HRA

Dennis, Mark

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Response Date	21/08/2024 14:37:00
Consultee Family Name	Dennis
Consultee Given Name	Mark
Q4 Part of document	Paragraph
Q4 Paragraph number	1
Q6 Details	Further qualifying objections regarding the suggested/proposed (Housing) development Diglake Street/Ravens Lane, Bignall End AB12 Dear Cllr Andrew Fear (Planning Policy Manager). Further to my earlier report (dated 16th Aiugust 2024), outlining my objections regarding the suggested/proposed (Housing) development Diglake Street/Ravens Lane, Bignall End (AB12), I wish to add further concerns/ objections which appear to be borne out by an `independent' Consulting Company by the name of: LEPUS Consulting Landscape, Ecology, Planning & Urban Sustainability I have since read the following reports by themselves entitled: Newcastle-under-Lyme Publication Draft Local Plan 2020-2040 Regulation 19 Habitats Regulations Assessment and Sustainability Appraisal of the Newcastle-under-Lyme Local Plan 2020-2040 Reports Dated July 2024 Amongst the many pages of plans, tables, reports etc, I have 'sorted' out the 'wheat from the chaff' having decided, without too much partiality in this case, and my objections, and the rationale behind my reasoning, are extremely important in this case. I bring to everyone's attention the following: Air pollution: Land use planning has the potential to increase atmospheric emissions of pollutants to the air. These can result in adverse effects at European sites such as eutrophication (nitrogen), acidification (nitrogen and sulphur) and direct toxicity (ozone, ammonia and nitrogen oxides). Does the Local Plan give rise to emissions which are likely to reach a European site? The Local Plan will trigger housing and employment development and as such increase traffic related emissions. Air quality impacts have been shown to typically affect European sites within 10km of a plan boundary. Campman and Kite (2021) note that 'this zone is based on professional judgment recognising that the effects of growth from development beyond 10km will have been accounted for in the Nitrogen Futures modelling work business as usual scenario'. This 10km distance threshold can be a useful guide to identify the broad areas that may be impacted by air quality. However, it is acknowledged that consideration should also be given to larger residential or commercial allocations and their wider potential for air quality impacts in the context of the local and regional road network. Are the qualifying features of sites within 200m of a road sensitive to air pollution? It is widely accepted that air quality impacts are greatest within 200m of a road source, decreasing with distance. Habitat Regulations Assessment (HRA) The Precautionary Principle The HRA process is characterised by the Precautionary Principle. This is described by the European Commission: "If a preliminary scientific evaluation shows that there are reasonable grounds for concern that a particular activity might lead to damaging effects on the environment, or on human, animal or plant health, which would be inconsistent with protection normally afforded to these within the European Community, the Precautionary Principle is triggered". The Precautionary Principle is embedded in the Integrity Test. Summary of potential impacts of the Local Plan Increased carbon emissions — The proposed development of 8,000 dwellings (125 dwellings re AB12) and employment floorspace within the Local Plan will be likely to increase to some extent local carbon emissions through energy demand associated with the occupation of new dwellings and employment premises, transport-related emissions and the production and use of materials during construction. This impact will be expected to contribute towards the causes of climate change and secondary effects like sea level rise and extreme weather events. Exposure to air / noise pollution (from AQMAs / main roads) The long-term health of residents, in particular vulnerable groups including children and the elderly can be affected by local reductions in air quality. Development within 200m of an AQMA or main road may expose site end users to increased levels of traffic related air pollution or noise impacts, with adverse implications for health. (Although Bignall End is not an AQMA I have already pointed out the potential of a substantial increase in NO2, within the Albert Street/Edward Street/Diglake Street 'Micro-Climate, due the increase in vehicular traffic should the development proceed in this case). Loss of tranquillity

	Rural landscapes are typically tranquil, a valuable attribute that once lost is often irreversible. Darkness at night is one of the key characteristics of rural areas and it represents a major difference between what is rural and what is urban. The introduction of both noise and night-time lighting through new development is likely to reduce tranquillity in some locations. (As detailed. Offsite issues will need to be addressed and one 'suggestion' has been to provide a parking area for local residents' in the NorthWest corner of the site. So ultimately the current residents' would be expected to live next door to a 24/7 car park and put up with the continual slamming of doors at all times of the day and night? I would suggest that this would ultimately cause severe mental illness due to the loss of tranquillity and inability to receive a