



**Tamworth Borough Council
Pre-submission
Local Plan 2006-2031
Habitat Regulations Assessment**

October 2014

Contents	Page
Introduction and background	1
Methodology	4
Consideration of plans	5
Consideration of recent advice	9
Conclusion and next steps	11
Appendices	
A: Table of Natura 2000 sites potentially affected by the Tamworth Local Plan	12
B: Relevant correspondence	15
C: Screening Initial Appraisal	24

Introduction and background

Habitats Regulations Assessments of Local Development Plans

- 1.1 A Habitats Regulations Assessment (HRA) is required under the UK Habitats Regulations in order to analyse the Local Plan and attempt to ascertain any potentially significant effects on internationally recognised sites of nature conservation interest (also known as 'Natura 2000' or European sites). These sites include Special Protection Areas (SPAs), designated under the Birds Directive², Special Areas of Conservation (SACs), candidate SACs designated under the Habitats Directive³ and wetland sites designated under the Ramsar Convention.

Tamworth Local Plan

- 1.2 Tamworth Borough Council is preparing a new development plan for the Borough, the Tamworth Local Plan 2006-2031. This will replace the current local plan 2001-2011 and once it is adopted, planning applications will be determined in accordance with its policies unless other material considerations, such as the National Planning Policy Framework, indicate otherwise.
- 1.3 The Tamworth Local Plan was submitted to the Planning Inspectorate for examination in November 2012. The Inspector raised a number of concerns relating to the soundness of the Plan and an exploratory meeting was held in February 2013 to discuss the work required to overcome the concerns. The Plan was subsequently withdrawn in March 2013.
- 1.4 Since the withdrawal of the Local Plan the work set out in the exploratory meeting has been completed and parts of the evidence base updated and refreshed where necessary to inform the draft Local Plan 2014. The Plan has been amended to extend the plan period to 2031 and the housing and employment land supply adjusted to take account of completions and commitments to 2013. New allocations have been made to accommodate 4250 dwellings and 18 hectares of employment land within the borough boundary.
- 1.5 The Pre-submission Local Plan has now been produced and will be subject to consultation in October-November 2014. It now includes previously rejected allocation proposals, and updated and new policies.

Consideration of European Sites

2011/2012 Joint HRA

- 1.6 Tamworth Borough Council and Lichfield District Council prepared a joint HRA in 2011 and updated it in 2012 for the Lichfield Draft Local Plan Strategy and Pre-submission Tamworth Local Plan. This assessed the impacts of relevant land use plans against the conservation objectives of European sites. The following European sites were identified using a 20km search around Tamworth Borough:

- Cannock Chase SAC – 20km+ from Tamworth Borough
- River Mease SAC – 1km from Tamworth Borough

- Ensor's Pool SAC – 15km from Tamworth Borough

- 1.7 The assessment determined whether the plans would adversely affect the integrity of the sites in terms of nature conservation objectives. Where negative effects were identified other options were examined to avoid any potential damaging effects. Appendix A sets out the special characteristics of the two SACs and the identified impacts of development (this is the same table as in the 2011 and 2012 HRAs).
- 1.8 The 2011/2012 assessments undertook screening of the European sites and concluded that the most likely effects were related to additional households and how these may increase traffic within close proximity to the sites or result in additional recreational pressure, causing an increase in air pollution, habitat disturbance, species disturbance and nutrient enrichment. However, for most of the sites the Tamworth Local Plan would result in no significant effects and no in-combination effects on the European sites identified.
- 1.9 The Cannock Chase SAC is more than 20km from the borough boundary but because it is influenced by visitors from a wide area it was considered that development in Tamworth could have an impact by adding to visitor pressures and air pollution from increased traffic. A specific scoping and screening report identified that there would be significant effects on the SAC. The next stage of separate appropriate assessment was therefore undertaken. It was concluded that the impact of pressures can be mitigated with appropriate levels of financial support. The withdrawn Local Plan included appropriate wording to Policy CP12 to mitigate against any adverse effects, which included a presumption against development that would have a direct or indirect adverse effect on the integrity of the SAC. Larger developments over 100 dwellings were required to provide Suitable Alternative Natural Green Spaces (SANGS) and financial contributions towards management, access and education.
- 1.10 The River Mease SAC is located in Lichfield District in close proximity to the Tamworth borough boundary. It is sensitive to localised agricultural run off, sedimentation and invasive species and is particularly vulnerable to pollution from development upstream through outflows from sewage treatment works which are already at capacity. The conclusion was that the impacts on the River Mease SAC arising from the Tamworth Local Plan would not be significant, however, that was based on the information known at the time and did not preclude further assessment work when more information became known.
- 1.11 Ensor's Pool is located approximately 15km from the borough boundary. Screening concluded that development would have no significant impact and that significant in-combination effects are unlikely to arise from implementing the local plan and other plans and proposals.

2012 HRA

- 1.12 The Council consulted on the Tamworth Pre-submission Local Plan in June 2012, the HRA was updated and subject to consultation at the same time. Natural England responded specifically on the HRA and the impact of the Plan on the two European sites; Appendix B contains their response.

- 1.13 Natural England supported Policy CP12 in terms of the mitigation measures and the statement that development would not be permitted that would have an adverse impact on the Cannock Chase SAC. Natural England advised that while the zone of influence was likely to contract to 15km large developments within or close to the zone of influence should address the issue of increased road traffic, continue to offer SANGs and require developer contributions. Uncertainty over potential impacts on the River Mease SAC should prompt further HRA assessment at the detailed stage and clarification was sought on whether the Local Plan is likely to contribute to these uncertainties.
- 1.14 Natural England did not make any references to Ensor's Pool SAC.

2014 HRA

- 1.15 The HRA was updated to take into account of changes to the Local Plan It considered whether the Local Plan strategy is likely to lead to adverse effects on the Cannock Chase SAC and responds to the concerns raised by Natural England that the Council needs to be certain of the impact of the Plan on the River Mease SAC.
- 1.16 The Council consulted on the Draft Local Plan earlier in 2014. Natural England was satisfied that development proposed in Tamworth could be screened out from causing significant effects on European Sites. However, Natural England noted the need for 2000 dwellings to be located outside Tamworth to meet Tamworth's needs, including in Lichfield District and requested clarification on whether Policy NR8 of the Lichfield District Local Plan was sufficient to rule out significant effects on the River Mease SAC.
- 1.17 Following the consultation on the Draft Local Plan the Council has progressed the production of the Pre-submission Local Plan for consultation in October 2014. This has included the consideration of more up to date evidence, and the subsequent re-working of some of the policies and the addition of new policies. Appendix C of this document has been updated to reflect the format of the Pre-submission Local Plan.

