



Blackpool Local Plan Part 2: Site Allocations and Development Management Policies

Statement of Common Ground

Natural England and Blackpool Council

1 Introduction

This Statement of Common Ground (SoCG) between Blackpool Council and Natural England has been prepared to support the Council's Local Plan Part 2 examination. It has been prepared by both parties and demonstrates the issues raised by Natural England during consultation on the Local Plan Part 2 Publication (Regulation 19) and how Blackpool Council intends to deal with these.

2 Publication Consultation

The following representations were made by Natural England to the consultation on the Publication version of the Local Plan Part 2. Below are the representations and Blackpool Council's responses to the objections including any proposed modifications.

Response	Council Response	Proposed Modification	Natural England response to proposed modification	Council Additional Comment
<p>Policy DM35: Biodiversity</p> <p>Net Gain - Part b of this Policy could be strengthened by including reference to providing measurable net biodiversity gains in perpetuity.</p> <p>Ancient Woodland and Veteran Trees - The Plan (and existing Core Strategy) fail to set out any Policy to protect ancient woodland and aged or veteran trees (in accordance with paragraph 175 b of the NPPF). Note that ancient woodland includes plantations on ancient woodland sites (PAWS). This could be included as part of Policy DM35.</p> <p>Soils and Best and Most Versatile (BMV) Land - This policy needs to consider impacts on soils and Best and Most Versatile (BMV) land including any areas of peat and deep peat.</p> <p>Plan policies should take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with the NPPF to:</p> <ul style="list-style-type: none"> • Safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)) as a resource for the future. • To avoid development that would disturb or damage other soils of high environmental value (e.g. wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc) and, where development is proposed. • Ensure soil resources are conserved and managed in a sustainable way. <p>We would also advise that Defra’s Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, be referred to in the development plan. This Code contains guidance for during and following development.</p>	<p>The Council considers the policy, with respect to the requirement for net gain, strikes an appropriate balance, which may be superseded by the forthcoming Environment Bill.</p> <p>With respect to Ancient Woodland and Veteran Trees, there are none located within the Borough. Notwithstanding this, Paragraph 175 (c) of NPPF 2019 states <i>‘development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists’</i></p> <p>There is no requirement to repeat national policy. No change</p> <p>The majority of Blackpool is predominately urban in nature and identified as such on the Agricultural Land Classification map North West Region (ALC002). The small amounts of Land highlighted as category 3/2 are protected by other designations within the plan, eg SSSI, Stanley Park, Countryside Area or falls within the Marton Moss Neighbourhood Plan area.</p>	<p>None proposed.</p>	<p><u>Net Gain</u> Noted</p> <p><u>Ancient trees</u> Noted</p> <p><u>Soils & BMV Land</u> Currently, you have no policies to guide planning decisions on this issue. This leaves the development plan very weak.</p> <p>In our view, this should be covered by a policy within the Local Plan. The Marton Moss Neighbourhood Plan has not yet been adopted and therefore cannot yet provide policy direction. 15.09.21</p> <p>Additional policy wording agreed 11.10.21</p>	<p>The Council would be content to accept the following additional wording to policy DM35: Biodiversity and supporting text to cover Best and Most Versatile Agricultural Land. This additional wording is accepted by Natural England:</p> <p>Additional Sub heading within DM35: Biodiversity</p> <p><u>Agricultural Land</u></p> <p><u>5. Development which is likely to lead to the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) will not be permitted unless supported by other policies in the plan or it is demonstrated that the loss is outweighed by other planning considerations.</u></p> <p>Supporting Text:</p> <p><u>Agricultural Land</u></p> <p><u>Although Blackpool Borough is largely built up and urban in nature, there are some small areas of agricultural land (classed as the best and most versatile agricultural land) to the east of the Borough towards Staining and across the Marton Moss area. It is important that the loss of this best and most versatile agricultural land is minimised.</u></p>

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<p>Policy DM36: Controlling Pollution and Contamination</p> <p>Neither the existing Core Strategy nor this Plan make any reference to air quality impacts on designated sites. This Policy could be strengthened by including reference to the protection of designated sites from air pollution impacts particularly from road, industrial or intensive agricultural developments.</p>	<p>Comments noted. Point a. and the supporting text will be amended accordingly to include reference to designated sites.</p> <p>MainMod20 and AdMod07</p>	<p>MainMod20</p> <p>1a. Will be compatible with adjacent existing uses and would not lead to significant adverse effects on health, amenity, safety and the operation of surrounding uses and for occupants, or users of the development itself or designated sites of importance for biodiversity, with reference to noise, vibration, odour, light, dust, other pollution or nuisance. Applications will be required to be accompanied, where appropriate by relevant impact assessments and mitigation proposals;</p> <p>AdMod07</p> <p>3.336 In considering planning applications for developments and uses that would have a potentially adverse impact on their surroundings, the Council will seek to control the location of such activities and land uses and restrict their development in close proximity to residential, educational, institutional, recreational and other environmentally sensitive areas such as designated sites of importance for biodiversity. Where necessary the Council will require measures to be undertaken to mitigate any unacceptable effects of development. These measures might include remediating contaminated land, screening, landscaping, sound insulation or changing the layout of the site.</p>	<p>NE agree with proposed modifications 15.09.21</p>	<p>No additional comment</p>
<p>Habitats Regulations Assessment</p> <p><u>Recreational disturbance.</u> Note that the HRA paragraph 5.2.28 is contradictory, saying that there are no allocation sites within the 3.5km Morecambe Bay zone of influence for recreational disturbance, identified in the Recreational Disturbance Study (Lily et al, 2015) but then confirms that site allocation HSA</p>	<p><u>Recreational disturbance</u></p> <p>'The Recreational Disturbance Study (Lily et al, 2015) for the Morecambe Bay Partnership identified that visitors to the Morecambe Bay coast who were on a day-trip/short visit from home typically</p>	<p>Some amends made to the HRA. See previous column</p>	<p>NE agrees 15.09.21</p>	<p>No additional comment</p>

