

Witness Statement

[REDACTED]

Ecology Officer

Sandwell Metropolitan Borough Council

Land Adjacent To Q3 Academy, Wilderness Lane, Great Barr, Birmingham, B43 7SD

Planning Application: DC/23/68822

Proposed 150 dwellings, a countryside park and associated works (Outline application for access only).

Appeal Ref: APP/G4620/W/24/3341688

Appellant: Wain Estates (Land) Ltd.

Statement of Truth

My name is [REDACTED] I hold a BSc(Hons) in Environmental Biology from Nottingham University and MSc with Distinction in Wildlife Management and Conservation from the University of Reading. I worked as technical officer for 7 and a half years for the Environment Agency, 18 months as a Scientific Officer for Defra and have worked at Sandwell MBC for 18months as an ecologist, recently moving to the development planning. I currently hold the post of Ecology Officer at Sandwell MBC.

This Statement includes matters which I consider as being relevant to the inquiry. The facts and opinions that are expressed are correct to the best of my knowledge.

1. Introduction

- 1.1. This witness statement covers matters in dispute between the appellant and Sandwell MBC relating to planning policy. It covers the topic of Ecology.

2. Ecology – Policy

- 2.1. Both Sandwell MBC and the applicant are in agreement that part of the site has been designated SINC status. This is not a statutory designation and has no legal protection. It is a regional designation that is afforded a degree of policy protection.
- 2.2. The site is located within the published 'Black Country Local Nature Recovery map and strategy: an emerging approach'¹
- 2.3. While this document was due to be part of the now disbanded Black Country Plan, it is the most up to date strategy within the area.
- 2.4. The site is listed within the 'priority network restoration zone'. This is the area which should be protected to ensure that the Nature Recovery Network, and Local Nature Recovery Schemes are linked up.
- 2.5. Figure 1. in appendix, shows the strategic importance of the site in relation to other priority habitats and designated sites in the area. The site in question is close proximity to SINCS, SLINCS, ancient woodland and wildlife corridors. It is in a core ecological area and holds a critical position in connecting Sandwell Valley and inner areas of the conurbation to the wider countryside. The 2km zone displays areas which foraging species are likely to use as highways within the local environment.
- 2.6. It is in my professional opinion, that developing in a regionally significant area, and going against the most up-to date relevant policy documents, would only have negative impacts on the ecosystems within the site.

3. Ecology – SINC Designation

- 3.1. During the 2018 survey of the site, undertaken by Birmingham and Black Country Wildlife Trust (CD6.2), the site has been listed as medium to high species rarity. A number of birds listed within the Birds of Conservation Concern red and amber lists were present.
 - 3.1.1. Bird species of interest include woodpigeons, herring gulls, house sparrow, starling and wren.
 - 3.1.2. Some of these species are thought to be breeding at this site, although this has not been confirmed.
 - 3.1.3. The network of hedgerows and large areas of grassland provide ideal foraging areas for these species.
- 3.2. Further to the birds identified, there was a single common toad identified.
 - 3.2.1. The presence of this species during the survey increases the likelihood that the ponds identified on site, which have previously been written off as 'defunct', could provide a much needed water source for this species. The date of ecological impact assessments by the applicant was completed in October 2023. While there is no evidence of this available, if surveys were taken in early spring they could provide different results.
- 3.3. The applicant has provided ecology report (9346 Updated Grassland Technical Note Full Issue (CD not currently numbered) outlining the poor condition of the grassland within the

¹ <https://www.sandwell.gov.uk/downloads/file/1551/black-country-local-nature-recovery-strategy-march-2022->

- site. The management of the grassland, as far as I am aware, has not changed since the SINC designation in 2018.
- 3.3.1. The condition of the grassland was taken into account in 2018, and was upgraded from a SLINC to a SINC.
- 3.3.2. The site is privately owned, and the management of the grassland (pasture land, and hay crop) was taken into account. The council has no management involvement into the land management. Previous surveys of the site have shown bluebells to be present.
- 3.3.3. The grassland provides a habitat and foraging for a wide variety of species, including protected species.
- 3.3.4. The grassland was just one aspect of the SINC designation, the hedgerows being the other aspect.
- 3.4. Bats are known to forage in this area.
- 3.4.1. The neighbouring woodland area Merrion's Wood is a known habitat for roosting bats, with the rare occurrence of different species sharing roosts² (CD not currently numbered).
- 3.4.2. The light produced by developing this site could have a detrimental effect on foraging behaviours of species in this area.
- 3.5. Artificial Light at Night (ALAN)³ (CD not currently numbered)
- 3.5.1. This area at present has no light sources within the site boundaries.
- 3.5.2. The introduction of light into the area has behavioural effects upon species such as: foraging, orientation, migration, colonisation, seasonal reproduction and more.
- 3.5.3. There are also physiological effects effecting plant species: phototropism, phototaxis, photoperiodism, and synchronization of circadian clocks.
- 3.5.4. There are many other effects artificial light have on ecosystems.
- 3.5.5. Introducing light into an area which is thought to be of high ecological value, especially where it is thought bats forage, is best to be avoided. The scientific evidence compounded around this subject is numerous.
- 3.5.6. The introduction of ALAN has been shown to have detrimental effects on invertebrate populations, especially those whom live in hedgerows like the ones which are present on site.
- 3.5.7. This site has been designated SINC status, and therefore should be protected from outside human influence where possible.
- 3.6. It is my professional opinion that this development would have a negative effect on the species present and hinder any future breeding of protected species within this area.

² https://secemu.org/wp-content/uploads/2023/09/Hughes_et_al_2023.pdf

³ <https://www.frontiersin.org/journals/neuroscience/articles/10.3389/fnins.2020.602796/full>

Appendix

Figure 1. Map showing designated sites within 2km of Peakhouse Farm

