



Sheffield & Rotherham

Headquarters
37, Stafford Road
Sheffield
S2 2SF

Tel (0114) 2634335
Fax (0114) 2634345
Email: mail@wildsheffield.com
www.wildsheffield.com

Date: 20th Nov 2015

Dear Eleanor

Response on behalf of Sheffield and Rotherham Wildlife Trust To Planning Application: 14/01079/OUT:

'Erection of a motorway service area including proposed facilities building, hotel, filling station, parking facilities for all vehicles, access and circulation internal roads, structured and natural landscaping with outside picnic space and dog walking area, associated infrastructure and earthworks (Town and Country Planning (EIA) Regulations 2011 Schedule 2 proposal) | Smithy Wood Cowley Hill (Adjoining Junction 35 Of M1 Motorway) Sheffield 35'.

On behalf of Sheffield & Rotherham Wildlife Trust (SRWT), I write to lodge in the strongest terms our continued objection to the proposals for a new Motorway Service Area (MSA) at Smithy Wood, Junction 35 of the M1 motorway.

In reviewing the additional information provided by the applicant, I would like to re-iterate and add to a number of points made in our two previous objections:

- Smithy Wood is a Local Wildlife Site, an ancient woodland site registered on the National Ancient Woodland Inventory and protected as Sheffield City Green Belt. Within NPPF and Local Plan policies these designations offer some of the highest protection possible for land of conservation importance. Please also refer to Natural England's objection letter, November 2015 as well as our 'Additional Information for Objection' (attached below).
- The material collected and used for almost all species groups in the Environmental Statement Ecology chapter is inadequate and unsafe for planning purposes. Please see SRWT's Appendix 1 for more details.

- Ancient woodland is irreplaceable and so by definition harm or loss cannot be mitigated or compensated for. This has been stated in Government Guidance and by Natural England, again please refer to their letter dated November 2015.
- There is negligible driver welfare and safety 'need for and benefit of' an MSA at this location. SRWT's Appendix 2 provides additional data that highlights: 1) the only gap >28miles that a j35 MSA would meet is between Blyth and Woodall 2) the estimated number of journeys between Blyth and Woodall that require a stop is negligible, 3) the stretch of M1 at j35 is one of the safest in the region, and indeed is shown to be safer than the stretch between Northampton and Toddington MSAs cited by the applicant.
- Smithy Wood as the specific location for this MSA is avoidable. Again please see Appendix 2, which illustrates that very little consideration has been given to an 'on-line' MSA at the M18 J1/2.
- There is no detail as to the mitigation measures proposed but the applicant states that there would be further ecological impact on the remaining woodland that surrounds the development footprint, which is, as yet, unquantified.
- Natural England, in their letter of objection of November 2015, state that '*As ancient woodland and veteran trees are irreplaceable, discussions on compensation should not form part of the assessment of the merits of the development proposal*' and that '*Natural England consider that the irreplaceable loss of an area of ancient woodland of this size cannot be compensated for by new woodland planting or by management of existing woodland.*'
- The Strategic Benefits Plan is put forward as a proposal to 'offset the environmental effects' and offer 'compensation measures' for the residual harm caused by loss of Ancient Woodland. But to re-state - loss of Ancient Woodland cannot be compensated for. However, in addition to this, the proposed Strategic Benefits Plan is muddled, lacks credibility of successful delivery, and appears to significantly benefit MSA Extra. As owners of the remaining Local Wildlife Sites/Ancient Woodlands, MSA Extra would retain and invest in their own land assets. Furthermore, they would determine how these Local Wildlife Sites and Ancient Woodlands are managed in the future. This offers no certainty of benefit to Sheffield's wildlife nor to local people because control remains with MSA Extra. MSA Extra as a woodland owner, manager and decision-maker lacks credibility. Please refer to our 'Additional Information for Objection' for more details (attached below).

I would also like to highlight that hundreds of people and organisations have written in to object to this proposal. The vast majority appear to recognise that Sheffield's ancient woodland, Local Wildlife Sites and Green Belt are key to the quality of life of local people.

Smithy Wood and adjacent Local Wildlife Sites could have been better managed and better protected for people and wildlife in the past – and still could be in the future. Without this development there are already resources and grant opportunities available to invest in these

important 800 year old ecological sites e.g. Woodland Grant Scheme, Heritage Lottery Fund, should the land owner wish to secure them for wildlife, local people and future generations to enjoy.