Methodology

- 2.1 The methodology described in the Habitats Regulations Assessment for Tamworth Borough and Lichfield District is still the correct approach, with progression through each stage indicating whether the next stage is required. The four main stages involved in appropriate assessment are set out below, the outcome of each stage indicates whether the next stage is required.
- Screening: Determining whether the plan (alone or in combination with other plans) is likely to have a significant effect on a European site
 - Scoping: Preparation for the appropriate assessment (this stage aims to identify more precisely what impacts the appropriate assessment should cover to ensure that the appropriate assessment can be carried out. This stage is only required where the scoping exercise has indicated that there is a likely significant impact upon a European site.
 - Appropriate assessment: Evaluating the evidence gathered on impacts and considering whether changes to the plan will be needed to ensure that it will not have an adverse impact on any European site.
 - Assessment of alternative options: Where the plan is assessed as having an adverse effect, or risk of this, then alternative options should be assessed.
 - Assessment of compensatory measures, where in light of an assessment of imperative reasons of overriding public interest, it is deemed that a plan should proceed.
- 2.2 The 2011/2012 assessment was primarily concerned with the first screening stage and involved gathering evidence and screening for likely impacts.
- 2.3 Screening was undertaken on both the Cannock Chase SAC and River Mease SAC. This concluded that the Tamworth Pre-submission Local Plan, in combination with other plans, could have significant effects on the Cannock Chase SAC. The appropriate assessment and Visitor Mitigation Report prepared by Footpath Ecology informed the re-drafting of Policy CP12 to include appropriate mitigation, including financial contributions towards management and education and the provision of Suitable Alternative Natural Green Space (SANGS).
- 2.4 With regard to the River Mease SAC the screening concluded that there would be no likely significant effects and for this reason, no further work was done beyond the screening report.
- 2.5 The 2014 assessment considers the most up to date plans for Tamworth, Lichfield and North Warwickshire. It will also respond to comments from Natural England on the Draft Local Plan consultation and more recent advice.

Consideration of Plans

Description of Tamworth Local Plan 2006-2031

- 3.1 The Tamworth Local Plan sets out the principles and policy direction for planning and development in the borough for the period 2006-2031. It covers a range of topic areas including housing, employment, retail, regeneration priority areas, heritage assets, green and blue infrastructure (including biodiversity), sustainable transport, and sport and recreation. Policies ensure that appropriate supporting infrastructure is delivered and the borough's built and natural environments are protected and enhanced.
- 3.2 Since the withdrawal of the Local Plan in 2013 the Council has updated needs assessments for town centre uses, employment and housing and investigated the capacity of the borough to accommodate development through a series of technical, sustainability and availability assessments and also to reflect an extension of the plan period to 2031.
- 3.3 In respect of town centre uses/retail, there are no suitable sites within the existing town centre with the exception of the Gungate Precinct redevelopment, which already has planning permission. The Plan does not therefore make any retail allocations. Employment sites with a capacity 18 hectares have been identified in Tamworth but it is likely that the remaining 14 hectares will have to be found outside the borough boundary.
- 3.4 The 2014 Pre-submission Local Plan proposes a different strategy for growth to the withdrawn local plan and makes land use allocations for housing and employment. A total of 24 sites have been allocated, 21 within the urban area and three greenfield sustainable extensions at Anker Valley, Tamworth Golf Course and Dunstall Lane. The Local Plan sets out to deliver at least 4,250 dwellings within the borough and a further 2,000 will have to be delivered outside of the borough, most likely in Lichfield and North Warwickshire. To date, both of these neighbouring authorities have planned to deliver 500 each, which leaves a shortfall of 1000. Discussions are on-going with Lichfield District Council and North Warwickshire Borough Council to determine the most sustainable and deliverable options.
- 3.5 The table below shows the difference in the assessed needs between the withdrawn and Draft Local Plan:

	Withdrawn Local Plan	Draft Local Plan
Retail	20,000m ² comparison goods 1,600m ² convenience goods	7,800 ² comparison goods after 2021 2,900m ² convenience goods after 2021
Employment	36ha employment land 20,000m ² office space	32ha no specific office floor space requirement

Housing	5,500 dwellings	6,250 dwellings (4,250 to be allocated 2031)
----------------	-----------------	--

- 3.6 The Pre-submission Local Plan policies follow the same broad direction as previously and have been revised where necessary to reflect the updated needs assessments, updated and recently completed evidence and sustainability appraisal work. Appendix C reviews the policies in the Plan and comments on whether there are any likely effects on European sites as a result.

Consideration of in-combination test

- 3.7 The Habitats Directive states that appropriate assessment of a plan should be undertaken if it would have a likely significant effect on a European site either individually or “in-combination”. It recognises that whilst a single plan on its own could result in likely or insignificant impacts, in combination with other plans in the same geographical area or linked in a relevant way, it could result in a significant cumulative effect. Such plans could include core strategies, local plans and their relevant development plan documents and local transport plans.
- 3.8 The following plans have been considered for likely in-combination effects.

Lichfield District Local Plan

- 3.9 The Lichfield District Local Plan: Our Strategy sets out the vision, strategic priorities, spatial strategy, core policies and development management policies within Lichfield District. The Plan that was examined covered the period 2008 to 2028 and makes a number of strategic allocations; further land use allocations and more detailed area based policies will come forward in the future Lichfield District Local Plan: Allocations document. The HRA 2012 relates to the Our Strategy plan.
- 3.10 The examination into the Lichfield District Local Plan took place in June-July 2013. Following the hearing sessions the Council proposed a number of main modifications which relate to housing numbers, phasing, new strategic housing sites, the Cannock Chase SAC, extension to the plan period to 2029 and the need to work with other authorities in considering future housing need.
- 3.11 The main modifications were screened for likely significant effects on European sites. An addendum to the HRA was produced in January 2014 to accompany the Main Modifications consultation. The conclusion was that there are no likely significant effects that would result from any of the proposed main modifications. Minor modifications have also been proposed, and it was considered that none were likely to have any significant effects either directly or in combination.

