

1 - INTRODUCTION

Our Local Voice is an independent local community group. We are entirely made up of volunteers from the local area, motivated only by an interest and concern for the area in which we live and its environment. Our region is the area around Newton Le Willows, Burtonwood, Winwick, Golborne, Croft, Culcheth, Lowton and immediate surrounds.

Peter Astles ACMA, ACIS – I am treasurer of above group. By profession I am a qualified accountant and company secretary. I have extensive senior management experience in a number of major organisations in the private sector, including insurance, banking and bio pharmaceuticals.

From being a toddler I have always been fascinated by nature and the natural world. I am a very keen wildlife photographer and ornithologist in the local area and nationally. I am a member and contributor to a number of groups in this field in the local area.

I have spent my entire working life attempting to generate business growth and I am, by nature, pro development. But I am greatly concerned locally with the very intensive and uncontrolled loss of habitats. I am also not satisfied with the approach to biodiversity in the St Helens local authority, in particular the direction of its biodiversity mitigation strategy.

I believe I have a good working knowledge of the species and habitats in the St Helens, Wigan and Warrington boroughs and the wider North West gained over several decades. Not gained in a professional sense but this has been my prime leisure activity over a very long time.

I participated in the 2012 St Helens MBC Core Strategy hearings and the recent Parkside and Haydock Point public inquiries.

2 - DOCUMENT PURPOSE & SCOPE

This document is for session 10 of the local plan examination, generic policies.

The document provides comment on

- The inspector's question 6

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- General comment and observations on the plan relating to biodiversity and related matters.
- Specific comments on policies LPC06, LPC07, LPC08

The state of nature studies consistently shows a national crisis due to urbanisation, pollution, climate change and other factors. The St Helens borough faces increases in human population and disturbance, large scale habitat losses alongside the governments drive for recovery and enhancement of biodiversity.

St Helens MBC has declared climate change emergency with an objective. Biodiversity is no less of an emergency and is a significant and direct enabler of climate change mitigation.

Despite this there is little in the St Helens MBC submission draft or its policies other than a re-drafting of routine tactical process such that have been in place for many years. Detached Processes with no “line of sight” to an outcome.

What are missing are objectives, objectives that are measurable and underpinned by tactical plans in the same way are other functions within the local authority.

A large number of issues are raised in this document; however I believe this is entirely necessary as I firmly believe, without amendment, St Helens borough and its society will experience decline in nature and wildlife on an unprecedented scale.

3- INSPECTOR’S QUESTION 6 AND RESPONSE

Session 10 – 09.30 Friday 18 June 2021

- 6. Whilst the achievement of net gains for biodiversity and enhancement of the natural environment is desirable, will a simple 2 for 1 replacement of any trees lost within Section 6 of Policy LPC10 be necessarily the most appropriate way of achieving gains and is it justified by any evidence (see Council’s response to preliminary questions)?*

3.1 -Summary Response to Inspectors question above.

B I do not believe biodiversity mitigation strategy should be primarily focusing on planting trees.

This is inappropriate and inadequate for the scale of development proposed and the challenges the Borough faces, balancing development and delivering biodiversity gain for future generations and to meet national guidelines.

There are a range of factors why, and these are outlined below.

3.2 - Biodiversity Net Gain / Environment Bill / NPPF

The existing NPPF requires local authorities to “pursue opportunities for measurable net gains for biodiversity,” Para 170. Note measurable net gains. The Environment bill goes further specifying 10% net gain. This again implies that net gains must be measurable. For measurement to occur there has to be a tangible objective, underpinned by a realistic plan and capable of some broad form of measurement.

It is accepted that this has to be practical and not frustrate development but unless it is in place any mitigation will likely fail to comply with above regulation.

It follows that any plan that intends to mitigate a biodiversity landscape in the area concerned should focus on a broad species mix and hence habitats.

3.3 - Trees as primary mitigation for biodiversity gain.

Forests, particularly mature broad- leaved woodlands are rich in wildlife, but only certain types of wildlife. The RSPB have the following settings for bird life in the UK namely, moorland, lowland heath, lakes and gravel pits, rivers and streams, lowland wetland, farmland, estuaries and coast, gardens and parks.