good night's rest and sleep). PLUS. Has consideration been made as to how much land would be required to provide the residents' parking? A minimum of 40 spaces (individually numbered) would not, in my view, be an excessive number as most homes have 2 vehicles. Electrical charging points? Room for vehicles to enter and leave the parking area along with space to manoeuvre in and out of the parking spaces safely? And how many houses would the developer lose due to this loss of land? It would certainly require a minimum of 10,000 square feet for 40 vehicles. Is the developer willing to pay for it?). This residents' car park will still not, in my view, alleviate, or address, the offsite access issues that will need to be fully addressed with regard to on street parking on Diglake street and the intensification of use of the Diglake St/B5500 junction. Please refer to the attached plan showing the potential for severe noise issues for residents. (Page 6 refers). Increased pressure on local services and facilities The proposed development within the Local Plan is expected to increase population density across Newcastle-under-Lyme. This will be likely to apply greater pressures on the capacity of services within the Plan area, including schools, GP surgeries, leisure centres and open spaces. Summary of residual adverse effects Reduction in air quality and increased pollutant emissions Although various Local Plan policies aim to reduce air pollution and promote sustainable modes of transport, the introduction of 8,000 dwellings and employment floorspace is expected to increase vehicle emissions in the Plan area and result in an overall reduction in air quality. The policies would be expected to prevent unacceptable impacts on human health associated with air pollution, but in-combination with the volume of development proposed, there is likely to be a cumulative adverse effect of air quality as a whole. Over time, this adverse impact is likely to be reduced should there (It might as well say that I could end up being rich if I won the lottery! !) be an increase in sustainable transport methods and a phasing out of petrol and diesel-powered cars, alongside other advances in technology. (Unless we all walk everywhere I cannot see this happening). Loss of tranquility The proposed development of 8,000 new dwellings (125 dwellings re AB12) and 63 of new employment land across the borough, with a number of development sites located within more rural areas, is likely to result in a loss of tranquility of the rural landscape as a consequence of increases in noise and light pollution. Increased demand for water and wastewater management The increased population within the Plan area would be expected to increase demand on water infrastructure. Although the WCS indicted that Seven Trent Water does not expect water supply infrastructure to be a constraint to development, there is potential for a residual adverse effect in regard to wastewater infrastructure when planned growth is considered in-combination with an increase in sewage production and potential for storm overflow events. It is likely that further monitoring and investment to wastewater infrastructure will be required to accommodate development. Identified cumulative effect Reduction in air quality • Increased pollutant emissions The introduction of 8,000 dwellings (125 dwellings re AB12) and employment floorspace under the Local Plan is likely to increase energy demands, congestion and traffic flows with population growth, increasing pollutant emissions, with implications for air quality, residents and biodiversity particularly within proximity to main roads. Overall, the Plan will likely result in a long-term but 'potentially temporary' significant cumulative adverse effect on air quality, which resulting in secondary effects such as the health of residents.
Attachments	1338090 Mark Dennis 2.pdf

Natural England, Senior Officer, McLaughlin, Sally

Comment ID	NULLPHRA2
Response Date	04/10/2024 11:04:00
Consultee Company / Organisation	Natural England
Consultee Position	Senior Officer
Consultee Family Name	McLaughlin
Consultee Given Name	Sally
Q6 Details	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England welcomes the opportunity to comment at this stage of the Local Plan and particularly supports the inclusion of policies on green and blue infrastructure, biodiversity, health and wellbeing, trees hedgerows and woodlands. We have reviewed the consultation documents and provide comments that relate to the soundness of the Local Plan and that are most relevant to our interest in the Natural Environment. Natural England has adopted a robust precautionary approach within this plan response. Whilst we welcome the content of the Local Plan, Natural England advises that the plan is currently at risk of being unsound and/or not legally compliant due to the potential impacts on air quality in relation to internationally designated nature conservation sites and the justification for the potential loss of 263ha best and most versatile (BMV) agricultural land. Further detail is provided below. Natural England have also provided other advice within this submission relating to further improvements that could strengthen plan policies and specific strategic site options and related mitigation. Do you consider that the Newcastle Under Lyme Plan is Sound and Legally Compliant? Natural England notes that the plan is at