North Warwickshire Core Strategy

- 3.12 The Core Strategy contains a vision, strategic objectives and core policies for the Borough. It covers the period 2006-2028 and proposes delivery of 3650 dwellings over the plan period (which includes 500 to meet the needs of Tamworth Borough) and 70 hectares of employment land.

- 3.13 The hearing into the Core Strategy took place in January 2014. It was acknowledged that additional work will need to be undertaken in conjunction with Tamworth Borough Council and Lichfield District Council to identify sustainable and deliverable options to deliver Tamworth's unmet housing and employment needs.
- 3.14 A joint Sustainability Appraisal and HRA screening of the North Warwickshire Core Strategy was produced in 2012. The River Mease and Cannock Chase SACs were two of a number of European sites considered as part of this exercise. As with Tamworth, development is most likely to take place in settlements that lie within the catchment of the River Anker not the River Mease and as such, no pathway should exist to impact water quality. Distance of likely development in North Warwickshire to the SAC was considered sufficiently remote to limit significant biological disturbance on habitats alone and in-combination with other plans. Impact on air quality from increased traffic in proximity to the SAC was considered to be minimal and was also screened out.
- 3.15 In relation to the Cannock Chase SAC it was considered that most recreation pressure would be generated from districts closer to the zone of influence of the SAC than North Warwickshire, which lies just outside the zone. Recreational effects alone or in combination with other plans or projects were therefore screened out. In-combination water quality effects were screened out and a contribution to increased traffic on roads was also deemed unlikely to be significant due to distance. Air pollution effects were screened out for this reason.
- 3.16 The conclusion was that although some policies in the Strategy had the potential to adversely impact European sites, more detailed consideration showed that significant effects are unlikely.
- 3.17 Main Modifications to the Core Strategy were published in June 2014 and were accompanied by an Addendum to the HRA. HRA of two new policies on Sustainable Development and Gypsies and Travellers found that they would not alter the conclusions of the HRA on the submitted Core Strategy that the Plan would not have a likely significant effect on any European site, either alone or in combination with other plans and projects.
- 3.18 Assessment of Main Modifications to the existing policies concluded that there were no HRA implications. Most of the modifications comprised rewording for the sake of clarity that did not materially alter the Core Strategy's proposals. Where there was the potential for negative effects on rural character for example, other policies that protect biodiversity would be capable of mitigating impacts. Other modifications were not capable of impacting on European sites or have neutral or positive effects. The overall conclusion was that none of the main modifications were judged to alter the conclusions of the HRA of the submitted Core Strategy.

North Warwickshire Site Allocation Plan

- 3.19 The Site Allocations Plan allocates sites throughout the borough for housing, employment and other land uses over the period 2011-2029. The Draft Pre-submission was subject to consultation in June-August and was accompanied by

an HRA screening. This considered the impact of the site allocations on a number of European sites including the Cannock Chase SAC, River Mease SAC and Ensor's Pool SAC. It found that some proposals were unlikely to cause significant effects but other may have the potential to adversely affect European sites and cannot be screened out. This included some employment options, housing options, Green Belt infill boundary villages and safeguarding open space for former rail routes. As a result, each European site was subject to more detailed screening against these proposals.

- 3.20 The detailed screening for the River Mease SAC concluded that due to issues of river catchment areas, distance from planned development, limited recreation access, scale of development and transport improvements, the Plan was considered unlikely to result in significant effects in terms water quality and supply, biological and recreational disturbance and air quality.
- 3.21 With regard to Ensor's Pool SAC the detailed screening concluded that because the site is rainwater fed, there are planned new water supply resources, scale of development, distance from planned development and limited recreation access, the Plan is unlikely to result in significant effects in terms of water quality and supply, recreational disturbance and air quality,
- 3.22 Turning to Cannock Chase SAC, it is considered that recreational effects alone or in combination with other plans or projects can be screened out. This is due to the reduction in the zone of influence to 12 miles/19.6km and the conclusion that the increase in recreational visitors from North Warwickshire is expected to be far less than that generated from the greater scale of growth in authorities closer to Cannock Chase. Likewise, the distance and scale of development compared with closer authorities mean that allocations in North Warwickshire are unlikely to result in significant effects on air quality, water supply and quality.
- 3.23 The overall conclusion was that the Allocations Plan was not likely to have a significant effect on any European site, alone or in combination with other plans or proposals. There was no need to progress to stage 2 under the Habitats Regulations (Appropriate Assessment).
- 3.24 No other plans have been considered because they have not been reviewed or updated since 2012.

Consideration of recent advice

Cannock Chase SAC

- 4.1 The email from Natural England in January 2014 advised that the zone of influence has been reduced from 20km to 15km. Development proposed in the Tamworth Local Plan will be outside the zone of influence for Cannock Chase SAC, therefore mitigation for recreational pressure will not be required and SANGS will no longer be necessary.

River Mease SAC

- 4.2 Natural England responded to the (withdrawn) Tamworth Pre-submission Local Plan in July 2012. Recent correspondence from Natural England in January 2014 advised the Council to satisfy itself that development proposed in the Borough would be unlikely to lead to likely significant effects on the River Mease SAC. An important factor to consider is whether development proposed in the Local Plan will discharge to sewage treatment works within the River Mease catchment as this could lead to phosphate levels exceeding limits. All correspondence from Natural England is contained in Appendix B.
- 4.3 The Southern Staffordshire Water Cycle Study identified issues relating to the wastewater treatment works where the Mease is the receiving watercourse. However, the Mease is not the receiving watercourse for the Tamworth Wastewater Treatment Works, which discharges into the Tame. The River Tame then flows north to join the Trent about 500 metres upstream of where the Mease joins the Trent. Severn Trent Water in 2014 confirmed that the area within the Tamworth borough boundary does not interact with the River Mease. The advice concluded that any development within the borough will not affect the River Mease. The email from Severn Trent is contained in Appendix B.
- 4.4 Housing development within Lichfield District that is provided to meet Tamworth's needs may discharge into the River Mease. Despite Policy NR8 of the Lichfield District Local Plan: Our Strategy aiming to protect and enhance the River Mease SAC, in their response to the Draft Local Plan, Natural England requested clarification on Policy NR8 to be satisfied that there would be no likely significant effects on the SAC. Policy NR8 reads as follows:

"Policy NR8: River Mease Special Area of Conservation

Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse affect upon the integrity of the Mease Special Area of Conservation (SAC).