Other than estuaries and coasts all these habitats apply to the St Helens Borough. St Helens like every local authority in the UK manages a range of interconnected habitats. If the plan is simply to plant as many trees as possible that may help mitigate climate change, this will not increase biodiversity. In many situations forest growth is harmful to wildlife where this replaces other habitats.

For biodiversity net gain to occur there has to be a natural range of habitats covering the range of species that naturally occur.

3.4 - Mature established forests vs. saplings

Mature broad- leaved woodland is rich in wildlife within that habitat type. But a mature forest may take centuries to develop its soil and ecosystems. Planting saplings therefore has a long- time lag gap before benefits are realised and in that gap there is a large deficit in biodiversity, the scale of which is incalculable dependent on the position locally.

There is much debate on the destruction of mature woodland with saplings. The conclusion, in the article below, is that biodiversity net gain is impossible with just a policy of planting saplings no matter how many.

<https://www.ancienttreeforum.org.uk/wp-content/uploads/2019/03/ATF-response-Defra-Net-Gain.pdf>

3.5 - The experience of the Parkside Public Inquiry

Parkside Phase one and potentially phase three were reliant on off-site mitigation to achieve biodiversity net gain. Parkside west and east habitats are wetland, heath and scrub, large areas of mature grassland and broad- leaved woodland in a few small areas. It is a vast area and encompasses almost the entire green belt between three towns and straddles three boroughs and sits alongside a SSSI. It is a very well known site for ornithology and nature appreciation throughout the North-West.

See Appendix F for scale of habitat loss and loss of critical wildlife corridors to Nature Improvement Areas, SSSI, statutory protected areas and general unprotected but important habitats, both in St Helens and adjacent authorities

See also 20 minute YouTube film produced by local communities which includes large section on biodiversity and habitat loss on the vast Parkside proposed development area

<https://www.youtube.com/watch?v=reylki5yMZE&t=305s>

In order to achieve biodiversity net, gain a very large sum of cash was proposed to be donated to Mersey Forest in which one assumes saplings will

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be planted throughout the Mersey Forest Region or anywhere in the St Helens borough, potentially many miles from the local area.

In 3.2 above. We talk about the need for a coherent plan of mitigation. The developer had engaged an ecologist from another area of the UK, well qualified, but who I understand had not been involved in the application long term but was engaged only for the public inquiry. His advice was to plant broad - leafed woodland as it was stated this is scarce nationally. This, in his opinion, would result in biodiversity net gain. A Defra metric calculation was provided but with no supporting evidence it was a mere output report. The same style (output report only) was provided for the Parkside link road.

This differed from other matters in the Parkside public inquiry such as air quality and traffic where supporting data was provided by developer's consultants, allowing the public to interpret and validate the conclusions.

The local public therefore had no alternative on biodiversity, but to take the engaged consultants conclusion as a matter of faith. This cannot facilitate any public confidence in the integrity of the planning process.

I provided an alternative to the mono broad-leaved woodland solution, (see appendix D) for the public inquiry for the S106. This was financially similar to that proposed but targeted for the range of habitats and species directly impacted by the development within the local region and stepping - stone corridors. This in my opinion is appropriate rather than planting saplings in reserved areas whether they are ecologically needed or not. Biodiversity net gain means the full scope of biodiversity, not only woodland species.

The proposal to plant trees in the Mersey Forest region as compensation for loss of Parkside habitats was agreed 8th December 2020 just weeks before the public inquiry started 5th January 2021. (See Appendix C)

On the 21st December a press article was published within St Helens council website. (See Appendix B) This involved a generic exercise by Mersey Forest (funded by central government) to plant trees in the Merseyside region with the aim of combating climate change. This is a differing aim to biodiversity net gain, although there is some crossover. The article included comment by a portfolio holder member within St Helens MBC, linking this initiative to development.

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In my view these two matters are connected and I stated such in the public inquiry. This was verbally denied by the representatives of St Helens council but no evidence was offered.

My suspicions remain on this matter and it appears to me the climate change initiative and general aims of Mersey Forest are being used as a “catch all” for off-site mitigation for development covering both climate change and biodiversity. They are different matters in objectives, but are being conflated by the local authority.