the pre-submission stage and as such your authority is seeking confirmation on the soundness of the plan. Having reviewed the plan and supporting documents, Natural England considers the pre-submission plan in its current form is not sound or legally compliant, this is due to a lack of evidence with regards to air quality and the cumulative loss of BMV agricultural land both in a local and national context. Air quality Natural England notes that the Sustainability Appraisal states that “Although various Local Plan policies aim to reduce air pollution and promote sustainable modes of transport, the introduction of 8,000 dwellings and 63ha of employment floorspace is expected to increase vehicle emissions in the Plan area and result in an overall reduction in air quality. (p 67) As Natural England understands it the current evidence base used to conduct the HRA cannot rule out adverse impacts on designated sites. The HRA states at page 22 3.4.16 “At the time of writing, the traffic modelling run for the final suite of Regulation 19 allocations had not been undertaken.” Appendix A lists the local plans for neighbouring LPA’s concluding that ‘in combination” with plans and projects (approved and those yet to be implemented) they may trigger in-combination effects on European sites as a result of air quality, particularly as we understand it in the key commuting areas. Natural England notes that Annual Average Daily Traffic (AADT) data and traffic modelling in the Strategic Transport Assessment (STA) concludes a potential reduction in travel and related air pollution at allocated sites as a result of a predicted preference in the use of public transport. We are surprised by this projected decrease in both traffic and related air pollution, particularly as one employment allocation site includes a 200-bay lorry park and increased congestion is predicted at junction 16 of the M6 where it joins the A500 in a rural location with no existing rural transport provision. The Sustainability Appraisal also notes that: “There is a low uptake of sustainable modes of transport in the borough, with private car use being the most popular method of travel when commuting to work”. (p 206) Cumulative adverse effects on integrity in relation to air quality as a result of this plan and neighbouring LPAs plans cannot therefore currently be ruled out at the following internationally designated sites: •Midlands Meres and Mosses Phase 2 Ramsar - Black Firs and Cranberry Bog SSSI •Midlands Meres and Mosses Phase 2 Ramsar - Oakhanger Moss SSSI The HRA outlines that the main source of ammonia emissions is agricultural practice, and that material increases in NH3 emissions are unlikely to be associated with the proposed local plan. At Black Firs and Cranberry Bog and Oakhanger Moss, any increase in nitrogen deposition has the potential to exacerbate pollution levels and thereby undermine the reasons for notification of these sites as a Ramsar. Ammonia can be emitted from vehicle exhaust emissions as a by-product of the catalytic conversion process designed to reduce emissions of nitrogen oxide. As traffic composition transitions toward more petrol and electric cars (i.e., fewer diesel cars on the road), catalytic converters may aid in reducing NOx emissions but result in increased ammonia emissions. Ammonia emissions from road traffic therefore could make a significant difference to nitrogen deposition close to roads. Natural England therefore advise that ammonia sourced from traffic emissions should be included for assessment within the local plan HRA, as the impact from this source on designated sites is currently unclear. For further information please see this report from Air Quality Consultants (AQC) that looks at ammonia emissions from roads for assessing impacts on nitrogen-sensitive habitats. Whilst we are aware that the current CREAM model created by AQC used to assess ammonia emissions from road traffic has not been peer reviewed, at this time it has been recognised as a Best Available Tool and we deem it appropriate to be used where any caveats associated with this model are also considered within the assessment. An assessment based on the best available approach is necessary. The next stage of assessment can then consider uncertainties in the model and site specifics to decide if mitigation needs to be considered. Further work is therefore required to inform the Habitat Regulations Assessment. Natural England will engage with the Local Planning Authority in order to produce a Statement of Common Ground (SoCG) on this matter.

‘Best and most versatile’ (BMV) agricultural land
Natural England notes that “the proposed site allocations in this Local Plan are likely to cumulatively result in the loss of up to 342ha of previously undeveloped land, A total of 20 of the allocated sites contain areas of ALC Grades 1, 2 or 3 within the site area, leading to potential for up to 263ha of ‘best and most versatile’ (BMV) agricultural land, which is likely to result in a long-term, irreversible cumulative adverse effect on ecosystem services”. (page 74 Sustainability Appraisal).
Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of ‘best and most versatile’ (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.
Natural England would like to understand how the local planning authority have produced the evidence base and options assessment which informs the strategic site allocations.