Development that falls within the water catchment of the Mease SAC will require an assessment under the Habitat Regulations. Ongoing work to outline the pressures on the SAC has identified damage is currently being caused by poor water quality, exacerbated by pollution, run-off, siltation, abstraction, invasive non-native species. Development, especially that which increases the stress on sewage treatment works or increases the level of phosphate in the watercourse would make matters worse. Evidence has shown mitigation of

effects is possible by investment in sewage treatment works, habitat management, access management, provision of sustainable drainage techniques, publicity, education and awareness raising.

The effective avoidance and/or mitigation of any identified adverse effects must be demonstrated and secured prior to approval of development and on-going monitoring of impact on the SAC will be required. Developments outside the water catchment may be required to demonstrate that they will have no adverse effect on the integrity of the SAC.”

- 4.5 The 2012 HRA identified that there would be no likely significant effects on the SAC and that the policy should in fact have a positive impact on the SAC because development will have to show no adverse impacts and how it can be mitigated. Policy NR9 also exists to protect water quality and to prevent a negative impact on quality and abstraction. It is therefore considered that Policy NR8 will adequately protect the SAC.
- 4.6 The HRA of the North Warwickshire Core Strategy concluded that development would discharge into the Anker rather than the River Mease catchment and therefore have no impact on the SAC.
- 4.7 Natural England has advised that in allocating land to meet Tamworth’s needs further screening should be carried out under the Habitat Regulation process. The Council has made Lichfield and North Warwickshire aware of this requirement when they are allocating land for Tamworth that may affect European sites.

Conclusions and next steps

- 5.1 Tamworth lies within the zone of influence for the River Mease SAC, however, recent advice from Severn Trent Water confirmed that no sewage and waste water from development in Tamworth currently or in the future would feed into the River Mease catchment. It is therefore very unlikely that development in Tamworth would lead to significant effects on the character of the SAC.
- 5.2 Tamworth was already outside the zone of influence for the Cannock Chase SAC prior to the re-drawing of the zone and now that it has contracted to 15km, it is further removed from the SAC and less likely to lead to recreational or traffic pressure or pollution. Tamworth lies outside the zone of influence for Ensor's Pool.
- 5.3 The initial screening of policies which is set out in Appendix C concludes that it is unlikely that development in Tamworth would lead to significant effects on the interest features of the Special Areas of Conservation. The Local Plan has been amended to reflect this.

Appendix A Table of Natura 2000 sites potentially affected by the Tamworth Local Plan

Name of Site	Reason for Designation	Conservation Objectives	Approx Distance from Tamworth Borough boundary (to the nearest 100m)	Identified impacts
River Mease SAC	<p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation <p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> Spined loach <i>Cobitis taenia</i> Bullhead <i>Cottus gobio</i> 	<p>Maintain the river as a favourable Habitat for floating formations of water crowfoot (<i>ranunculus</i>) populations of bull head, spined loach and whiteclawed crayfish and the river and adjoining land as habitat for populations otter.</p>	Tamworth: 4500m	<p>The River Mease is an unusually semi-natural system in a largely rural landscape, dominated by intensive agriculture. Water quality and quantity are vital to the European interests, whilst competition for water resources is high. Diffuse pollution and excessive sedimentation are catchment-wide issues which have the potential to affect the site. SSSI assessment report undertaken in 2007 notes the site's adverse condition and identifies the following issues: drainage, invasive freshwater species, water pollution – agriculture/run-off, water pollution – discharge.</p>

	<p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> • White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> • Otter <i>Lutra lutra</i> 			
Cannock Chase SAC	<p>Annex I habitats that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> • European dry heaths <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</p> <ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> 	<p>Maintain in favourable condition Northern Atlantic wet heaths with <i>Erica tetralix</i> for which the area is considered to support a significant presence. European dry heaths for which this is considered to be one of the best areas in the United Kingdom.</p>	Tamworth >15,000m	<p>Visitor pressures include dog walking, horse riding, mountain biking and off-track activities such as orienteering, all of which cause disturbance and result in erosion, new track creation and vegetation damage.</p> <p>Bracken invasion is significant, but is being controlled. Birch and pine scrub, much of the latter from surrounding commercial plantations, is continually invading the site and has to be controlled. High visitor usage and the fact that a significant proportion of the site is Common Land, requiring Secretary of State approval before fencing can take place, means that the reintroduction of sustainable management in the form of livestock grazing has many problems. Cannock Chase overlies coal measures which have been deep-mined. Mining fissures continue to appear across</p>

				<p>the site even though mining has ceased and this is thought to detrimentally affect site hydrology. Furthermore the underlying Sherwood Sandstone is a major aquifer with water abstracted for public and industrial uses and the effects of this on the wetland features of the Chase are not fully understood.</p>
--	--	--	--	--

Appendix B Relevant Correspondence

Extracts from letter from Natural England - response to Tamworth Local Plan Pre-submission Consultation (July 2012)

Page 3:

linear urban park between Glascoate Heath and Stonydelph, restoring Broad Meadow SBI and increasing semi-natural space at Wiggington Park. We also welcome reference to the Central Rivers Initiative.

We would recommend that Policy SP8 refers to the statutory wildlife designations within the Borough, particularly Alvecote Pools SSSI, a nationally important site, although we note reference to this within CP12. Otherwise the policy makes good reference to the need to protect and enhance existing environmental assets and access to these, as well as the need to create additional areas and green linkages. Direct reference to achieving the aims and aspirations of the Green Infrastructure Strategy may provide clarity within this Policy. Please also see our additional comments on GI below.