As set out in Government Guidance, when determining this application it is critically important that the Council carefully considers the need for and benefits of the development itself and whether these clearly outweigh the loss of this ecologically important site in green belt. Government Guidance also states that discussions on compensation should not form part of the assessment of the merits of the proposal.

This application is opportunistic. It is about significantly increasing the financial value of private land by significantly decreasing the environmental and amenity value of the site for wildlife and local people.

I urge the Council to refuse this application.

If you require any further information on any of the points raised, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liz Ballard', with a stylized flourish at the end.

Liz Ballard
Chief Executive
Sheffield and Rotherham Wildlife Trust



Additional Information for Objection

1. National Importance of designated Ancient Woodland

The information in our previous submissions still stand.

Ancient woodland is defined as an area that has been continuously wooded since at least 1600 AD. It supports more threatened species than any other habitat in the UK, however, only around 550,000ha remains. It is a functionally irreplaceable resource for biodiversity that is also an important part of our cultural heritage. However, nationally, ancient woodland is under threat.

As well as providing a wildlife and recreational resource for local people, woodlands can be part of a sustainable economy. Jobs and revenue streams are created through direct woodland management posts, timber management and the supply of sustainable biomass fuel. The woodland itself also provides natural 'services' for people, for example CO₂ and rainwater absorption. SRWT is working towards exemplifying this model of sustainable woodland management through its work at Greno Woods.

In previous submissions we have made reference to ['Keepers of Time'](#), issued in 2005 by Defra/The Forestry Commission, which is a statement of policy for England's ancient and native woodland that re-emphasises their value and includes six policy statements for ancient woodland.

Smithy Wood: Ancient Woodland Definition, Value and Status



Bluebells and birch in Smithy Wood
April 2015

Natural England and the Forestry Commission are statutory consultees on this application.

In response, the letter dated 31 March 2014 from Hannah Bottomley, Natural England, referred the Council to 'Standing Advice on Ancient Woodlands'. Since then, the Government has also issued online 'Guidance: Ancient woodland and veteran trees: protecting them from development' <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>).

The Guidance includes key points about the definition of ancient woodland that relates to Smithy Wood, for example:

Trees and woodland classed as 'ancient' or veteran are irreplaceable. Ancient woodland takes hundreds of years to establish and is considered important for its wildlife, soils, recreation, cultural value, history and contribution to the landscapes.

'Wooded continuously' doesn't mean there has been a continuous tree cover across the entirety of the whole site. Open space, both temporary and permanent, is an important component of woodlands'.

'Ancient woodland' is any wooded area that has been wooded continuously since at least 1600AD. It includes: 'ancient semi-natural woodland' mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.

[..]

As stated in Natural England's report of 4 April 2014 (Emma Goldberg, Forestry and Woodland officer, Natural England), quality of ancient woodland is not considered material (SRWT emphasis): *The quality of the ancient woodland is not considered material as to whether it is still "worth keeping". For example, plantations on ancient woodland sites are considered the same as ancient semi-natural woodlands in planning terms.*

And as set out in Government Guidance 'ancient semi-natural woodland and plantation on ancient woodland sites have equal protection under NPPF'. This is particularly relevant to this case because Smithy Wood is an ancient semi-natural woodland showing clear signs of natural regeneration.



Oak regeneration in
Smithy Wood

The applicants' *Technical Briefing Note: Procedure for Assessment of Effects on the Ancient Woodland* states "Hence, the existing poor condition of Smithy Wood (albeit its condition varies between compartments) serves to reduce the height of the bar of harm that the need and benefits package needs to clear".

This is based on poor evidence (see SRWT Appendix 1) and is not considered to be material as to whether a site is 'worth keeping.'

As stated in our previous submissions: it is difficult to determine exactly how much of the designated ancient woodland site would be lost as a direct result of this development. There are different figures quoted in different reports eg the Technical Briefing, the Environmental Statement, the Forensic Landscape Analysis. This does not support the approach laid out in the EIA Regulations that intend Environmental Statements to be clear and understandable by the public.