Natural England will engage with the local planning authority to consider the cumulative impacts of the loss of BMV both in the local and national context and the challenges related to environmental impact, infrastructure, and the requirement to deliver a balance between the need for development and the potential urbanisation of the countryside including the potential mitigation measures that need to be considered.
NPPF paragraph 174e states:
Planning policies and decisions should contribute to and enhance the natural and local environment by: … preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.
Natural England provides guidance to inform further assessment of air quality and the loss of BMV agricultural land in our response to the content of the plans Strategic Policies as set out below.
Do you consider that the Newcastle-under-Lyme Borough Council Regulation 19 pre-submission draft Plan is compliant with Duty to Co-operate?
In terms of working with neighbouring authorities, Natural England notes that initially the plan was intended to be produced jointly with the City of Stoke-on-Trent, the plan does not however currently present an evidence base that demonstrates that a collaborative approach has been adopted and that the Duty to Co-operate has been fully complied with.
The Sustainability Appraisal states that: “Overall, there is potential for a cumulative adverse effect on biodiversity, owing to the fragmentation of the ecological network… Where a large amount of development is located on previously undeveloped land surrounding rural settlements, this is likely to produce a long-term irreversible negative cumulative effect regarding the urbanisation of the countryside” (p 71)
Natural England would therefore like to further understand how the areas identified to meet the City of Stoke-on-Trent’s unmet employment needs are justified and appropriate and whether meeting some of the employment needs of the City of Stoke-on-Trent has led to the need to release or safeguard more land from the Green Belt in Newcastle under Lyme. If this is the case, what are the exceptional circumstances for doing this and how does this align with the allocated sites options assessment?
Recreational Pressure
In terms of the South Pennie Moors SAC and recreational impacts, the Local Plan does comply with the Duty to Co-operate. Natural England recommends that reference is made to the ‘Recreation use of the South Pennine Moors and implications for strategic housing growth’ report by Footprint Ecology Ref 778 date 27th March 2024. This report should both inform the evidence base and ensure that policies relating to open space/green infrastructure are as rigorous and robust as possible.
The report concludes that more data/evidence is required to determine if recreational use is causing an impact across to the South Pennine Moors and to get a better understanding of the scale and location of any impact. Natural England notes that the report records 7,000 additional dwellings in Newcastle-under-Lyme over the plan period rather than the 8,000 included in this regulation 19 submission. Newcastle-under-Lyme Borough Council should therefore continue to work with local authority and other partners to ensure coordinated and continued cross boundary action.
Other matters
Natural England has specific concerns related to allocations in the Green Belt. Notwithstanding that, Natural England considers most of the policies within the plan to be sound and deliverable. The plan is consistent with national policy with regard to those policies that are within Natural England’s remit. Further information on strengthening policies including but not limited to Soils and best and most versatile (BMV) agricultural land, preventing loss and fragmentation of habitats and supporting green infrastructure are provided below.
Vision and Strategy
Natural England notes that the Plan’s vision and emerging development strategy set out a framework for the future development of Newcastle-under-Lyme and addresses the needs in relation to housing, the economy, community facilities and infrastructure, including specific reference to a proposed employment site allocation.
This vision and the related objectives should also set out the environmental ambition for the plan area and form the basis for nature recovery and enhancement, supported by the policies and proposals in the plan.
Natural England advises that the vision should also incorporate more on the local ecology and landscape features which underpin local distinctiveness such as the “strong rural character with long open views across the surrounding rural landscape, towards more distant hills often framed by trees” (p 69) Part 3 Site Specific Landscape & Visual Appraisal. “Tranquillity, ancient woodland, deciduous woodland, and strong undulating landforms” (p 187) Sustainability Appraisal.
Strategic Objectives
Natural England welcome strategic objective SO-4 relating to carbon reduction and climate change, however we do not feel that this group of thirteen strategic objectives value or reflect the Boroughs whole ecology and landscape including but not limited to the protection of soil and best and most versatile (BMV) agricultural land. We would suggest that additional objectives are added relating to: air quality, water quality and quantity, soils and landscape.

Natural England would also like to see stronger reference to the Nature Recovery Network which is one of the specific aims of the Environment Act 2021 and will underpin the approach to the enhancement of nature.