We are generally satisfied with Policy CP12 Protecting and Enhancing Biodiversity, which references the need to protect and enhance statutory and non-statutory designated sites and wider biodiversity and to maintain green linkages. The policy recognises the multi-functionality of biodiversity sites, the importance of providing buffer zones around these and the value of green linkages for wildlife and people. We welcome reference to the Tamworth Phase 1 Habitat Survey and Biodiversity Opportunity Mapping Study as these will be important evidence documents to guide development.

The text and Policy CP12 would benefit from reference to compliance with NPPF requirements, particularly paragraphs 109 and 117. Reference could also be made to the Biodiversity Duty, as set out in the Natural Environment and Rural Communities Act, 2006 (the NERC Act). Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions.

We welcome that Policy CP12 will ensure opportunities are taken through planning conditions, obligations and community engagement to enhance biodiversity resource through habitat creation and restoration, particularly where it comprises BAP habitats.

We are pleased to note that development will not be permitted that has a negative impact on the water quality of the Alvecote Pool SSSI, River Mease SAC and other important water based habitats. It should be recognised that development proposals will need to demonstrate no adverse effect on the interest features of these areas. Additional impacts, such as through increased recreational pressure, may also need to be considered.

Cannock Chase SAC

Natural England welcomes the stipulation that development will not be permitted where it can be demonstrated that it will have an adverse effect on Cannock Chase SAC; however, we would suggest that this is reworded to state that 'development will only be permitted where it can be demonstrated that there will be no adverse effect' – this is the specific test of the Habitats Regulations.

Further to the above, we are aware that Tamworth falls outside the 'zone of influence' identified for the SAC hence we welcome the focus on 'exceptions' i.e. that developments of over 100 will be required to submit an assessment that details how the likely recreation and visitor pressures on the SAC from development, as identified by ongoing work, are mitigated. We note that this may include contributions to habitat and access management and visitor infrastructure and other measures and provision of SANGS. With regard to this it is worth noting the following:

The principles around SAC mitigation as set out in Footprint Ecology's (FE) November 2009 report 'Cannock Chase Visitor Impact Mitigation Strategy' remain relevant.

A further batch of reports have been produced by FE during 2012 assessing the extent to which the proposals set out in the 2009 report might need to be amended following consideration of updated

visitor survey data (gathered during 2010-11). The outcomes from the current, ongoing assessment are not yet finalised.

As a result of the above Natural England would recommended use of the 2009 report as the baseline for work on strategic sites as part of your Local Plan work, with the following proviso:

- The zone of influence around the SAC is very likely to contract to 15km. The 2009 report (based on AONB visitor survey data from 2000) produced a zone of 19.3km (12 miles).
- For information - the zone is derived from consideration of the total visitor data and represents the area from within which 75% of visitors to the SAC have come. This approach is consistent with that adopted on other lowland heathland European designated sites (e.g. Thames Basin Heaths and Dorset Heaths) and is therefore regarded as robust. Note however that the 15km zone is derived from visitor survey data excluding mountain bikers. This is because the mountain bike visitors would otherwise skew the statistics owing to the long distances they travel to reach the SAC.

In terms of guidance for potential developers of large residential developments within or close to the zone of influence the following issues need to be addressed:

- To limit growth in road traffic associated with the development such as e.g. preparation of a travel plan, minimising provision of car parking spaces, providing high quality public transport alternatives and
- To deflect as many visitors originating from the development from Cannock Chase SAC through provision of onsite green space within the development and links to the wider surrounding countryside.

Natural England therefore advises that you refer to Section 5 of the FE 2009 report for guidance on the characteristics of land that might serve as an alternative to the SAC for specified types of user (Suitable Alternative Natural Green-space – SANG). Section 5.4 sets out criteria. Note that SANG are one tool in the toolkit and that developer contributions for measures other than SANG are likely to be required, for example :

- Despite best efforts to provide SANG the visitor data indicates that a residual proportion of visits to the SAC will persist. This must be addressed by means of developer contributions to support e.g. management measures on the SAC – signs, path works, habitat management etc, as well as suitable information provision on new development sites (e.g. through travel plans and info packs)
- We have concluded the scope for diverting mountain bike use is limited due to the special qualities of the SAC and AONB which draw these users to the locality.

Geodiversity

This policy should be amended to include reference to the need to protect and enhance geodiversity, in line with the targets set in the Staffordshire Geodiversity Action Plan, which is cited in 6.40. This will be required to ensure that the Plan is sound and compliant with the NPPF.

Protected species

Protected species have not been specifically mentioned in Policy CP12 or the supporting text. We would welcome a requirement for development to take appropriate steps to maintain the favourable conservation status of populations of protected species, in line with paragraph 117 of NPPF. This will be required to ensure that the Plan is sound and compliant with the NPPF.

Green infrastructure

We note that the section on open space makes reference to the standards in the 2012 Open Space Review and Place Making and Planning Obligations SPDs. Green Infrastructure (GI) should be an

Page 7:

Assessment of Policy SP1 identifies that this policy will direct development to the most sustainable locations, whilst delivering a new sustainable neighbourhood will help to minimise the loss of Greenfield land and make the best use of existing assets.

The assessment of Policy SP5 Housing Delivery identifies that most of the negative impacts such as increased pressure on water resources and air quality would be likely to arise wherever housing is located – we agree with this and suggest that recreational pressure may also result in negative impacts on the environment, including designated sites. This is borne out in the conclusions of the Habitats Regulations in relation to potential impacts on Cannock Chase SAC. Negative impacts on nationally and locally designated sites and wider biodiversity may also be likely. The SA should address this and identify mitigation requirements.

We note that the assessment of Policy SP6 Anker Valley identifies the potential negative impacts of this strategic housing allocation on biodiversity, due to the loss of a substantial area of greenspace which could affect local habitats. We note the positive impacts include provision of sustainable transport and GI and a well designed high quality place. Mitigation recommendations include careful planning to include an area of appropriate greenspace with the opportunity to deliver sustainable alternative biodiversity opportunity sites. The delivery of this mitigation should be assured through Policy SP6.

Habitats Regulations Assessment

We understand that a Habitat Regulations Assessment for Lichfield District & Tamworth Borough was produced in consultation with Natural England in 2011, and this included an assessment of the impacts of the Tamworth Core Strategy on European sites. We are not aware that a separate HRA has been undertaken for the current Local Plan, hence we assume that the Local Plan does not differ from the earlier Core Strategy. If this is not the case Natural England wishes to be informed.