Ecological Value

Even with the limited ecological information supplied, the applicant confirms that:

- Smithy Wood supports at least 121 plant species.
- The wood easily meets the botanical criteria for being designated as an ancient woodland Local Wildlife Site. The minimum requirement is for 10 ancient woodland plant indicators to be present from the 40 found in Sheffield. Smithy Wood is recorded as having 19 such indicators. It also meets the other essential criteria of being over 0.5ha and the desirable criteria of 'still retaining areas of relict ground flora'.
- Smithy Wood is at least of regional importance for fungi. 222 species have been recorded, but this is likely to be an under-recording (see our Appendix 1 and our first submission).
- Smithy Wood also contains 57 lichen species and 31 bryophytes.
- Smithy Wood supports at least 37 bird species including 5 red-listed and 7 amber-listed on the Birds of Conservation Concern.
- Smithy Wood contains at least 314 invertebrate species – a regionally important site.



Yellow Archangel,
Ancient Woodland
Indicator, Smithy wood,
2014

Natural England have highlighted the national value of Smithy Wood as an ancient woodland site by objecting to this application (D Shaw, Natural England, dated 13th Nov 2015).

2. Planning Policy Context

National and local planning policy will be at the very core of the council's focus in its consideration and determination of this proposal.

2.1 NPPF and Higher Tier Legislative and Policy Context

As previously referred to in our earlier submissions, the National Planning Policy Framework (NPPF) includes *presumption in favour of sustainable development*. Specifically paragraph 14 states (SRWT's emphasis):

*'At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.'*

And goes on to state that:

*'For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.'*

With reference to the above, Sheffield's own plans do not have any specific policies relating to an MSA. So the local development plan/Core Strategy is 'silent' or 'absent' on this issue (it does however has specific policies relating to Smithy Wood – please see previous submission local policies section). Therefore it follows that decision-taking requires a demonstration that any adverse impacts would significantly outweigh the benefits and refer to any other specific relevant NPPF policies that indicate development should be restricted. In this case these clearly include 1) Part 9 Green Belt (especially para 87 & 88) and 2) Part 11 Natural Environment (especially para 117 & 118).

1) Para 87 and 88, NPPF Part 9 - Protecting Green Belt Land which has the fundamental aim to prevent urban sprawl.

NPPF Part 9, extract:

'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.¹

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'²

¹ NPPF 87

² NPPF 88

- 2) **NPPF Part 11 - Conserving and Enhancing the Natural Environment** which places great weight in the decision-making process on the value of certain ecological assets, the need for functional and robust ecological networks to be protected and enhanced, and the public value benefits of Green Infrastructure, for example para 118:

'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *[...]*
- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;'³*
- *[...]*

It is worth highlighting the following recent exchanges between the Government and the Communities and Local Government Committee in relation to para 118 of the NPPF in particular:

The 'Operation of the National Planning Policy Framework forth report of session 2014-15' (published 16/12/2014)

<http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf> includes a recommendation by the Communities and Local Government Committee that the wording of the NPPF could be strengthened to better protect ancient woodland. Currently the NPPF potentially allows the destruction of ancient woodland in England if the "need for, and benefits of, the development in that location clearly outweigh the loss". The Communities and Local Government Committee *"recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be "wholly exceptional"*.

The Government responded as below (Feb 2015)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408087/CM9016_Web.pdf

11 *"The Government recognises the value and irreplaceable nature of ancient woodland but does not accept the Committee's recommendation that the current wording in paragraph 118 of the Framework should be amended to state that any loss of ancient woodland should be "wholly exceptional". The Government considers that the existing protection for ancient woodland in the Framework is strong and it is very clear that development of these areas should be avoided. It maintains the level of protection in planning policy prior to the Framework, which has not changed over the last decade and **is broadly equivalent with the protection for Sites of Special Scientific Interest (SSSIs) in the Framework.**"*

³ NPPF 118

As stated in previous submissions, the application site falls within the Sheffield and South Yorkshire Green Belt, is a Local Wildlife Site, an Ancient Woodland site registered on Natural England’s inventory and part of a recognised ecological network. We have referred to various extracts from NPPF Part 9 and 11 previously in relation to how this application contravenes those policies in our view, but for the purposes of this submission we wish to further consider the issues of ‘clearly outweighs’ and the mitigation hierarchy.

