

FoPP Response to version P02 of the Environmental Assessment Report (EAR)

A Summary

This document summarises issues and objections FoPP wish to make regarding the update to the Environmental Assessment Report uploaded to the Cheshire East Planning portal for planning application 23/4152M relating to the Poynton Pool Spillway project.

B Document Versioning of the EAR

Version P01 of the EAR was submitted as part of the planning application on the planning portal on 08/11/2023.

This document was subsequently removed from the planning portal and no longer publicly available at the point version P02 was uploaded on 13/02/2024.

C Desk Study Update

It is noted the local Records Centre (LRC) was originally queried in May 2022 for version P01 of the EAR and it is stated it was re-queried in February 2024 for version P02 of the EAR.

D FoPP Responses

D(i) Environmental Assessment Report

Section 5.4.4 Fauna

Section (d) birds

The survey area has been significantly reduced from:

- Version P01: 'Records for 27 bird species were returned for the desk study area from the LRC, however none of these records were from within the 50m survey area.'

to

- Version P02: 'Records for 111 bird species were returned for the desk study area from the LRC, however none of these records were from within the proposed scheme boundary.'

Section 5.1.1 states: 'The Zone of Influence (ZoI) is the area over which ecological features may be subject to likely significant effects as a result of the proposed Scheme and associated activities'

It is factually incorrect to say no bird records were within the proposed scheme boundary, there are records of birds within the proposed scheme boundary and many more within the ZoI. The change away from using the ZoI has significantly reduced the species recorded as being impacted by this development, it is unclear why this approach has been changed since creation of P01 of the document other than to artificially reduce the number of species that will be recorded as being impacted.

Section (h) otter

Please refer to separate Otter report uploaded by FoPP to the planning portal under application 23/4152M on 15/02/2024 regarding records of Otter at the pool and surrounding area.

Otter are now recorded at Poynton Pool and we would dispute this site is of 'Less than Local Importance' for this species.

Section 5.5.1 Construction Impacts

The following paragraph has been inserted:

'There are no works proposed to directly impact marginal bankside vegetation of Poynton Pool. There will, however, be limb removal, crown lifting and encroachment into root protection zones for bankside trees to facilitate construction. All bankside trees are anticipated to be retained and would recover from the works. '

It is currently unclear how all bankside trees will be retained and recover from the works and therefore this statement is deeply misleading. The Arboriculture Impact Assessment (AIA) clearly states the lake will have formed an effective rooting barrier and the rooting will be confined to the woodland strip (appendix D, tree removal and protection plan) and yet all surface roots will be removed and the ground compacted in a 4 metre wide strip along the bank. As well as the root damage, the additional physical damage caused from crown lifting of all bankside trees it is likely a significant proportion of these trees going into terminal decline.

Group 11 and group 12 as defined within the AIR are marked for partial removal (it is assumed this is what is referred to as 'part of two tree groups'), a number of these trees are bankside trees which again contradicts the statement that all are to be retained.

Section 5.9 Summary and Conclusion

The Biodiversity Net Gain (BNG) has been increased from 9.36% to 10.27% with no summary of how this has been achieved.

Section 5.10 Good Construction Practice

It is noted the following text has been removed from version P02:

'Mammals - although badger and otters were not found to be resting within the proposed scheme boundary, which would result in a significant impact, they may use the woodland for commuting or foraging. There may also be other mammals present, such as foxes, hedgehogs etc;'

It is misleading to remove this paragraph with no additional field studies to provide evidence.

D(ii) Biodiversity Net Gain Report

Appendix E: Poynton Woodland Condition Assessment

The grading of the woodland as moderate is undervalued and should be reassessed. The following grading scores need review as they do not accurately reflect the woodland onsite:

- Vegetation and ground flora: contains many species including indicator species such as *Hyacinthoides non-scripta*, *Anemone nemorosa* and *Mercurialis perennis*, these should have been picked up within the refreshed desktop study as well as within site surveys. See section E(i) for examples of these records. Describing the woodland as containing '*poor ground flora*' is not a true reflection of what exists onsite and the grading should be higher. This would be expected for woodland directly connected to woodland graded as Section 41 Habitat of Principal Importance.
- Veteran trees: a number of trees are currently under assessment by the Woodland Trust
- Amount of deadwood: There is more deadwood onsite than indicated in the assessment (i.e. '*One large stump, mostly small diameter branches, one large ecopile, many monoliths still alive*'), in addition section 3.2 B (I) clearly refers to a number of wood piles present within the woodland along the west of Poynton Pool. Section E(ii) below shows a series of pictures of deadwood within the site boundary illustrating how the grading does not match what exists onsite and therefore the site should be graded significantly higher.
- Woodland disturbance: Whilst containing a footpath that runs along the reservoir bank the flora dominates greater than 90% of the woodland area and with the species mix it would not be described as 'highly disturbed'

This area of woodland is directly connected to woodland graded as Section 41 Habitat of Principal Importance to the south and links to woodland of a similar grade to the north. It exhibits many of the characteristics of this adjacent woodland.