Air quality is a major threat to habitats and species. Many ecological sites are exceeding their critical loads and levels for ammonia, nitrogen deposition and acid deposition. The strengthening of the policies and the rationale behind site allocations within this plan will ensure that new development does not contribute to the further deterioration of habitats and species due to air pollution. Further advice on strengthening the plans evidence base with regards to air quality is provided in the links below:
Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001)
http://publications.naturalengland.org.uk/publication/4720542048845824
JNCC - Guidance on Decision-making Thresholds for Air Pollution: Main Report and Technical Report 2021
https://hub.jncc.gov.uk/assets/6cce4f2e-e481-4ec2-b369-2b4026c88447
CIEEM Advisory Note: Ecological Assessment of Air Quality Impacts
https://cieem.net/resource/advisory-note-ecological-assessment-of-air-quality-impacts/
IAQM Guidance
https://iaqm.co.uk/guidance/
Guidance- Air quality-Provides guidance on how planning can take account of the impact of new development on air quality.
https://www.gov.uk/guidance/air-quality--3
Clean Air Strategy 2019
https://www.gov.uk/government/publications/clean-air-strategy-2019
Apis
http://www.apis.ac.uk/
Ecosystem Services and air pollution impacts
Simple Calculation of Atmospheric Impact Limits
http://www.scail.ceh.ac.uk/
Strategic Policies
5 Planning for Sustainable Development
Policy PSD5: Green Belt
Natural England notes that this policy "aims to protect the Borough's essential open spaces, prioritise the use of brownfield land, and guide potential future development in accordance with the National Planning Policy Framework (NPPF)".
Natural England however notes that amendments to the Green Belt boundary are proposed in the form of 14 site allocations to accommodate both the growth requirements of the borough and the employment requirements of wider Stoke-on-Trent conurbation. Natural England's has some site-specific concerns about the potential impacts of some of the green belt sites selected on the natural environment with regards to habitat loss, fragmentation and justification for the loss of BMV agricultural land.
We note the LPA's intention to release and compensate for the loss of green belt and prioritise the use of suitable brownfield land. However, the site allocations in the green belt would result in the potential loss of 263ha of Best and Most Versatile (BMV) agricultural land. The council should satisfy itself that it is making a balanced decision for sustainable development, the Sustainability Appraisal concludes that:
"The Green Belt Study assessed land parcels against the contribution they make to the five purposes of the Green Belt on a four-point scale…Three allocated sites (AB12, AB33 and TK10) are located in areas which make a 'strong' overall contribution to the purposes of the Green Belt where "the site contributes to the purpose in a strong and undeniable way, whereby removal of the site from the Green Belt will detrimentally undermine this purpose" (p101)
"Site allocations on previously undeveloped land or that would result in a net loss of GI / vegetation could result in a reduced capability of the environment to provide ecosystem services including carbon storage, the storage and filtration of water including natural flood protection, as well as reduced availability and connectivity of habitats within the green network enabling movement of species. (p 165)
Strategic Site Allocations
Natural England suggests that the HRA should include a "requirement for project-level/site specific HRA's and targeted ecological surveys".
The Sustainability Appraisal concludes that:
"Some 12 allocated sites partially coincide with priority habitats, where 3.43% of the total site allocation areas coinciding with priority habitats which include deciduous woodland, good quality semi-improved grassland and Site BL18 coincides with lowland fens which is a very high distinctiveness habitat in the BNG handbook (2024). These habitats can support a range of species of principal importance. Allocated Site KL15 is adjacent to 'The Butts and Hands Wood' ancient woodland, with a further 20 allocated sites located in close proximity to ancient woodlands. P158
"Six allocated sites (Sites CT20, HD10, KL13, RC8, SP11(2) and SP23) are located within areas of 'high' or 'very high' habitat distinctiveness that provide high biodiversity value. Whilst in many cases these habitats can be conserved alongside development, it is likely that in some cases fragmentation or loss of habitats and connections between habitats will occur"
"The majority of allocated sites are located on previously undeveloped land, which would result in the loss of soil resources and the ecosystem services they provide. (p 159) The development of new buildings on previously undeveloped land would be expected to result in a direct loss of soil resource, with little or no scope for mitigation" (p 216)
"The proposed development of 8,000 new dwellings and 63ha of new employment land across the borough, with a number of development sites located within more rural areas, is likely to result in a loss of tranquillity of the rural landscape as a consequence of increases in noise and light pollution. (p 68)
For all sites, Natural England advises that the hydrological catchment within which the site sits is taken into consideration, with regards to the potential impact of the developments proposed on the adjoining watercourses and wider catchments, including but not limited to surface water runoff (including during construction), existing and required capacity of Waste Water Treatment Works (WwTW) and water supply

and flooding issues. Each site will require site specific investigation, and the council should understand the impact of all the sites put forward individually and in combination.