We are aware that the 2011 HRA identified potential recreational impacts on Cannock Chase SAC and that mitigation measures have been agreed. We believe this issue is satisfactorily addressed in the Local Plan.

We also understand that the 2011 assessment identified uncertainty with regards to potential impacts on the River Mease SAC – and recommended the need for further (HRA) assessment at the detailed stage. It is not clear, from the HRA or the Local Plan, whether the Tamworth Local Plan is likely to contribute to these uncertainties. Natural England requires clarification on this issue.

Overall Natural England welcomes the policies in the Tamworth Local Plan. However, we do have some concerns relating to the soundness of the Plan regarding the consideration of geodiversity, soils, landscape, protected species, green infrastructure and public rights of way. We have suggested amendments or additional wording which we consider will provide clarification and ensure compliance with national policies and ensure that the Plan can be considered sound. Natural England would be happy to provide comments on amendments if this would be helpful to the LPA.

I hope that these comments are helpful. For any correspondence or queries relating to this consultation only, please contact me using the details below. For all other correspondence, please contact the address above.

Yours sincerely

Janet Nuttall CEnv MIEEM
Planning and Conservation Advisor
Land Use Operations

Email from Natural England regarding impact on SACs

From: Maguire, Sally (NE) [<mailto:Sally.Maguire@naturalengland.org.uk>]

Sent: 10 January 2014 16:01

To: Parry, Jane

Subject: RE: Natural England response to Pre-Submission Tamworth Local Plan ref. 55687

Dear Jane

As mentioned in our previous advice May 2013, we are not aware of a specific HRA having been undertaken nor is it visible on your website. You have mentioned that the 2012 HRA screening report concluded that there would be no significant effect of the Local Plan's policies on the River Mease SAC and no further AA work beyond the screening report is required. As previously mentioned we are not in a position to conclude no Likely Significant Effects (LSE) on the interest features of the River Mease SAC because we need further clarification on whether the Tamworth Plan is likely to lead to LSE on the River Mease SAC. An important factor to consider is whether development proposed in the Local Plan which will discharge to sewage treatment works within the River Mease catchment, as this could lead to phosphate levels exceeding limits.

We note that you have advised that Policy CP 12 set out below is being used as an avoidance measure in order to avoid LSE on the River Mease SAC. Natural England advises that this be made more robust and include wording relating to the interest features of the sites. You will also need to satisfy yourself that this policy will not conflict with other policies within the plan that encourages development coming forward as this may make the plan undeliverable.

"Development will not be permitted that has a negative impact on the water quality of the Alvecote Pool SSSI, River Mease SAC and other important water based habitats."

If planned development within the updated Local plan is outside the zone of influence (15km) for Cannock Chase SAC, mitigation for recreational pressure will not be required and hence SANGS will not be necessary.

Once Natural England is in receipt of the revised Local Plan with the accompanying HRA, we will be in a position to provide advice on the next steps.

Kind regards

Sally

Sally Maguire BSc MRTPI
Lead Adviser
Land Use Crewe Operations Team
Natural England
3rd Floor Bridgewater House, Whitworth Street,
Manchester, M1 6LT
Landline: 0300 060 2110
Mobile: 07881841367

www.naturalengland.org.uk

From: Parry, Jane [<mailto:Jane-Parry@tamworth.gov.uk>]
Sent: 19 December 2013 15:24
To: Maguire, Sally (NE)
Subject: FW: Natural England response to Pre-Submission Tamworth Local Plan ref. 55687

Dear Sally

I have been passed your details by Janet Nuttall as I understand you are dealing with my query below.

We would appreciate some advice, it's not an official consultation as such. Basically we would like to know what additional HRA work we need to do in terms of refreshing the screening report that was undertaken in 2011 and updated in 2012. The Local Plan will differ from that previously submitted and withdrawn in the following ways:

- The time period of the Plan is being extended from 2028 to 2030
- There will therefore be a slight increase in the quantum of development being planned for
- There will be different or additional strategic housing sites

Does the reduction in size of the zone of influence change the need to undertake this work as Tamworth will be further from the SACs?

Are SANGS still being recommended as necessary to deflect some of the recreational pressure from SACs?

Thank you.

Kind regards

Jane

Jane Parry
Development Plan and Conservation Officer
Tel: 01827 709278
Fax: 01827 709277
Email: Jane-Parry@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

One Tamworth, Perfectly Placed.

Email from Severn Trent regarding the River Mease SAC

From: Haighton, Tom [mailto:Tom.Haighton@severntrent.co.uk]
Sent: 30 January 2014 12:36
To: Parry, Jane
Subject: River Mease SAC

Jane,

Thank you for your e-mail. The area within Tamworth Borough Council boundary does not interact with the River Mease. The two rivers that run through the area are the River Anker and the River Tame.

All sewage flows in Tamworth drain to Tamworth Sewage Treatment works which is located to the North West of Tamworth, just North of the confluence of the River Anker and Tame.

As such, any development within Tamworth Borough Council will not affect the River Mease.

Kind Regards,

Tom Haighton

Strategy Analyst - Sewer Capacity
Planning & Performance, Waste Water Services
E-mail - tom.haighton@severntrent.co.uk
Mobile - +44 (0)7825 009387

[Sewer Flooding Strategy Community of Practice](#)

From: Parry, Jane [mailto:Jane-Parry@tamworth.gov.uk]
Sent: 29 January 2014 14:56
To: Haighton, Tom
Subject: River Mease SAC

Dear Tom

Tamworth Borough Council is in the process of revising its Local Plan, in preparation for consultation on a draft in March. The 2012 Habitats Regulations Assessment will need to be refreshed to accompany the draft Local Plan and I was hoping you would be able to advise on a matter relating to the River Mease SAC.

Natural England have advised that we need to find out whether future development in Tamworth Borough will discharge into a sewerage treatment works within the River Mease catchment as this could lead to phosphate levels exceeding limits. If this is the case, what would Severn Trent recommend should be done to mitigate any potential harm?