D(iii) Preliminary Ecological Appraisal

Section 3.2.2 Protected and Notable Species

Although this report is highlighted as being updated February 2024 it is important to note that

repeated field studies have not been undertaken. Therefore sections referring to field studies are out of date in being that they were undertaken prior to May 2022, nearly 2 years previously.

Section 4.1.7 Notable plant Species

The following is stated:

- 'Two records for bluebell were returned from RECORD, the closest of which was 220m east. No notable plant species were recorded during the walkover survey including bluebell, which is only partially protected under the WCA, 1989 (as amended).'

This is factually incorrect, there are records of Bluebell within the site boundary that are available on RECORD from 2023.

Section 4.1.8 Other Notable Species

Ringlet butterfly (*Aphantopus hyperantus*) are present within the site boundary and there are records within RECORD for this Local Biodiversity Action Plan species. These are not referenced within this document.

Section 4.2.2 Habitats

Within this section is now recommended that the adjacent area of common reed and emergent vegetation is now protected, there are no updates to the proposed plan that indicate how this will be achieved.

Appendix D: Protected and Notable Species Records from RECORD

This list is incomplete and is therefore misleading, for example it does not contain Ringlet Butterfly as listed above and a number of protected moth species to the south of the 1 km desk study area are also omitted.

Site Habitat Baseline

The area of woodland and area of woodland lost as stated within the Site Habitat Baseline is inaccurate and significantly understates the impact of the proposed works on the woodland cover within the works boundary.

To summarise figures that have so far been made available from the 'BNG Metric Results and Calculation' document that has been uploaded to the planning portal for 23/4152M:

- 0.712ha - Area of broadleaf woodland (6.55 habitat units)
- 0.5338ha – Area of broadleaf woodland retained (4.91 habitat units)
- 0.18ha – Area of habitat lost (1.64 habitat units)

It is noted:

- 0.018ha is difference between sum of area retained + area lost and quoted total
- 0.018ha is equal to 0.0165 habitat units
- 0.0165 habitat units is equal to 0.25% of the baseline total of 6.62 habitat units

There are a number of issues with this calculation

- There is a likely overestimation of 0.25% net gain, the claimed gain at 10.27% is likely to actually only be a 10.02% gain which is already extremely unambitious under the current law requiring the gain to be greater than 10%, further scrutiny of these seemingly incorrect figures cannot be ascertained until a full (and unchanged) copy of the calculation spreadsheet is made available
- It is unclear that the 0.18ha of habitat lost for creation of the two 40m wide spillways will be a true representation, additional land either side of the spillway slopes will need to be graded leading to further loss of trees and root structure for those remaining

- Currently 31 trees are to be removed out of a total of 86 listed (AIA Report, June 2023), by fairly simple calculation this is a loss of 36% of the canopy cover, this does not include the lower canopy and smaller trees that will be lost within the stated tree groups, stating a loss of 0.18ha or 25% of the canopy is a significant underestimation of the impact (the inconsistencies within the AIA report make an accurate calculation of the impact difficult)
- The trees lost post works into future years will be much higher as more trees will enter into 'terminal decline' (AIA Report, June 2023) further exacerbating loss of canopy cover, in addition the tree groups along the reservoir bank will also be at significant risk of loss during the works and will also go into decline as a significant proportion of their root structure and lower canopy will be removed with completion of the ground works – with such a significant loss of canopy cover it is simply untrue to still claim the habitat post construction and beyond will remain as contiguous broadleaf woodland and classify it as such

E Additional Information

E(i) Ground Flora and proximity to Section 41 habitat

The following are species records available on the LRC relating to ground flora within the site boundary. They give an indication of the richness of the ground flora and a number of species are also used as indicators of ancient woodland.