Reading the 2020 / 35 local plan, I fear Parkside approach is the beginning of a wider approach where the boroughs NIA (Sankey Valley and Knowsley Mosses) are protected and future developers are invited to demonstrate BNG of 10% by donations to plant saplings in these two areas whether saplings are ecologically beneficial or not.

If I am correct in my assertions, wildlife in St Helens Borough over coming decades will decline dramatically in terms of species range. If this approach were to be applied nationally it would be catastrophic for the nation’s biodiversity - the polar opposite of the government’s regulation, current and impending.

4 – GENERAL COMMENTS ON PLAN

4.1 – The focus for BNG in the proposed local plan seems to have an approach limited to the Nature Improvement Areas (NIA) in the Liverpool City Region, of which there are two in the St Helens Borough.

This lays the ground for a generalised and default option for more or less all future developers to claim 10% BNG by making donations to wildlife in these limited NIA areas whether its ecologically sound or not.

4.2 – The two NIA areas in St Helens borough are Sankey Valley and Knowsley Mosses. Sankey Valley is subject to much human disturbance which is likely to become more severe as development expands and population increases.

In the recent Covid lockdowns and restrictions on public movement, Sankey Valley was overcrowded to such an extent the public were posting concerns over public safety in respect of Covid transmission. Sankey Valley contains

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much wildlife, but it has limitations as a nature reserve. Bold Forest Park is also similar and very crowded and for nature conservation has limitations.

If these areas are to be the primary repository for nature and conservation in coming decades the limitation here is obvious.

4.3 – There is potential for developers to reduce the opening biodiversity metric by the destruction of habitats in advance of a planning application - making it easier to claim BNG. The local plan should recognise this frequently occurs and build a strategy within the plan to mitigate this. A suggestion might be that developers are penalised in the judgment balance where this is proven to occur.

4.4 – There is debate in the national biodiversity net gain process development over conflict of interest with engaged ecologists. It's a fact of life, ecologists earn most of their income from developers, and developers want to develop. The Environment bill aims to maintain and expand Britain's wildlife.

Local authorities need to ensure though, the environment bill is addressed in spirit and form and that BNG is both realistic and measurable.

I accept this is almost impossible to police. I would suggest the St Helens MBC plan addresses this by expressly stating the ecologist's qualifications which should include experience in addition to academic qualifications.

Specifically, experience should include detailed knowledge of the region's habitats, stepping - stones and species mix and challenges in the Merseyside region.

4.5 In general terms I do not believe St Helens proposed 2020 / 2035 plan goes far enough in adapting to the changed landscape of the Environment bill and BNG. Many of the policies are dated and re-drafts of policies that have been in place for many years.

St Helens has severe challenges in nature conservation. Much of the area is developed and habitats are scarce and becoming scarcer. It is not enough to administratively comply. A strategy is required. It would appear that St Helens MBC through their officers and portfolio holders have bypassed biodiversity issues.

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Nearby Wigan Metro for example has “Project Greenheart” with genuine partnerships with local nature conservation groups such as Leigh Ornithology Society and Lancashire Wildlife Trust who play an active role with Wigan Metro.

There is no equivalent in St Helens, nor do I see any attempt to find one. The local plan needs to address this in some way. It would be a major enabler to helping future developers achieve a more realistic and deliverable BNG in St Helens.

4.6 – Eminent QC Sasha White recently spoke at the National Planning Summit on the subject of biodiversity net gain.

His closing conclusion was that;

“The takeaway here is that one must demonstrate BNG, not just suppose it.”

Which is exactly my point in this document?

For further details see Appendix A

4.7 – Planting trees for Climate Change is not the same as planting trees for Biodiversity Net Gain. Although there is some crossover the two should not be conflated and planting trees is only a small element of BNG for woodland species, it cannot be the entire solution or even the majority element of.

4.8 – Measurable Biodiversity Strategic Objectives – St Helens MBC – simply currently there are none and it is impossible to plan without knowing what you are planning to do.

