

## Telford & Wrekin Council – Responses to Matters, Issues and Questions

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#### Matter 6, Issue 4

**Issue 4: Whether the natural environment (NE) policies are justified, effective and consistent with national policy.**

##### **Policy NE1 – Biodiversity and geodiversity**

Q98. Is it necessary to refer to the Lawton principles in part 1c?

Relevant doc - 'Making space for nature': a review of England's wildlife sites published today - GOV.UK

The Council do not consider it strictly necessary to use the words “*the Lawton principles*”

(<https://webarchive.nationalarchives.gov.uk/ukgwa/20130402170324/http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>).

However, since the release of this review they have underpinned national policy and action to reverse biodiversity decline. They also act as the foundation for emerging strategies such as the Local Nature Recovery Strategy and the Council’s approach to meeting its Biodiversity Duty.

Therefore “*the Lawton principles*” of bigger, better, more and joined up act as a simple, proven and constant framework for developers to understand how they should approach nature fundamentals from site selection, layout and landscaping to facilitate sustainable development.

It could be appropriate to expand this point by listing the principles within the policy such as changing:

*“c. Ensure appropriate mitigation, compensation, enhancement and long-term management, are secured in line with the Lawton principles”*

To:

c. Ensure appropriate mitigation, compensation, enhancement and long-term management *are secured to enlarge, improve, create and functionally link important wildlife habitat*

A further appropriate addition may be to include the following within the page footer.

*“The Lawton Principles were published in the ‘Making space for nature’: a review of*

*England's wildlife sites <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>"*

Q99. Is the meaning of "appropriate buffer zones" in part 4c sufficiently clear?

The Council considers that the term "*appropriate buffer zones*" to be clear enough to be effective while still accounting for the unique circumstances of each development.

There is not a universal buffer distance that can be applied to all habitats, features or species. Similarly, development impacts that necessitate buffering will vary due to scale, type and design. Therefore, the buffer zones must be determined on a location by location basis due to existing species, habitats, natural & artificial features as well as existing and proposed pressures upon them such as disturbance and pollution.

If the Inspector wishes the Council would be happy to add words to this effect within the supporting text.

## **Policy NE2 – Trees, hedgerows and woodlands**

Q100.(a) Is the policy clear and unambiguous enough to be effective, particularly parts 2a and 5? (b) What is the justification for the species mix specified in part 2c?

(a) - Yes, the Council considers that policy NE2.2a is sufficiently clear as to be effective. NE2.2a states development will be expected to assess potential impacts on trees, hedgerows and woodlands. The policy is wholly compliant with NPPF section 15, in particular para 187 and 198.

Following consultation, the Council consider that the clarity of this policy could be further improved by including the following wording within policy NE2.2a:

*"Assess the potential impact of proposals on trees, hedgerows and woodlands within or adjacent to the development site;"*

Similarly NE2.5, which requires adequate buffering for development immediately adjacent to irreplaceable habitats, is considered clear and compliant with national policy. Government guidance on ancient woodland, ancient trees and veteran trees: advice for making planning decisions lays out in detail the recommended buffer zones for ancient woodlands and ancient or veteran trees. The guidance further states that these buffer zones may need to be altered '*Where assessment shows other impacts are likely to extend beyond this distance*'.

Considering this guidance the Council considers policy NE2.5 to be clear whilst still allowing for flexibility to account for unique circumstances of development.

(b) - The tree mix within the local plan has been decided by a number of factors. The uncertainties about the survival of native tree species are a matter of considerable concern and debate. The longevity of these species mean many will only reach maturity in several decades, where the climate threats are unclear. Current standing

advice from the Forestry Commission ([https://assets.publishing.service.gov.uk/media/6790c19420bce57216a2f121/Climate\\_Change\\_Full\\_Guide.pdf](https://assets.publishing.service.gov.uk/media/6790c19420bce57216a2f121/Climate_Change_Full_Guide.pdf)) and Royal Forestry Society is that (<https://rfs.org.uk/wp-content/uploads/2021/03/our-woodlands-are-changing-rfs-insight-report-2018.pdf>) seed sources for tree stock in the TWC area should come from c 2 to 5° latitude south, i.e. English south coast to around the Loire Valley region in France. However, these are based on a 2018 recommendation. Subsequent climatic predictions therefore mean it is expected that future advice will push genetic suitability further south.