Water Mint (*Mentha aquatica*)



Wood Anemone (*Anemonoides nemorosa*)



Bluebell (*Hyacinthoides non-scripta*)



Honeysuckle (*Lonicera periclymenum*)



Holly (*Ilex aquifolium*)



Garlic Mustard (*Alliaria petiolata*)



Common Dog Violet (*Viola riviniana*)

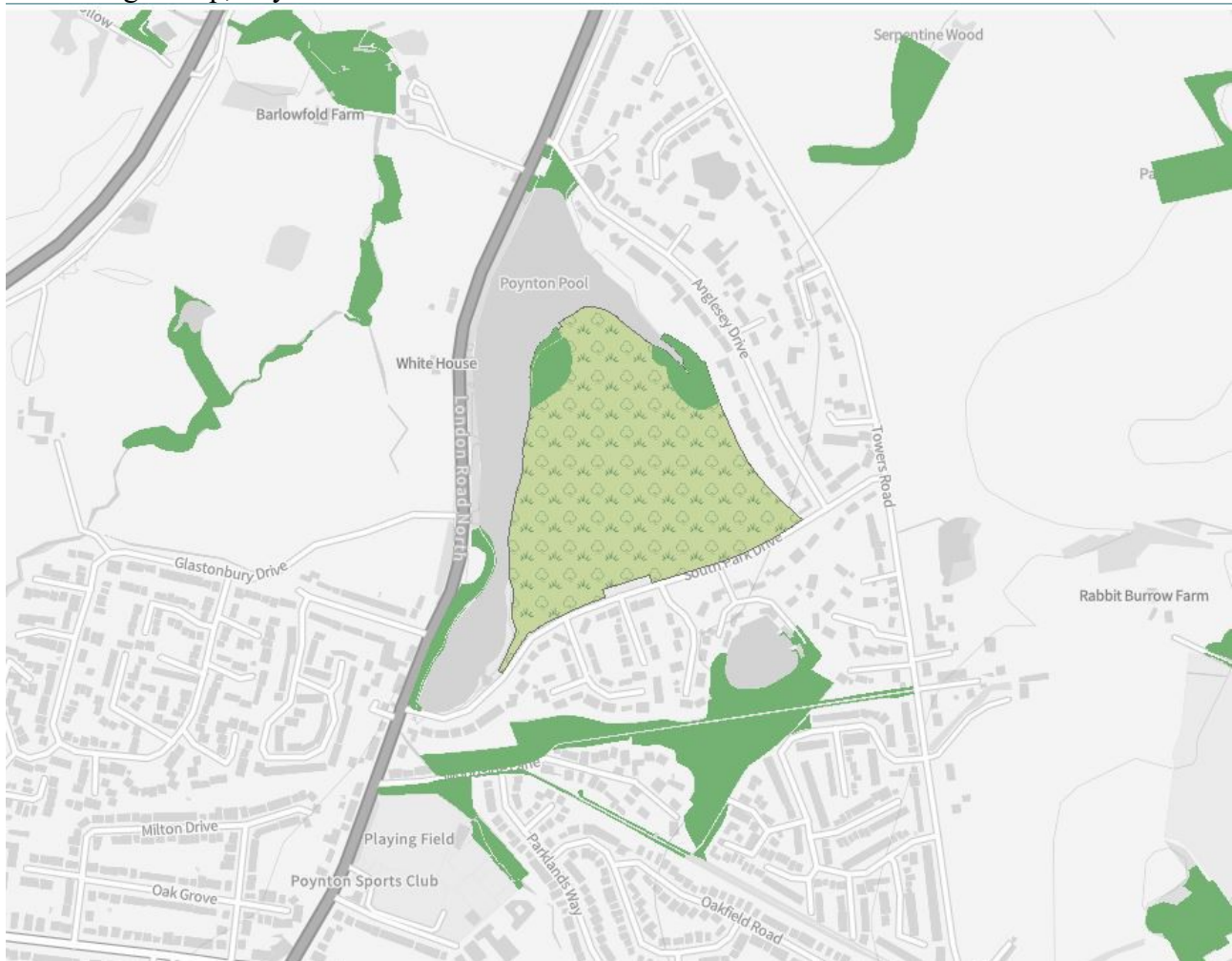


Common Skullcap (*Scutellaria galericulata*)



Dogs Mercury (*Mercurialis perennis*)

Defra Magic Map, Poynton Pool Area



Grab of the Poynton Pool area from the DEFRA Magic Map tool (<https://magic.defra.gov.uk/magicmap.aspx> 22/02/2024) showing the proximity of the section 41 habitat of principle importance: deciduous woodland, marked as dark green
The main park area in light green with pattern is Wood Pasture and Parkland: BAP Priority Habitat

E(ii)

The following pictures illustrate the amount of deadwood along the woodland within the site boundary.