Natural England has specific concerns and or requires further information about the following 'Strategic Site Allocations' which could potentially impact on designated sites as a result of air and water quality and/or lead to the loss and / or fragmentation of priority habitats and BMV agricultural land:
BL18 – Clough Hall Playing Fields, Talke
Natural England would like to further understand this larger residential development proposal with regards to the potential impacts on the lowland fen habitat.
KL13 & KL15 – Land South of A525 between Keele University and Newcastle
Natural England notes this proposal for Employment development is immediately adjacent to ancient woodland priority habitat.
HM28 – Land off East Lawns, Betley
Existing and projected water quality issues at Betley Mere will need to be considered with regards to this allocation.
LW53 – Loggerheads
Natural England notes this residential housing development proposal is located within the IRZ of protected sites (Burnt Wood SSSI) which states that development proposals of 50 or more homes outside existing settlements/urban areas in these zones should be consulted upon with Natural England.
SP11 – Former Keele Municipal Golf Course
This Larger residential development is categorised in the Landscape Assessment as having a Major adverse impact on the local Landscape.
AB2 – Land Adjoining Corner of A500 and M6 Southbound
Natural England notes this proposed employment allocation released entirely from the green belt, which comprises 70ha of grade 2 BMV agricultural land. The Landscape study concludes that the: "Proposed development scenario is likely to have a major adverse effect on the SA objective with no satisfactory mitigation possible" (p 15). With regards to potential Air Quality impacts on protected sites Natural England notes from the options analysis that "The loss or potential moving of a layby to enable access to the site could be problematic indicating potential issues with site access and traffic flow. An increase in HGV and personal vehicle traffic is anticipated, which could lead to potential congestion and air pollution in the area". Natural England would therefore also like to understand the evidence base further including the rationale for an alternative site TK30 @ Talke A34 / A500 roundabout being ruled out.
Policy PSD6: Health and Wellbeing
Natural England welcome this policy direction in terms of safeguarding health and amenity and supporting healthy communities, through the protection and provision of high-quality open spaces, including allotments and the promotion of active travel transport choices Further information on joining up Nature Recovery and Green Infrastructure (GI) with health priorities is set out below. If more cities and towns can be creatively designed and managed, with nature and communities at their heart, we will see nature and people thrive. This is something we set out to inspire at Natural England when developing the Green Infrastructure Framework and Design Guide. Natural England's People and Nature survey tells us that, for 82% of people 'being in nature makes me happy'. With the cost-of-living crisis, 'free' places like local parks and greenspace, have become even more important. The value of these spaces for the economy is estimated at £28.7 billion per year.
Green infrastructure in towns and cities provides places to relax, exercise, and spend time outdoors; cools urban areas; reduces flooding by allowing water to permeate the ground rather than overwhelm our drains; increases biodiversity and helps to reduce inequalities in access to nature. Options assessments for development sites and related green and blue Infrastructure within and between developments, green spaces and designated sites should; include soft transition and consider potential direct and indirect implications on sustainable use for example visitor pressure and transport / access options.
The natural environment affords the best 'natural' play opportunities for children while offering multifunctional nature-based solutions to climate change etc. These can be blended into wildlife rich green infrastructure and green open spaces that can act as destination play sites for local children (See best practice at Play England and Play Wales) that have proven health and wellbeing value.
Evidence for nature play and health:
Play, naturally: a review of children's natural play
Nature for health and wellbeing | The Wildlife Trusts
Good practice in social prescribing for mental health: the role of nature-based interventions - NECR228 (naturalengland.org.uk)
6 Climate and Renewable Energy
Whilst Natural England welcomes this group of policies we recommend including Policy CRE1: Climate Change and Policy CRE2: Renewable Energy within the Sustainable Environment (SE) group of policies to achieve a collective strategic focus on sustainable development and working toward achieving net zero alongside the SE policies relating to Pollution and Air Quality (SE1) and requirements for sustainable water management measures to reduce water use, natural flood protection features alongside the specific policies on Sustainable Drainage Systems (Policy SE4:)
Natural England continues to work with the LPAs across the region on understanding air pollution across area boundaries (see comments and links in objectives section.)