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<p>1.16 (Land at Ryscar Way) is located within the zone of influence - this should be corrected. We do agree with the conclusion that for this site allocation, being within 1.5km of the coast and local greenspaces, this site is not considered to increase recreational disturbance at Morecambe Bay and can therefore be screened out of further assessment.</p> <p>Notwithstanding the above, the HRA needs to include an assessment of impacts from recreational disturbance on the Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar site. The published report - Recreational activity and interactions with birds within SSSIs on the North-West coast of England (RPO3020) (http://publications.naturalengland.org.uk/publication/5473987963650048) suggests a zone of influence for the Ribble Estuary as 1.3km. This should be included within the HRA.</p> <p><u>Site HSA1.11 Land off Kipling Drive</u></p> <p>We disagree with the HRA conclusions that an additional 14 dwellings located at this site would not lead to a significant impact upon Marton Mere SSSI (which is also utilised by wildfowl and waders that could be associated with the Ribble & Alt Estuaries SPA and Ramsar). There are clear footpaths (official or otherwise) which link this site directly to the SSSI and this impact needs to be considered and mitigated against.</p>	<p>travelled no more than 4km to get to the Bay, with a median distance of 3.45km travelled. There are no sites allocated in the Plan within 3.5km of the coastal area of Morecambe Bay, the nearest being HS1.15 (Land at Warren Drive) just over 6km south. There is one site allocated within the Plan that is within 3.5km of the section of the Morecambe Bay SPA/Ramsar Site that extends down into the River Wyre. This is HSA1.16 (Land at Ryscar Way), which has already received outline planning permission and has been allocated for 47 new homes, and is approximately 2.8km west of the SPA/Ramsar at its nearest point. Residents at this site would have much better access to local greenspaces, as well as the coastline 1.5km to the west, than they would to the SPA.'</p> <p>In paragraph 5.2.28 Arcadis state that there are no allocation sites within 3.5km of the coastal areas of Morecambe Bay but that HSA 1.16 (Land at Ryscar Way) is within 2.8km of the Morecambe Bay boundary which extends away from the coast along the River Wyre. The HRA has been amended accordingly.</p> <p>Recreational disturbance on Ribble & Alt Estuaries SPA and Ramsar has been screened in for further assessment. A reference to the study is now provided in the HRA.</p> <p><u>Site HSA1.11 Land off Kipling Drive</u></p> <p>Allocation HSA1.11 (Land off Kipling Drive) is located south of the Marton Mere SSSI (which is utilised by waterfowl and waders that could be associated with the Ribble and Alt Estuaries SPA/ Ramsar site). From a review of aerial photography, there appear to be unofficial footpaths crossing through the</p>			

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	<p>allocation which may link to the SSSI to the north (there are no official footpaths linking the allocation directly to the SSSI).</p> <p>However, Marton Mere is also a Local Nature Reserve that is promoted as an educational centre (it is for example advertised on VisitBlackpool) for the natural environment. While “recreation likely to damage the features of interest” are included in the operations requiring Natural England consent, recreation is heavily managed to avoid habitat disturbance with visitors being managed by wardens and information leaflets are provided, this maintains the site in favourable condition which is monitored.</p> <p>There are distinct pathways throughout the site and any birds using the site would be acclimatised to the disturbance, there are also extensive alternative habitat to the east. Given the small size of the allocation (14 dwellings) and proximity of the SSSI to the existing holiday village, any use of the unofficial footpaths by new residents of any future development at the site would be negligible and not significant. This potential impact can be screened out of further assessment alone and in combination.</p> <p>No change.</p>			

4 Conclusion

Section 3 above sets out the position of Blackpool Council and Natural England with respect to the representations made by Natural England at Regulation 19 stage. The subsequent position is that there are no outstanding issues between the Council and Natural England in relation to the representations made. The Council is content to accept the further amendment to policy DM35: Biodiversity if the Inspector is minded to include it.

5 Signatories

This statement has been prepared and agreed by the following organisations:

Blackpool Council

Signature: ***E.J. Saleh***

E. Jane Saleh

Head of Planning Strategy

Date: 08 October 2021

Natural England

Signature: E.D.Knowles

E D Knowles

Strategic Planning Senior Adviser

Date: 11 October 2021