‘Clearly Outweighs’

Both the DfT Circular 02/2013 and the NPPF make it clear that it is the safety and welfare of road users that underlies the need for MSAs. In order to assess the need for and benefit of the proposed development (and in turn whether these ‘clearly outweigh’ the loss) it is necessary to consider the extent to which the safety and welfare of road users would benefit from the proposed development.

Please see Appendix 2 ‘Proposed Motorway Service Area M1 J35 Objection on Transport Grounds on behalf of Sheffield and Rotherham Wildlife Trust’ prepared on the Trust’s behalf by Railton TPC Ltd, **which provides evidence that there is negligible driver welfare and safety ‘need for and benefit of’ an MSA at this location.**

This is summarised in the table below:

Potential Location	Meeting the need – filling the gap between MSAs		
	Doncaster North (M18) –Woolley Edge(M1)	Blythe (A1(M) – Woolley Edge (M1)	Woodall (M1) – Woolley Edge (M1)
M18 J1	√	√	No gap as less than 28 miles apart (27.5)
M18 J1-2 on-line	√	√	
M1 J35 (Application Site)	X Need not met by j35 as gap would still be greater than 28 miles apart (28.8)	√ but mainly local traffic on this route (est long distance trips 76/day max)	

The proposed development is therefore not consistent with paragraphs 14, 87, 88 and 118 of the NPPF and in this respect the planning application is not acceptable and should be refused.

Mitigation Hierarchy – ‘Avoided’

As referred to in earlier submissions, because ancient woodland sites are irreplaceable, reference to the Mitigation Hierarchy must be highlighted (see para 118).

In particular:

1. *In the first instance harm should be **avoided**; for instance by locating the development at a different site*

It is also appropriate to referring again to the Government's 'Guidance: Ancient woodland and veteran trees: protecting them from development', in particular:

*Planning authorities and developers should start by looking for ways to **avoid** the development affecting ancient woodland or veteran trees eg by redesigning the scheme.*

However, for example in Addendum Environmental Statement, chapt 6, Ecology Report, section 6.9 Mitigation, no reference is made by Extra MSA to this important first step. Please also refer to Appendix 1 for more detail.

Smithy Wood as the specific location for this MSA is avoidable. Again please see Appendix 2, which illustrates that very little consideration has been given to an 'on-line' MSA at the M18 J1/2. **A review of the work undertaken to assess alternative sites shows it to be lacking in rigour.**

2.2 Local Plans and Policies

As previously referred to in our submissions, Sheffield's Core Strategy, including spatial policies such as

- 4.27 'Chapelton/High Green and Stocksbridge/Deepcar
- Policy CS 71: Protecting the Green Belt
- Policy CS 73: Strategic Green Network Policy

and the emerging City Policies and Sites Pre-Submission Plan (June 2013) which includes:

- Policy G1 Safeguarding and Enhancing Biodiversity and Features of Geological Importance

and the draft Proposals Map that reaffirms that Smithy Wood remains as a designated Local Wildlife Site (ecological) as well as an important landscape feature and significant element of the city's Green Infrastructure.

and

- Policy G3 Trees, Woodland and the South Yorkshire Forest
- Policy G6B Landscape Character
- 'Upland Character Area (e)'

all recognise and support the value of Smith Wood as a site of ecological importance worthy of protection from development. **To approve this application would be a departure from all of these Council policies.**

It is also important to highlight Rotherham MBC's Local Plan Sites and Policies Publication Version 2015

- Policy SP36 Conserving the Natural Environment
"Development should conserve and enhance existing and create new features of biodiversity and geodiversity value."

“Planning permission will not be granted for development that is likely to, directly or indirectly, result in the loss or deterioration of sites, habitat or features that are considered to be irreplaceable due to their age, status, connectivity, rarity or continued presence.”

Therefore the application is also contrary to Rotherham’s new policy as Smithy Wood forms part of an ecological network and suite of woodlands that continue into Rotherham itself. The applicant has quoted policy SP33 which covers MSAs, but this is not relevant as the MSA itself is not sighted in Rotherham.

Rotherham MBC objected to this application in their letter of 28th April 2014.

3. Environmental Statement

The information, surveys and evaluations (chapter 6 Ecology)

The material collected and used for almost all species groups in the Environmental Statement Ecology chapter is inadequate and unsafe for planning purposes. Examples are below but please see SRWT’s Appendix 1 for more details.