The following should be the minimum

1. State of nature St Helens 2022
2. Identification habitat maps
3. Key stepping stone wildlife corridor
4. Identification species list in St Helens , (Red, Amber Green)
5. Tactical planning including urban biodiversity planning

This should not be a barrier to development nor should it burden St Helens MBC with excessive administration. In fact for developers it will have

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significant advantages as it will enable easier and real quantification of biodiversity net gain.

It could also have political and engagement benefits for St Helens MBC with opportunity to involve the public and local schools. It might repair some of the damage the 2021 plan and its environmental and green belt damage has done with local communities.

Organisations like MEAS and / or local wildlife trusts could be commissioned or external ecologists alongside local communities.

However it is imperative this proceeds at a pace equal to development, preferably slightly ahead of it. Any loss of mature habitats and species will obviously take many decades to recover perhaps longer.

5 - POLICY LPC 06: BIODIVERSITY AND GEOLOGICAL CONSERVATION

European sites – no comment on overall text. In my experience however, planning applications in the St Helens Local Authority tend to go no further than listing the sites. There is no serious attempt to quantify impact other than to blindly state “no impact.” This is clearly not the case; there almost always is an impact. Inland or adjacent habitats in the borough have a symbiotic ecological interaction with the protected sites.

There should be something in the wording to request developers to go beyond “yes or no” box ticking. I would suggest forcing a descriptive, even if one or two sentences.

Other protected habitats and species – same comment as above

Mitigation Replacement – this is simply a cut and paste of the Defra mitigation hierarchy. As stated, D (Off site mitigation) is the option of last resort and should only be applied when proof of mitigation options has been demonstrated, this should be worded accordingly.

D) Let’s remind ourselves, it is the exceptional circumstances option of last resort NOT the default option.

Evidence requirements – no comment

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7.6.9 – full and defined list of priority species should be included or referenced to an updated list. Not referenced to part of what it includes. Priority species are a key component of BNG and subsequent BNG mitigation plans.

7.6.10 – agreed and is welcome to see. However, how would you define them for planning? Needs to be a little more specific.

7.6.12 – suggests re-draft to exclude the word “measures” to the development site (which makes no sense) and re-word to accommodate species and habitats. This is necessary if BN (Biodiversity Net Gain) is to be delivered. Clearly the loss of habitats and species from one area compensation mitigation should aim to replace or restore similar elsewhere, whenever possible. But it should be a stated planning objective here.

7.6.13 – I don’t understand why pink footed geese are mentioned specifically in the text?

7.6.16 – experienced ecologist should mean experienced in the Merseyside region and its challenges unless other stated reason specific to the individual development.

**5 - POLICY LPC 07 - OBJECTIVES AND KEY DELIVERY MECHANISMS
(GREENWAYS)**

Possibly a comment here on the importance of nature and wildlife experience in human well - being and education. It’s very hard to overstate this. The sight of a spectacular bird of prey or other species is often the highlight of a person’s day and this occurs as part of everyday life. With mental health awareness taking increasing focus in modern society this is something local authorities should have at the forefront of planning strategy. It aligns with other specific policies such as Biodiversity Net Gain, which is, or should not be an abstract concept.

We should be able to envision what the future green landscape should look like and have plans sufficiently granular that they are capable of delivering something like that vision.

7.9.1 – Agreed greenways are important in interconnecting wildlife stepping - stones. However, they are often within or adjacent to residential areas and

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subject to intensive human disturbance. They play a role but must not be relied upon entirely in the planning process.

7.9.2 – Agreed, but to repeat above the planning process should not be totally dependent on greenways and this should be recognised within the plan.

6 - POLICY LPC08 – ECOLOGICAL NETWORK – PLAN COMMENT

General Comment - Whereas in process terms this is a sound basis for gathering a framework, it has limitations. It is a quasi- planning function based on a limited very number of NIA (Nature Improvement Areas). These have been identified as such for several plan iterations with little or no movement. Nature in the LCR and the borough does not limit itself to these locations and the public might ask what about biodiversity elsewhere? Is that without protection?

There are two NIA in the St Helens borough - Knowsley Mosses and Sankey Valley. Whereas the knowsley mosses do have a degree of wildlife protection this is not necessarily the case for Sankey Valley. Sankey Valley is a general recreational area and subject to much human disturbance, likely to be much more so in coming years with the loss of other green spaces and increased housing. Sankey Valley therefore is very limited in its future capacity to deliver BNG (Biodiversity Net Gain).