I realise that you are undoubtedly very busy but I would appreciate some advice by the end of next week if at all possible. If you are not the correct person to deal with my enquiry, I would be grateful if you would forward this email to the relevant person.

Thank you in advance.

Kind regards

Jane Parry

Development Plan and Conservation Officer

Tel: 01827 709278
Fax: 01827 709277
Email: Jane-Parry@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

Extract from Natural England Response to Draft Local Plan consultation (May 2014)

the purpose of the SA, further survey work may be required at the planning applications stage in order to get further clarity of where location of the BMV soil.

Habitats Regulations Assessment

Natural England is satisfied that the development proposed within Tamworth can be screened out from causing Significant Effects on European Sites. However it is mentioned in par 4.3 of the Draft HRA that 2000 dwellings are required to be located outside the Borough. It goes on to state that housing development within Lichfield District that is provided to meet Tamworth's needs (500 dwellings) may discharge into the River Mease SAC. It is concluded that Policy NR8 of the Lichfield District Local Plan mitigates negative impacts on the SAC. There is however no detail of policy NR8 and therefore not enough evidence to rule out LSE on the River Mease SAC. Natural England would like clarification of this policy.

The HRA states that 1000 dwellings are yet to allocated. We advise that the allocation of this housing development for Tamworth should go through further screening as required under the Habitat Regulation process.

Natural England notes the following statement under Par 5.3 *'It is unlikely that development in Tamworth would lead to significant effects on either of the SACs through impacts on their special characteristics.'* We recommend that this is reworded to state the following; *'It is unlikely that development in Tamworth would lead to significant effects on the interest features of the Special Areas of Conservation '*.

Duty to Cooperate

Natural England have not been in receipt of how you plan to fulfil your Duty to Cooperate. The Duty to Co-operate was introduced by the Localism Act 2011 (section 110). It requires local authorities and prescribed bodies (including Natural England and the Environment Agency) to co-operate in maximising effectiveness in relation to planning of sustainable development. The National Planning Policy Framework (NPPF) (paragraphs 178-181) set out the Government's expectations of strategic planning under the Duty. The emphasis is on collaborative working to ensure that strategic priorities (which include the conservation and enhancement of the natural environment) are properly co-ordinated and clearly reflected in individual Local Plans. Local Planning Authorities are expected to demonstrate that effective co-operation has taken place when their plans are submitted for examination.

Natural England notes that 2000 dwellings are required to be located outside the Borough, we would expect to see evidence that your authority have worked collaboratively with your neighbouring authorities in addressing the issues we have raised under the Habitat Regulations.

Collaborative working across local authority boundaries is essential to address environmental challenges water quality/quantity issues climate change adaptation, and the delivery of green infrastructure and ecological networks, which do not necessarily fit administrative boundaries. Natural England would be happy to advice on fulfilling this Duty in terms of addressing strategic environmental issues collaboratively.

For any queries relating to the specific advice in this letter only please contact Sally Maguire on 03000602110. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Appendix C Screening: Initial appraisal of 2014 Tamworth Pre-submission Local Plan

Policy Description	Different to 2014 Draft Local Plan?	Remit of policy	Any likely significant effects on European sites anticipated as a result of the policy?
SS1: The spatial strategy for Tamworth	Yes, quantum of housing and employment reduced. Additional strategic housing extensions.	Provides a guide to how the spatial vision and strategic objectives will be achieved in practical terms. The role of the spatial strategy is to set out how much development there will be and broadly where it will go with the overall aim of focusing on the most sustainable and accessible locations and protecting and enhancing the best of the natural and built environments.	No. The strategy is based on delivering development in sustainable locations supplemented by improvements to the natural environment. Tamworth lies outside the catchment of the River Mease.
SS2: Presumption in Favour of Sustainable Development	Yes, new policy	Presumption in favour of sustainable development providing development is in accordance with Local Plan policies.	No. Not site specific and does not result in development directly.
EC1: Hierarchy of centres for town centre uses	No.	Reinforces the “centre first” approach for town centre uses and defines the hierarchy of centres. Sets out criteria for dealing with applications for town centre uses outside the centres including the sequential test, floorspace thresholds and cumulative impact.	No. The policy preference is for town centre uses to be located in existing centres.
EC2: Supporting investment in Tamworth Town Centre	Yes. Removal of primary and secondary shopping frontages to new policy EC3.	Reinforces town centre first for town centre uses, i.e. retail, leisure, culture/tourism and office development along with encouraging higher density residential and improved linkages within the town centre and to the out of centre retail areas. It also identifies the key gateway sites and introduces design and conservation principles.	No. The town centre lies outside the 15km zone of influence for Cannock Chase SAC and no allocations of over 100 dwellings are proposed. Tamworth lies outside the catchment of the River Mease.
EC3: Primary and Secondary Frontages	Yes, new policy	Identifies primary and secondary frontage areas where different approaches to acceptable uses will apply.	No. The town centre lies outside the zone of influence for Cannock Chase SAC and no allocations over 100 dwellings are proposed.

EC4: Supporting investment in local and neighbourhood centres	Yes, less distinction between local and neighbourhood centres in terms of suitable uses.	Sets out guidance for achieving environmental and accessibility improvements and where applicable and where applicable linked to delivering community regeneration objectives. Sets out suitable uses and importance of A1 convenience uses within these centres.	No. No large scale developments are proposed in the policy.
EC5: Culture and Tourism	No	Supports tourism and cultural development, in particular in relation to the town centre. Supports development of linkages from the town centre to the railway station, out of centre retail parks and leisure facilities. Encourages use of canal and rivers as a tourism resource. Identifies supporting infrastructure hotels, transport and information.	No. Not site specific and does not result in development directly.
EC6: Sustainable economic growth	Yes. Additional reference to proposals for employment uses outside allocated employment sites and strategic employment areas.,	Identifies the employment land requirement and the strategic employment areas and allocations to meet part of employment need.	No. Policy refers to employment areas.
EC7: Strategic Employment areas	Yes. Now deals only with strategic employment areas.	Policy defines the acceptable uses within the strategic employment areas and criteria for dealing with alternative uses within these areas.	No. Not site specific and does not result in development directly.
HG1: Housing	Yes. New allocations	Sets out overall future housing needs and annual requirement to achieve a balanced delivery over the	No. All allocations lie outside the 15km zone of influence for Cannock Chase SAC

