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Date: 11<sup>th</sup> August 2016

Dear Trevor

## **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.

I would like to refer you to all of our previous responses and supporting documents and attach these again for your reference.

In reviewing the additional information provided by the applicant, our comments are below:

- 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 Sheffield Local Plan policies these designations offer some of the highest protection possible for land of conservation importance. Natural England have again re-iterated this point in their correspondence of May 2016:

*'Ancient woodland takes hundreds of years to establish. It is defined as woodland that has existed since 1600 AD and therefore cannot be recreated. There is a finite amount of ancient woodland in the country. Current estimates indicate that there are 359,109 ha of ancient woodland in England, representing 2.6% of land cover. If parts of this finite resource are lost, they cannot be replaced.'*

- As ancient woodland is irreplaceable, by definition, harm or loss cannot be mitigated or compensated for. This has been stated in Government Guidance and again by Natural England in their correspondence to MSA Extra of May 2016 (our emphasis): *The planning balance should therefore focus on the needs and benefits of the development in that location and whether they justify the loss or deterioration of an irreplaceable resource. It is not appropriate to take into account compensation measures such as new trees planted or other ancient woodland managed in making the decision on whether to grant planning permission for the proposed development under bullet 5 as these do not prevent or reduce the loss of the ancient woodland on that site.*

As highlighted in our previous responses (eg November 2015), the Strategic Benefits Plan (pSBP) is 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. Therefore, as stated previously, 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 outweighs the loss of this ancient woodland. The compensation package (pSBP) does not form part of this judgement.

- Given Natural England's ongoing objection to the development with specific reference to the loss of a nationally important habitat and the Ecological Statement itself clearly stating at 6.3.7 *'The minor changes to the previously surveyed baseline are not significant, in that they do not amend the conclusions of the previously submitted ES...'* There is no clear justification for the apparent 'downgrading' of the ecological evaluation from National to County/Local value (Clarification Note 4) and we maintain that Smithy Wood is a habitat of national value. As before, in our response of June 2014, we would also highlight the presence of marsh tit on site (2013 surveys), a very rare species in Sheffield that is dependent upon this type of mature woodland and the presence of dingy skipper on site, a butterfly species of regional significance and in decline, both examples of important species that would be affected by this proposal.
- The ES addendum often refers to the pSBP in the Ecology chapter. This is not relevant. The aim of the ES should be to clearly demonstrate the significant adverse effects of this development on the current baseline for this site and potential on site mitigation to avoid, reduce or remedy. This allows the Council to make a decision based on a clear understanding of the direct impacts of this development on this ancient woodland, taking into account any mitigation package. This should not be conflated with possible compensation measures flowing from the pSBP.
- As highlighted by MSA Extra/Pegasus and in our previous responses, *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances' NPPF p88.* This proposal does not constitute a type of development which planning policy accepts as appropriate within the green belt. National and local planning policy make it clear that 'very special circumstances' must be found to exist before inappropriate development is permitted with the Green Belt (and hence

acknowledging the proposals would be counter to Green Belt principles of maintaining openness and its permanence). The developer makes a claim that very special circumstances 'clearly' exist in the case of the proposals, but SRWT strongly reject this claim.

- There is negligible driver welfare and safety 'need for and benefit of' an MSA at this location. Previous submissions have highlighted that: 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. If current road safety and drive time/gaps are not relevant to the case for 'need' then it is difficult to see what is.
- IF the Council decides the balance of need and benefit from the MSA outweighs the loss of this ancient woodland site, then, as previously stated, the pSBP offers no certainty of compensation to Sheffield's people or wildlife. We can see no further information about the mechanisms that would be used to ensure the compensation package for biodiversity loss (not for ancient woodland as that is irreplaceable) is legally binding and properly funded for the long term. We note in particular the email from the Council dated April 2016 regarding a draft 106 agreement. However, no information has been made publicly available. As stated previously, the Council will be well aware that 106s can be easily eroded by developers after permission has been granted. Please see our previous response for more details.

Hundreds of people and organisations have written in to object to this proposal. The vast majority recognise that Sheffield's ancient woodland, Local Wildlife Sites and Green Belt are key to the quality of life for local people.

Without this development there are resources and grant opportunities available to invest in this, and other important 800 year old ecological sites e.g. Heritage Lottery Fund, should the land owner or the Council wish to secure them for wildlife, local people and future generations to enjoy.

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.

Yours sincerely



Liz Ballard  
Chief Executive, Sheffield and Rotherham Wildlife Trust