Novel pests and diseases are highly unpredictable and affect native and non-native species common in our borough (<https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/tree-pests-and-diseases/key-tree-pests-and-diseases/>) . The well-known Dutch elm disease of 50 years ago reshaped our landscape. This was spread by a beetle that responded to a climatic shift. Two years ago, the native Alder Leaf beetle went from being almost unknown to suddenly prolific and were actively defoliating alder and hazel trees across the borough. Last year this was not so intense but future patterns are unknown.

Thirteen years ago the fungi that causes ash dieback was noted in the UK. No ash are immune and only 1 to 5% of the trees are displaying some tolerance. Therefore this very common tree is facing being lost from many areas and its ability to form a functional part of the areas ecology is unknown.

Other losses are due to a combination of impacts, often not well understood. Oaks are suffering acute decline. Horse chestnut, a common non-native, is facing very significant risk to survival due to a combination of diseases.

The industry is preparing for a number of other pests and diseases to our native species which are currently not present in the UK but are liable to arrive due to a changing climate. These include pests and diseases of birches, Scots pine, Rowan, cherries.

Given the known significant risk to a large proportion of our native species during their lifetime, with more species on these lists every few years it is prudent to spread this risk by planting a more cosmopolitan range. These should be appropriate to the required function of that specimen and the site it is being planted in. However, it is appropriate for the Local Plan to promote this strategy. Exact recommendations for species and proportions are in flux. In November 2025, Forestry England produced a list of 30 species better suited for forestry situations which included a significant proportion of non-native broad-leaved and coniferous species (<https://www.forestryengland.uk/news/forestry-england-sets-out-tree-species-list-the-nations-forests> )

Q101.(a) Is part 3 consistent with national policy? (b) Are the circumstances in which tree loss would be supported sufficiently clear, including in relation to commercially managed woodland/plantations?

(a) - Yes, the Council considers part 3 of the policy to be consistent with the following aspects of national policy: NPPF para 187; NPPF para 136; and NPPF para 193.

The Council, following consultation do however propose the following amended modification to the wording of policy NE2.3 to provide more clarity of terminology:

*“Development that would remove, or negatively impact upon, ancient woodland or ancient or veteran trees (irreplaceable habitats) will only be supported where wholly exceptional reasons are demonstrated and an adequate compensation strategy is provided.*

*Loss of or negative impact upon mature specimens of reasonable condition will only be supported where this is essential for the delivery of the development, and the benefits of the project outweighs their retention.*

*In all instances where trees and hedgerows are potentially harmed, applications should be supported by robust arboricultural evidence. Any loss of these will be expected to be fully compensated through planting as part of a wider landscaping strategy. “*

(b) - The Council considers that the inclusion of explicit reference to commercial tree plantations would be an appropriate modification, suggested text as follows:

*“7.12 The loss of trees, hedgerows or woodlands may be supported in some instances. This could include:*

*- Where tree plantations are managed on a commercial basis;”*

### **Policy NE3 – Biodiversity net gain (BNG)**

Q102. Is the aspiration for qualifying development to achieve 20% BNG, subject to viability, justified and consistent with national policy and guidance? Is it clear, so as to be effective, what is expected from development proposals? What effect will the policy have on housing delivery and other Plan requirements, including affordable housing and infrastructure?

Yes, the Council considers policy NE3 to be viable, justified and consistent with national policy and guidance as well as having a negligible impact on delivery.

Statutory BNG is set at a minimum requirement of at least 10% net gain on a pre-development baseline. Therefore, a minimum provision of 110% of the site value must be achieved for 30 years. The requirement for 20%, (or 120% of baseline) is a modest uplift from the statutory requirement.

Annex 3 of Defra (2019) Biodiversity net gain and local nature recovery strategies Impact Assessment states that based on expert opinion and academic literature, a level of net gain at, or ideally above, 10% is necessary “*to give reasonable confidence in halting development’s role in biodiversity loss*”.

Therefore, 10% should be seen as the minimum for a typical development to become neutral, rather than demonstrate actual gain.