10 Infrastructure and Transport Policy.
Policy IN4 Cycleways, Bridleways and Public Rights of Way
Natural England welcomes the inclusion of this group of policies which seek to maintain and enhance the network of public rights of way that cross the borough. We note that the sustainability appraisal states that "the borough has relatively poor accessibility to the cycle network and is the lowest performing in the county for walking zones" (p 206) and that, "eight allocated sites (AB2, AB12, AB33, HD10, KL15, MD29, SP11(3) and TK10) do not currently have safe pedestrian or cycle access adjacent to the site, where site end users may reliant upon less sustainable modes of transport including private car use". (p 180)
11 Sustainable Environment
Natural England welcomes this group of polices and has the following policy specific comments:

Policy SE1: Pollution and Air Pollution.
Natural England welcomes this policy that notes that development proposals which are likely to result in detrimental impacts on air quality, will not be permitted unless it can be demonstrated that mitigation measures effectively address these impacts. (Comments on Air Quality are also provided on page 2 and 4 of this letter). The promotion of sustainable and active travel options, low-emission technologies and enhancement of green infrastructure to absorb air pollution is also noted. (see comment above re integrating the group: 6 Policies Climate and Renewable Energy).
Policy SE7: Biodiversity Net Gain
Natural England supports the inclusion of a policy on BNG. We suggest the following minor amendments to further improve the plan policy.
The BNG policy should make it clear that biodiversity net gain is not applied to irreplaceable habitats, and that any mitigation and/or compensation requirements for Habitats sites should be dealt with separately from biodiversity net gain provision. The policy should also set out how biodiversity net gain will be delivered and managed through the lifetime of the scheme and including monitoring requirements. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.
Natural England notes that the Sustainability Appraisal states “Despite the BNG provisions at the site level, there remains potential for a cumulative adverse impact on biodiversity at the landscape scale, owing to incremental habitat losses. As a result of development within the Local Plan undeveloped land will be lost which will include the loss of soil resources, habitats recognised as being of ‘high’ and ‘very high’ distinctiveness, and potentially ecological links between biodiversity assets, whereby the policies will not be expected to fully mitigate the fragmentation of the ecological network. Fragmentation of the ecological network across Newcastle-under-Lyme is expected to be a long-term and permanent significant effect.” (p 162)
Policy SE8: Biodiversity and Geodiversity
Natural England supports the inclusion of this policy to protect the Boroughs internationally, nationally and locally designated sites important for their biodiversity value and to enhance the natural environment and work with partners toward Nature Recovery.
We particularly welcome the plans recognition of the value of “wider ecological networks” stating that “Other sites, both individually and collectively, that are not designated can also contribute towards protecting and enhancing diversity of species locally”.
Policy SE10: Landscape
Natural England welcomes this policy aimed at ensuring that “development proposals should protect and enhance the character, quality, beauty, and tranquillity of the Borough”. We note from the sustainability appraisal that “The entirety of the south of the borough is identified as being high in relation to landscape sensitivity, which starts in Audley in the north and covers the southern area of the borough, including Loggerheads and Almington.” We agree that “Alteration of the landscape character is a long-term and permanent significant effect…There is potential for a cumulative adverse effect on landscape character resulting from the development proposed in the Plan”. (p193) SA.
Natural England has divided England into 159 distinct natural areas called National Character Areas (NCAs) Newcastle-under-Lyme falls within two NCAs: Shropshire, Cheshire and Staffordshire Plain: gently rolling plains dominated by intensive dairy farming, beef and arable production; The Potteries and Churnet Valley: strong contrast between the industrialised landscape of the Potteries and the pastoral, strongly dissected hills and small plateaux that flank the Churnet and Dove valleys.