I appreciate this is a broad planning document but some broad objective would be useful. Rather than merely “biodiversity net gain” or “enhance habitats” which is so wide as to be meaningless. Within the context of broad planning perhaps the extent to include “maintain diverse habitats consistent with BNG” and or “maintain existing range of species and aim to extend species and habitats within the borough.”

I also see little in the way of community engagement and partnerships. MEAS and LCR are too closely related to the planning functions and are a constraint to wider biodiversity development in the sense this is all internal to local government or quasi local authority functions. I would like to see objectives in the local plan for genuine external partnerships with wildlife trusts (Lancashire Wildlife Trust is very active locally) and local community organisations.

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See Appendix E – Partnership Wigan Metro / Lancashire Wildlife Trust / Project Greenheart / Carbon Landscape Trust – where are these initiatives in St Helens MBC ?

If the parameters of biodiversity development are controlled and constrained within St Helens Local authority then it will surely fail to deliver real biodiversity net gain. By this I mean, increase the range of habitats, species and scale of the nature in St Helens for future generations.

The objectives within are disconnected. There is no overall objective; no mention of a road map to achieve measurable objective, even in broad terms. There is a suspicion this is purposefully drafted to be so broad and fragmented as to be meaningless.

Other local authorities are driving pilot schemes with specific and measurable objectives. This is the case in the nearby Greater Manchester Region and other areas of the country. This is a clear gap in the LCR and St Helens local plan derivative.

BNG should not be seen as standalone but meshed into other St Helens MBC policies.

Points on specific headings

7.12.3 – “should connect with local communities” the word “should” must be nowhere near a planning document or a matter of this nature. “Aim to” “objective of”

7.12.4 – this section has the aim of condensing wildlife improvement only in areas that are considered ring fenced for biodiversity protection by the local authority. It is “in effect” an enabler for development and not a biodiversity objective; it is the reverse of that. I suggest this is entirely re-drafted to support wider biodiversity gain not just where local authority allows it.

7.12.5 – this section is a crude attempt to channel off site mitigation into Nature Improvement Areas and leave everywhere else in the borough unprotected. This needs to be re-drafted.

7 - POLICY LPC09 – STRATEGIC AIMS, OBJECTIVES AND KEY DELIVERY MECHANISMS – PLAN COMMENT

No comment on policies other than potential amendment for the point below

General comment qualitative assessment of the boroughs landscape and its impact on local communities. In my experience as a resident there is little recognition of social impact on local landscapes some of which have been part of the areas character for centuries, albeit may not be nationally important landscapes.

This is particularly noticeable in major planning applications which indicate underlying deficiencies in the application of the policies. An example was the Parkside Link Road planning application where the key Landscape views on Barrow Lane was not properly assessed in my opinion.

In general terms the plan, as it exists, does not seem to protect valued landscapes in the borough given above example. If our criteria are only to protect nationally legally protected landscapes the character of our landscapes in our nation are to be dramatically diminished

This cannot be the intention of the NPPF and hence I believe the plan needs to be re-enforced to protect local landscapes of value to the communities in St Helens.

8 – POLICY LPC10: TREES AND WOODLAND

No comments, but see below.

9 – POLICY LPC10: STRATEGIC AIMS, OBJECTIVES AND KEY DELIVERY MECHANISMS

This policy is inadequate and incomplete. Much of this is covered in the matter on trees elsewhere in this document. Delivery mechanisms are Restricted to limited areas of the borough and then restricted to planting saplings in defined areas the council protects.

Bold Forest Park, Sankey Valley, Knowsley mosses

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These areas are subject to heavy human disturbance which is likely to get substantively more severe with planned increased housing and population.

Both Bold Forest Park and Sankey Valley are also being actively promoted as recreation area by St Helens MBC to relieve pressure on the statutory protected sites such as Sefton coast.

I do not accept these are complete or adequate as key delivery mechanisms and the policy, in my opinion, should be re-drafted to accommodate these concerns.

Concerns outlined elsewhere in detail in this document but in summary greater focus and transparency in plans with clear objectives the public and developers can vision.