In addition to Defra’s acknowledged limited real-world reliability of the minimum statutory percentage, it should also be noted that BNG is only required to be retained for 30 years.

National policy does not preclude a local discretionary increase in minimum BNG. NPPF para 192 states:

*192. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

The Biodiversity Net Gain Planning Practice Guidance states (in para 006) a higher level can be required where justified:

*“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”*

Local opportunity - The plan’s development sites have been selected in part, based on their lower impact on the natural environment, and by association, a lower initial BNG baseline value. Allocated development therefore benefits from a relative lower volume of units needed to achieve their statutory minimum.

Local need and relevance - The established character of the New Town is one of higher levels of integrated green infrastructure, which is serving to aid public health and its climate resilience. Our residents and employers see this as a key aspect of our urban area, hence the Forest Community ethos firmly embedded within the Local Plan’s vision for the borough. This is a benefit the Council seek to also provide to new communities as this Plan increases the settlement footprint.

Viability - The policy presented sets out reasonable exclusions for schemes under point 3 of the policy.

The site allocation documents (AS01 to AS04) in the evidence base show the majority of allocated land cover types are either:

- developed land, sealed surface; or
- intensively managed agricultural land dominated by cereal and/or modified grassland in poor condition.

Where this is not the case, the habitat of higher importance is generally around the perimeter, such as hedgerows and tree belts. In such applications, it is now common practice to tighten the red line to avoid those areas and thereby exclude them from BNG calculations entirely. Indicative housing numbers for each allocated site took habitat constraints into account.

Sealed surfaces have a 0 habitat unit value per hectare. Therefore, all or most of these sites will be exempt from BNG via the de minimis threshold. This policy, in such cases would not apply.

Using the Statutory Biodiversity Metric, both of cereal cropland and modified grassland in poor condition have a total baseline habitat unit score of 2 habitat units per ha.

Post-development, the statutory minimum 10% gain post-development would bring this to a total of 2.2 habitat units per hectare and the policy aspiration to reach 20% to 2.4 habitat units per hectare.

For the above reasons the Council considers that for many developments, providing over the national minimum has a negligible impact on viability. Therefore, this would not negatively impact delivery of infrastructure and affordable housing. In situations where this would be the case, the Council would not expect more than the national requirement to be provided.

The Council has seen some applications' where their Biodiversity Gain Plans were written to meet the 10% minimum gain, but some cases they have exceeded this and it is probable others would have if policy NE3 had been in place.

The Council recognise that up to 20% BNG is an aspiration and will work constructively and actively with developers to help exceed the statutory requirement. It is clear to the Council that developments can often exceed the statutory level of BNG, however as an aspiration it will not be justified to seek 20% 'subject to viability', when considering other policies that have specific requirements developments must meet to make development acceptable.

Q103. Are parts 2, 4 and 6 justified, effective and consistent with national legislation, policy and guidance?

The Council considers parts 2 and 4 to be fully justified and consistent with national legislation, policy and guidance.

BNG is a green finance mechanism based purely around using habitat as a proxy measure of biodiversity. Habitats however have other various impacts and benefits to society and the environment other than just biodiversity. Different habitats have varying abilities to:

- capture and store rainfall
- regulating temperature
- provide recreational activities and wellbeing responses
- generate materials
- increase adjacent land values

Therefore, habitat loss, or gain, by a local community will have varying impacts. Telford residents and businesses value the benefits of a strong green infrastructure through the Forest Community ethos. Loss of this via offsetting BNG provision offsite or out of borough will reduce the benefits listed above, especially in more urbanised locations. Its delivery within the borough and local communities will further support the delivery of other Local Plan policies, especially NE4 Development Greening Factor and NE5 Green Network.

Part 2 sets out a hierarchy approach which is based on, and consistent with, the national Biodiversity Gain Hierarchy, as set out in para 008 of the Biodiversity Net Gain PPG. It is also consistent with long established policy principles of nature conservation industry planning protocols.

Part 4 states the importance of using national and local priorities which relates to NPPF para 187d and 192. These are also consistent with the Biodiversity Duty placed on public bodies. The Natural Environment PPG para 044 explicitly states it is our duty to have regard to our Local Nature Recovery Strategy. This document is in its final stage of preparation for adoption in March 2026, following its assessment by the Defra panel in December 2025 which provided a glowing report of its fitness for publication.