3.1 Bird Surveys p10

The methods and timing were unsuited for almost all species, including raptors. Desk study data were inadequate. **Wardell Armstrong stated its surveys would be out of date by late 2015**

3.2 Bat Activity p12

The design and undertaking of the surveys were flawed. Statements on non-impacts were not backed by data, and were unsupported. Wardell Armstrong admitted in its discussion and evaluation that it had failed to collect suitable data. The statements that new data would be needed for tree use by September 2015, and for activity surveys by September 2014 if development had not started by then are critical. These are missing from the following fragmentary bat report of April 2015 given in Appendix 6.17.

4.11 Ash Black Slug p13

This short report describes a follow-up to the occurrence of the Ancient Woodland indicator ash black slug found on a scoping survey of 13.5.2013. Subsequent surveys took place on 20 and 21.5.2013.

Limitations: A short period in May 2013 was used for sampling. Later periods under denser canopy cover, or in the damper autumn were not considered. The reliability of the sampling effort is uncertain.

Summary: The presence of an accepted Ancient Woodland invertebrate indicator, along with other floristic elements noted in other reports, is in line with long-term continuity of woodland on the footprint of the planned MSA site.

Field Surveys p14

That the material provided by applicant is demonstrably inadequate is important in view of the selective reporting of consultations (un-dated) in the Addendum version of Ch. 6 of the ES.

4. Proposed Mitigation and Compensation

The NPPF refers to the Mitigation Hierarchy:

1. In the first instance harm should be **avoided**; for instance by locating the development at a different site
2. Where this is not possible the impacts should be **mitigated** for instance through the detailed design of the development
3. Lastly any residual impacts should be **compensated** for eg by restoring or re-creating habitat elsewhere

We have previously referred to 1. In relation to the alternative sites assessment and so will not repeat that here.

Reluctantly therefore turning our attention to 2. and 3. we would like to strongly express our objection to the proposed compensation for the loss of an irreplaceable ancient woodland that supports habitats and wildlife of known national, regional and local importance as follows:

4.1 Mitigation Measures

A key mitigation issue for this outline application is that of the buffer zone surrounding the footprint of the development as this has the potential to increase the area of ancient woodland loss because of the significant impacts caused by soil disturbance, noise, lighting, dust, air pollution etc during construction and operation.

6.8.47 of Chapter 6 admits that *“some parts of the retained areas of ancient woodland closest to the development will diminish in quality to a certain extent as a result of indirect impacts, such as lighting, noise, air pollution and human disturbance”*.

SCEU also raised this issue.

The applicant has not quantified exactly what the additional loss of ancient woodland surround the development footprint will be nor the mitigation measures.

General mitigation measures for ecological and bat impacts are discussed but mainly as a page of good practice rather than specific commitments for this application.

Clearly more detailed mitigation measures are a critical requirement IF the application goes further.

4.2 Compensation package

These comments are in addition to our previous submission. Reference has been made previously to lack of additionality to offset loss - please also refer to SRWT's Appendix 1 report.

SRWT would like to emphasise that the Government's 'Guidance - Ancient woodland and Veteran Trees: protecting them from development' states:
As ancient woodlands and veteran trees are irreplaceable, discussions on compensation should not form part of the assessment of the merits of the development proposal.

This is re-iterated in Natural England's letter of objection dated November 2015. In addition, they also state:

Natural England consider that the irreplaceable loss of an area of ancient woodland of this size cannot be compensated for by new woodland planting or by management of existing woodland.

As set out in Government Guidance, when considering this application it is critically important that the Council carefully weighs the need for and benefits of the development itself and whether these clearly outweigh the loss of this ecologically important site in green belt. Compensation should not form part of the assessment of the merits of the proposal.

5. Review of proposed Strategic Benefits Plan

Overall, SRWTs assessment of the pSBP is:

- 1) It is muddled, lacks clarity and credibility of delivery
- 2) That MSA Extra are a significant beneficiary

5.1 Muddled, lacks clarity and credibility of delivery

Examples to illustrate this are as follows:

a) Lack of clarity about Organisation, Governance, Transparency and Accountability
*Page 7: Creation of a newly constituted **Custodian Entity** and safeguarding of 88 Ha of privately owned woodlands in perpetuity by the Applicant's willingness for certain restrictive covenants to be imposed that restrict future development of any parts of the aforementioned holding other than for woodland management and visitor experience purposes."*

There is no information given as to what is meant by a 'Custodian Entity'. What will be its objective/charitable purposes/Memorandum and Articles?