	within existing urban area.	plan period to meet identified housing need. Includes criteria for achieving high quality development in sustainable locations	and no allocations of over 100 dwellings are proposed. Tamworth lies outside the catchment of the River Mease.
HG2: Sustainable Urban Extensions	Yes. Removal of Coton Lane as a sustainable urban extension.	Sets out housing numbers for each site, specific constraints and considerations and required infrastructure to ensure the creation of sustainable neighbourhoods.	No. All allocations lie outside the 15km zone of influence for Cannock Chase SAC Tamworth lies outside the catchment of the River Mease.
HG3: Regeneration Priority Areas	Yes. Additional criteria for mixed uses in Wilnecote Regeneration Corridor.	Identifies post war planned neighbourhoods and the Wilnecote Regeneration Corridor on the basis of high levels of deprivation and/or poor quality environment. Sets out a series of priorities under each area and commits the Council and its partners to work in partnership to deliver spatial interventions to improve the physical environment and deliver social and economic renewal.	No. The regeneration priority areas are located outside the 15km zone of influence for Cannock Chase SAC.
HG4: Affordable Housing	Yes, reduction in overall targets	Establishes thresholds and the level of developer contributions towards the provision of affordable housing.	No. No direct impact identified, does not result in development directly.
HG5: Housing Mix	Target mix the same but reference to affordable and market housing.	Will establish standards for new housing development including the size and type of units, specific types based on evidence arising from the housing needs study.	No. No direct impact identified, does not result in development directly.
HG6: Housing density	No	Contains a banded density target for particular borough wide locations including a higher density target for the centres and transport hubs and a lower target for other urban locations.	No. No direct impact identified, does not result in development directly.
HG7: Gypsies, Travellers and Travelling	No	Identifies a need for one site but is not site specific. Establishes criteria for assessing applications for site proposals.	No. Not site specific and does not result in development directly.

Showpeople			
EN1: Landscape Character	Yes, new policy	Protects the essential characteristics of the wider landscape around Tamworth and improving areas of lower quality.	No. The policy seeks to protect and enhance the natural environment.
EN2: Green Belt	Yes, new policy	Maintains Green Belt during and beyond the life of the Local Plan. Uses to be in accordance with national policy. Informal access to sites of biodiversity and geodiversity value supported where appropriate.	No. The policy is not site specific and seeks to protect the Green Belt from inappropriate development.
EN3: Open space and Green and Blue Links	Yes, addition of green and blue links, including circular routes, and urban park.	Seeks to promote an accessible multi functional open space and blue infrastructure network that functions for people and wildlife. Supports new urban park on eastern side of Borough. Standards provided for new development and criteria provided to assess applications that would lead to loss of open space.	No. The policy seeks to protect and enhance the natural environment.
EN4: Protecting and enhancing biodiversity	Yes, more clarity provided including status of designations and BAP habitats.	Aims to preserve sites and species, making a distinction between statutory and non-statutory sites. Reinforces links between habitats encourages habitat restoration and creation, with emphasis on community led initiatives.	No. The policy seeks to protect biodiversity.
EN5: Design of new development	Yes. Addition of references to highway safety and servicing, green infrastructure and landscaping.	Introduces principles to achieve high quality buildings and places.	No. The policy relates to the existing built fabric.
EN6: Protecting the historic environment	Yes. Requirement to submit heritage statements with	Includes a list of principles to be considered when proposing development which impacts on the historic environment including listed buildings, conservation areas and scheduled monuments. Also considers non-	No. The policy relates primarily to the existing built fabric.

	applications and more on archaeology.	designated assets.	
SU1: Sustainable Transport Network	Yes. Only references transport measures by removal of references to flood risk, renewable and low carbon energy.	Identifies the supporting infrastructure required to deliver the sustainable pattern of growth identified in the strategy. It refers to key strategic locations for transport improvements including the A5 junctions, stations, cycle and pedestrian routes and general principles for improving accessibility.	No. The policy seeks to enable better access to facilities through sustainable means and ensuring development is located in sustainable locations whilst tackling congestion. The emphasis on low carbon development and renewable energy should help mitigate against the effects of climate change.
SU2: Delivering sustainable transport	No	Sets out priority measures for improving accessibility and linkages, particularly by public transport, walking and cycling on a borough wide basis and to/from strategic development sites. Sets out criteria for the requirement for transport assessments and travel plans.	No. The policy does not propose development. It seeks the provision of sustainable transport opportunities and reduction in the use of the private car, which could have positive impacts on sites that are vulnerable to air borne pollution.
SU3: Climate Change Mitigation	Yes. Additional reference to safeguarding waste management facilities and protection of green and blue corridors.	Supports measures to achieve zero carbon development including renewable energy proposals and resource management.	No. No direct impact identified, does not result in development directly.
SU4: Flood Risk and Water Management	Yes. Addition of references to sites greater than 1 hectare in	Requires new development to consider areas susceptible to fluvial and pluvial flooding including the application of SUDS and sustainable urban design.	No. Policy seeks to prevent a negative impact on water quality and abstraction.

	flood zone 1, easements and de-culverting.		
SU5: Pollution, Ground Conditions and Minerals	Yes, new policy	Manages the risk of existing sources of pollution and land instability in Tamworth and awareness of mineral reserves.	No. Policy seeks to protect the environment from pollution and will have a positive impact.
SU6: Community facilities	Yes. Criteria added to deal with proposals leading to loss of community facilities.	Sets out support for community facilities and infrastructure to be located in accessible locations. Encourages dual use of facilities to be considered where they are located in sustainable locations.	No. No direct impact identified, does not result in development directly.
SU8: Sport and recreation	Yes. Addition of design guidelines, public access and hours of use.	Provides and promotes a network of high quality sport and recreation facilities across the borough to meet needs whilst aiming to protect existing features.	No. No direct impact identified, does not result in development directly.
IM1: Infrastructure and developer contributions	No	Includes the key infrastructure required to deliver the strategy and introduces the Infrastructure Delivery Plan.	No. The policy refers to the Infrastructure Delivery Plan which has identified strategic infrastructure requirements. These include water and sewerage which could protect water quality and quantity on sensitive sites.