With the proposed amendments within Part 4 (re LNRS), recent legislative changes and the embedded practices of statutory BNG that have become established, Part 6 has started to become less relevant. Therefore, if the Inspector wishes this to be deleted, the Council would be confident its objectives would still be delivered through other mechanisms.

The Council note that the government has announced that it is looking to amend BNG. The extent and timing of this, at the time of writing is not yet clear, however it may be by the time of the examination. The Council recognise the Local Plan needs

to support, and be consistent with, legislation and national policy. Therefore, the Council would appreciate the Inspector's views on this topic to help with the delivery sustainable development, including if there is a need to restrict this policy to allocated development sites.

### **Policy NE4 – Development Greening Factor (DGF)**

Q104.What is the justification for the DGF in addition to BNG? Is there evidence to show the Greening Factors of 0.4 for major residential-led, and 0.3 for major non-residential-led development, are deliverable, taking account of other Plan requirements?

Yes, the Council finds policy NE4 and its factor scores are justified, evidenced and deliverable individually and in combination with other Plan requirements.

The Local Plan's Development Greening Factor is based on the model that was later adopted as England's Green Infrastructure Framework's Urban Greening Factor Standard

(<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/GIStandards.aspx>). Therefore, although tested locally, it has national acceptance and proven success in other urban areas.

Para 159 of the NPPF states the factor is a national standard relevant to development through the Golden Rules route, unless there is a local standard.

A research paper was undertaken for TWC, to assess the suitability for the inclusion of a Greening Factor policy within the Local Plan, led by Gary Grant (who concurrently led the Natural England standard). This is presented within the evidence library as NC01 Telford and Wrekin Green Space Factor Study. This study looked at the proposed factor scores and assessed them against real world examples within the borough. It concluded that the approach and scores proposed are suitable for the borough's development context.

It should be noted that the two factor scores (0.3 and 0.4) mentioned in the question are the same as the national standard and have been used successfully for a number of years in Swansea and London. However, the Council are not proposing to use its higher 0.5 factor score for residential greenfield development.

DGF is different, but complimentary to BNG. DGF fundamentally relates to the site-based environmental benefits of a physical land cover type and not biodiversity. Specifically its scoring generally relates to the land cover's ability to aid urban cooling and drainage. Therefore, there are overlaps with biodiversity, but predominantly it is scored for its human benefits at a development site level.

Also unlike BNG, DGF, as put forward here without the greenfield uplift, is not influenced by pre-development conditions and these are not measured. It purely acts

as a threshold level for relevant developments to achieve, as part of its design of community green infrastructure provision.

As DGF is based on the volume and composition of its land cover types, it allows onsite landscaping such as SuDS, amenity and BNG provision to contribute to the site's overall score. This promotes efficient, multifunctional, greenspace design to reduce environmental risk and maximise and integrate co-benefits. The Council therefore see DGF as complimentary to BNG and not a duplication.

Q105. How is delivery of the DGF expected to work alongside policies NE1 to NE3, CI3 and CC5.2? Is this clear enough for the Plan to be effective?

Yes, the Council consider the relationship between policies NE1, NE2, NE3, CI3 and CC5.2 to be clear enough to be effective and fully compatible together. The DGF policy is also closely aligned with NE5, Green Network where developments seek to extend the designation in line with principles from the National Green Infrastructure Framework.

As described above DGF is a measurement tool and standard, that is designed to assess a number of green infrastructure benefits. Therefore, it works in synergy with these other five policies aiding multifunctional delivery of sustainable drainage, recreational & amenity spaces, BNG and broader nature conservation design.

Furthermore, the Council put forward a suggested modification to policy NE4 as point 5 with the intention of making these links clearer.

Although, the DGF assessment of a site is not onerous, smaller local developers are unlikely to be familiar with the process. Therefore, the Council envisage, as is the case for BNG, providing practical online guidance for developers. This would be consistent with national guidance and set out its practical application to guide them through the process for their schemes. This is likely to include a toolkit with suggested templates.

## **Policy NE5 – Green network**

Q106. Is the extent of the Green network justified?

