. It remains the case that the site is well served by existing public rights of way / footpaths, which the landscape areas will tie into and seek to enhance through the proposed development.</p>
<p>To some extent the same issues arise with cycling. Whilst we support the idea of a cycle route it will at present be</p>	<p>The applicant is in discussion with the Council about the nature and route of the footpath / cycleway and will work with them to arrive at the most appropriate solution for the benefit of all.</p>

<p>truncated by only connecting to a public footpath at its western end. I would though still encourage the idea of the route being a multi user route as the proposed ecological / woodland area at the western end of the site, in combination with the woodland at Griffin Wood on the north side of the motorway may still provide a destination for pedestrians and cyclists, particularly those linking from estates in Warrington to the east who to date have not been able to access the area due to the lack of historical linkage that is a legacy of the area having been a secure airbase area for many years. It will be important though to make sure these routes are clearly signed and promote Bold Forest Park as part of any signage strategy for these routes (including the potential for a heritage trail).</p>	
<p>Policy BFP SN2: Planning Obligations requires development to contribute to the infrastructure of the Forest Park. Whilst there are some onsite elements proposed such as new footpath / cycleway, improvements and some mitigation for landscape and biodiversity that must also be a development contribution. This will require an appropriate sum to be paid that can be used for the improvement in the infrastructure of Bold Forest Park as well as further enhance and mitigate landscape and biodiversity.</p>	<p>As discussed above, in terms of potential planning obligations, the applicant is currently discussing with the Council how best to improve the pedestrian and cycle links between the site, the wider Forest Park and St Helens in general. The new cycleway / pedestrian footpath proposed as part of the development is seen as being key to this and it is envisaged that a financial contribution will be secured through an appropriate legal agreement to facilitate the extension of this route beyond the site boundary.</p>
<p>Sankey Catchment Plan</p>	
<p>The site lies within the area covered by the Sankey Catchment Action Plan 2018 and so any development should therefore contribute positively to catchment management objectives and enhance riparian habitats. Our concern would therefore be that not only are significant changes proposed to existing water courses but significant areas of pools and ponds are proposed to be removed. Therefore any SUDs schemes or changes need serious</p>	<p>The existing riparian zone of the watercourse (Whittle Brook) is in a severely degraded state in places with the deeply entrenched channel rarely connecting with its riparian zone and floodplain. However, the proposed channel design would incorporate features such as lowered berms and a two-stage channel geometry to promote frequent lateral connectivity and sustain a functioning riparian zone.</p> <p>Such features would be seeded with a range of plant species that are appropriate for the location and inundation frequency, and a period of 'bedding in' would be allowed prior to diverting flow into</p>

<p>consideration in terms of these impacts. As many of these water course areas are integral to the woodlands that we are objecting to being removed we would therefore expect existing pools and watercourses in relation to these features be retained and enhanced as part of any development proposals for the site. The comments of the Ilfa consultees for the Council therefore need consideration.</p>	<p>the newly constructed channel, which will be designed to allow natural fluvial processes and incorporate morphological and habitat diversity. In addition, a tree planting regime would be implemented. Thus, the design principles proposed in the Water Framework Directive (WFD) Assessment would offset anticipated impacts to the riparian zone adjacent to Whittle Brook to the standard required by the WFD.</p> <p>We would also note that the LLFA have responded to the application and subject to approval from the Environment Agency they have raised no concerns regarding the realignment of the watercourse.</p>
<p>Phasing of Work</p>	
<p>Particularly in relation to the full application part of the site we would like more information to be submitted clarifying the phasing of works on site, particularly in relation to proposed habitat creation and landscaping / access works. It would be important to fully establish any new habitats and infrastructure created at the earliest opportunity.</p>	<p>5-year Landscape Management & Maintenance Plans (LMPs) for both the Infrastructure works and Unit 1 on plot landscaping, have been prepared and are submitted as part of the application and provide details in relation to the long-term management of both sets of landscape proposals.</p> <p>In addition, Landscape & Ecology Management Plans (LEMP's) for both the infrastructure and Unit 1 works and provide details of how the construction process will deal with landscape features to be created and those being maintained, have been submitted for approval as part of this application.</p>