Page 42 Newly constituted woodland management organisation

In this section this organisation is referred to as a 'newly constituted entity as custodian of the woodlands'. Here the proposal is for a long-term lease arrangement with MSA Extra. There is no mention of 'in perpetuity' or covenants as above.

Page 42 Monitoring Committee

Is this the same or different from the Woodland Management Committee in diagram on p43? This is muddled.

SCC must undertake the monitoring role to ensure compliance with planning consent.

Page 44 Diagram – Steering Group, Woodland Management Company

How do these relate to the custodian entity, the monitoring committee, the forum?

Again, this is muddled, confusing and lacks clarity about relationships and accountability.

Page 71 Conservation Covenants

There is very little information about or commitment to this proposal and no explanation as to how this will relate to the other groups and structures listed above. Please also refer to SRWT Appendix 2. Whilst conservation covenants are an interesting and potential useful mechanism for securing long-term conservation gain, liabilities and responsibilities need to be clearly stated.

b) Lack of clarity about the Financial Package

Page 8 An initial investment of £1.2 million to secure safeguarding.....

Page 128 Finally, Extra has committed £550,000 to secure ownership and control of portfolio 1. The company has also committed to a minimum further capital expenditure of £650,000 to be spend over the first five years on major woodland restoration.....

It is not clear whether the cost of planting the new additional woodland and purchasing that land is in addition to this.

Page 8commit to an annual operating expenditure of up to £200,000 per annum.

The Woodland Management Plan is not costed (and there are other concerns in relation to the baseline and proposals – please refer to SRWT Appendix 2 report) so there is no way to verify the funding required to deliver the plan. For example, it is not clear what will be paid for through one-off initial capital investment and what will be paid for through ongoing revenue. The Economic Benefits Plan refers to 16 job yrs and 5FTE for woodland management but this is not clarified in the SBP. Is this funded from this same revenue stream?

Lack of credibility is implied by using words such as ‘commit to’ - intent rather than actual provision – and ‘up to £200,000 per annum’ rather than a ‘minimum of’. Lack of clarity about how this will be legally binding and enforceable.

IF consent is given, funding and legal agreements must be in place before development begins.

5.2 MSA Extra are a significant beneficiary of the pSBP

From the proposal this can be illustrated as follows:

Page 3: 88ha of woodland is currently under the control of Extra

Page 44 Diagram

Page 8 An initial investment of £1.2 million to secure safeguarding.....

Page 128 Finally, Extra has committed £550,000 to secure ownership and control of portfolio 1. The company has also committed to a minimum further capital expenditure of £650,000 to be spend over the first five years on major woodland restoration.....

Page 8commit to an annual operating expenditure of up to £200,000 per annum.

Page 7 Creation of a new position role of Woodland Manager who will be based at the MSA to be responsible for the delivery and co-ordination of the various woodland management activities linked to the overarching Integrated Woodland Management Plan.

Page 47 5.4.1 In the long-term and as the critical mass from the portfolio combinations take shape.....it will have the potential to secure grant or match funding from bodies such as Forestry Commission, Sheffield City Region LEP ...other Government or EU funding sources.

The proposed 'custodian entity' appears to be a wholly owned subsidiary company of Extra MSA Group. Extra MSA Group are proposing a scheme to purchase and retain ownership of the land called portfolio 1 that forms the main part of the SBP. Therefore the capital expenditure and revenue streams would be investments in their own portfolio of assets. The suggestion in the diagram on p44 is that MSA group will develop, devise and be responsible for the woodland management strategy. The Woodland Manager and Admin support is to be based at the MSA. It is unclear who would employ the post or whether this is funded from the 'up to £200,000 per annum of revenue'. There is an intent to draw down additional public funding to invest in the land owned by MSA Extra.