Yes, all parcels identified within the Green Network have been evaluated individually against each of the five principles of the policy. Each Green Network parcel has met at least one of the principles' qualifying criteria, as set out in the submitted Green Network Topic Paper. These have been mapped via GIS to enable close interrogation, the shapefiles can be made available upon request.

Q107. Is it clear which development proposals part 3 would apply to?

Yes, policy NE5 is intended to apply to all developments which would impact the Green Network. If the Inspector wishes, the Council can modify the wording as follows:

*“Proposals which could impact the extent and/or quality of the Green Network would be expected to assess and justify the development against the following principles and their associated functions:”*

Q108. Is the inter-relationship between policy NE5 and other Plan policies (such as NE1 to NE4 and CI3) clear enough to be effective?

Yes, policy NE5 is referred to within the Strategic, Climate Change and Housing Policies. The principles deliberately align with individual threads of green infrastructure and support other specific green infrastructure topic-based policies (such as heritage, drainage and play). These are further explored in Natural Environment PPG para 006.

If the Inspector wishes, the Council could add a table to the supporting text where specific Local Plan policies relate to each of the five principles.

### **Policy NE6 – Shropshire Hill and strategic landscapes**

Q109. Is the policy consistent with Framework paragraph 88c?

Yes, policy NE6 relates to development within the Shropshire Hills National Landscape as well as other strategic landscapes within the borough, The Wrekin Forest SLA and The Weald Moors SLA.

The goal of policy NE6 is to enable sustainable developments within strategic landscapes, allowing for growth in rural tourism and leisure, whilst preserving and or enhancing the character and quality of the Strategic Landscapes.

To achieve this, NE6 requires development to give great weight to the conservation of its surrounding landscape and states that developments which are likely to have a significant adverse effect on the special qualities of National Landscapes will be resisted. The policy further signposts the National Landscape Management Plan to provide further clarity with regard to what constitutes “*significant adverse effects*”.

NPPF paragraph 88c states

*“Planning policies and decisions should enable: sustainable rural tourism and leisure developments which respect the character of the countryside”.*

The Council finds that policy NE6 is wholly compliant with this paragraph as well as section 15 and other relevant national guidance with regards to development within strategic landscapes.

## Policy NE7 – Strategic Green Gaps

Q110.What is the justification for the Strategic Green Gaps included in the policy? Are they defined in such a way that the policy will be effective?

The Council considers that the Strategic Green Gaps referenced within policy NE7 are appropriate, based off the evidence gathered within the Councils Landscape Capacity Assessment 2023 (NC02) and the Telford and Wrekin Borough Landscape Character Assessment 2023 (NC03) as well as the Telford and Wrekin Landscape and Visual Sensitivity Assessment 2020 (NC06).

The Landscape Capacity Assessment identifies two areas, Wrockwardine and Lilleshall, where a strategic gap would be an appropriate measure to avoid coalescence of the villages with Telford. The policy ensures that the villages surrounding Telford can maintain their unique character whilst still providing the opportunity for expansion of existing settlements to fit the rising demands.

The Strategic Green Gaps are shown on the policies map as thick green buffers, this decision was taken to avoid the perception that all development up to a hard boundary would be acceptable.

The created gaps serve the purpose of maintaining separation between existing settlements, as such some level of development within and around the gaps could be deemed acceptable provided these do not prevent this function.

Q111.Is an additional Strategic Green Gap at Wappenshall/Eyton necessary for the Plan to be effective?

No, the Council do not consider that a Strategic Green Gap between Wappenshall and Eyton to be necessary based off the evidence gathered within the Landscape Capacity Assessment 2023 (NC02).

The Council understand that with the proposed housing allocations in North Telford that appropriate measures will need to be put in place to avoid unnecessary coalescence of Telford and its surrounding villages. It is however considered that in the case of Eyton this can be effectively addressed through sufficient buffering and design without the need for a third Strategic Green Gap.

The Council has proposed a modification to policy HO2 (SC3) that addresses the need for appropriate buffering of Eyton Upon the Weald Moors as part of proposals for the Sustainable Community SC3. The proposed modification has been included in the Submission Version of the Plan CD08 and states “*A green buffer area to protect the visual character of the village of Eyton Upon the Weald Moors from areas of built development within the Sustainable Communities site.*”