Clearly, MSA Extra will significantly benefit from this proposed SBP. For example, it appears that they are proposing to:

- Purchase land that becomes part of MSA Extra's asset portfolio.
- Retain control and ownership of that land.
- Provide revenue (not clarified how or how much) to reduce liabilities and to invest in improving their own land assets.
- Seek opportunities to draw down additional public and charitable funds to invest in their own land.
- Employ staff that will operate from their own MSA base, whose tasks will involve managing and looking after their own land, including that which forms part of the MSA site.
- Determine the Woodland Management Strategy (p44). This is of particular concern because the organisation clearly does not value ancient woodland and local wildlife sites. MSA Extra as a woodland owner, manager and decision- maker lacks credibility.

MSA Extra and related parties' involvement beyond providing the funding and legal agreements to establish the SBP should be minimal. The SBP should not be an additional asset for MSA Extra, nor be within their control nor be something from which they can benefit from through their ongoing MSA operation or a mechanism to drawdown public funds to invest in their own assets.

IF consent is given, the developer must pay for and not benefit from the Strategic Benefit Plan.

5.3 Further General Comments on the pSBP

Page 7 Creation and implementation of an overarching long-term Integrated Woodland Management Plan that removes the partial or absent and unsecured fragmented management structure across the woodlands.

Page 8 From research carried out to date.....

Sheffield City Council and Sheffield Landscape Trust (SLT), which is part of Sheffield City Council, have been managing these areas of land for many years, securing funds on private land to secure and improve the woodlands. We understand a Heritage Lottery Fund bid for delivering a management plan across the area was in preparation for submission by SLT but had to be withdrawn at the last moment at the request of the land owner. This demonstrates that funds are already available to invest in the management of these sites.

Page 126 Recycoal

Both Wardell Armstrong and the applicants are aware that the proposal at Hesley Tip is no longer viable due to the change in coal price. Therefore the previously agreed restoration package will not be delivered despite work having been started on site. This cannot be considered as part of the PCP.

Page 9 Deliver five Horticultural Apprenticeships.....

Woodland management is not horticulture.

Page 52 Baselines

Please refer to SRWTs Appendix 1 report.

Page 54 Net gain in biodiversity

Whilst this is an excellent aim for the SBP to achieve, ancient woodland is irreplaceable and its loss cannot be offset.

Page 24 2.3.4 Over the last.....The woodlands form an important arc along the western edge of the M1 from junction 35 to 35A.

SRWT completely agrees with this underlined statement, something the applicant attempts to undermine in term of the importance of connectivity and ecological networks with respect to Smithy Wood.

Page 33 ...defacto guarantee....

What does this mean?

Page 34/35 Beneficiaries

This does not recognise that schools and local communities have access to other woodland areas and green spaces already.

In conclusion: SRWT strongly objects to the proposed Strategic Benefits Plan is muddled, lacks credibility of successful delivery, and appears to significantly benefit MSA Extra. As owners of the remaining Local Wildlife Sites/Ancient Woodlands, MSA Extra would retain and invest in their own land assets. Furthermore, they would determine how these Local Wildlife Sites and Ancient Woodlands are managed in the future. This offers no certainty of benefit to Sheffield's wildlife nor to local people because control remains with MSA Extra.

6. Economic Benefits

With reference to Economic development, regeneration, employment & skills report SRWT wish to highlight:

- Other development sites in this area, owned by the same land owner, are readily available brown field sites, clearly identified by the Council for development. These sites have been identified as Enterprise Zones. Development of these sites, in line with the policies and needs identified in Sheffield's Plans would provide employment and regeneration in this area. These sites have not been developed for a number of years.
- The City Region seeks future jobs growth with a significant emphasis on advanced manufacturing and 'high end' technical roles. This development will not offer employment that contributes to this goal.
- The suggestion that an MSA at this location is fundamental to achieving strong intra-city linkages is an extremely weak and tenuous argument, especially as we have already demonstrated very negligible driver need or benefit.
- The owners of the business park are the same people who own Smithy Wood.
- The businesses that provided letters of support are mainly existing suppliers to the land owners and applicants or are hoping to secure contracts.
- No leading tenants have been confirmed for the site.
- To link the benefits of this proposal to health and wellbeing when the main offer of MSA Extra's retail courts is snacks and fast food provision is incredulous.

In determining this application, SRWT asks the Council to carefully consider whether Smithy Wood, a Local Wildlife Site, Ancient Woodland, in the Green Belt, is the right development site for a fast food court and 80-bed hotel.