Natural agrees with the following statement in the sustainability appraisal: “Although various policies aim to ensure that development conserves and enhances landscape character and distinctiveness, when combined with Local Plan policies that support infrastructural improvements such as for transportation, water, and waste, this is likely to lead to a long-term and irreversible cumulative adverse effect on landscape character and tranquillity and associated indicators such as dark skies.” (p72)
Policy SE11: Trees, hedgerows, and woodland
Natural England welcomes this plans recognition that “Trees, hedgerows, and woodlands are integral to the distinctive character and ecological health of the Borough of Newcastle-under-Lyme, defining landscapes across both urban and rural settlements.” And that “This policy prioritises the protection of existing natural assets, seeking to not only preserve, but actively enhance, these valuable features wherever possible”.
Policy SE13: Soil and Agricultural Land
Natural England has concerns about the justification for the loss of BMV agricultural land within this plan. “The proposed site allocations in this Local Plan are likely to cumulatively result in the loss of up to 342ha of previously undeveloped land, A total of 20 of the allocated sites contain areas of ALC Grades 1, 2 or 3 within the site area, leading to potential for up to 263ha of ‘best and most versatile’ (BMV) agricultural land, which is likely to result in a long-term, irreversible cumulative adverse effect on ecosystem services.” (page74) (SA)
Natural England notes that policy SE13 states: “Outside of sites allocated for development in the Local Plan, development proposals should avoid the loss of best and most versatile agricultural land (BMV) unless it can be demonstrated that the benefits of development clearly outweigh the loss of the land and every effort has been made to mitigate for the overall impact of the development on best and most versatile agricultural land.”
With regards to Soil and Agricultural Land Quality, Natural England advices that The Local Plan should give appropriate weight to the roles performed by the area’s soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.
The 25 Year Environment Plan (25YEP) sets out government action to help the natural world regain and retain good health, including highlighting the need to:
•protect the best agricultural land
•put a value on natural capital, including healthy soil

•ensure all soils are managed sustainably by 2030
•restore and protect peatland
Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon and water, the infiltration and transport of water, nutrient cycling, a buffer against pollution and provision of food. In order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil resource is able to retain as many of its important functions as possible. This can be achieved through careful soil management and appropriate, beneficial soil re-use, with consideration on how any adverse impacts on soils can be avoided or minimised.
The conservation and sustainable management of soils is reflected in the National Planning Policy Framework (NPPF), particularly in paragraph 180(a), 180(b) and 181 (footnote 62). When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production.
Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 180(b) of the NPPF.
Soil Plan Policies
We strongly advise that at a minimum, the plan includes core policies for:
-the protection of best and most versatile (BMV) agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification (ALC)); and
-for the protection of and sustainable management of soils as a resource for the future.
-Areas of poorer quality land (ALC grades 3b, 4, 5) should be preferred to areas of higher quality land (grades 1, 2 and 3a).
-Recognise that development has an irreversible adverse impact on the finite national and local stock of BMV land.
-Conforms to NPPF and Planning Practice Guidance (Natural Environment and Minerals).
-Requires detailed ALC surveys to support plan allocations and for subsequent planning applications (for all sites larger than 5 ha). ALC surveys to support plan allocations and for subsequent planning applications for smaller sites (1 – 5 ha) would be welcomed.
-Recognise that development (soil sealing) has a major and usually irreversible adverse impact on soils.
-Soils of high environmental value (e.g., wetland and carbon stores such as peatland, low nutrient soils; or soils of high environmental value in the local context) should also be considered as part of ecological connectivity (Nature Recovery Network / Green Infrastructure).
-Requires soil handling and sustainable soil management strategies based on a detailed assessment of the soil resource based on best practice guidance (for all sites larger than 5 ha), ideally as part of the planning application process for major sites to help inform master-planning, and to safeguard the continued delivery of ecosystem services through careful soil management and appropriate, beneficial soil re-use. Soil handling and sustainable soil management strategies for smaller sites (1 – 5 ha) would be welcomed.
-Reference should be made to Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites
-In addition, for minerals and other temporary forms of development, plans for reinstatement, restoration and aftercare will be required (or for solar, a commitment to do so if the operational life is in decades); normally this will be return to the former land quality (ALC grade)
-Refers to soils issues within relevant policy areas such as renewable energy, climate change, green infrastructure and biodiversity net gain, flood schemes, managed realignment, development design and landscaping.
Policy SE14: Green and Blue Infrastructure
Natural England supports this policy. Well-designed cross boundary multi-functional green infrastructure contributes greatly to a number of benefits both for people and nature. Your green and blue (for example cross boundary canals) infrastructure should dovetail with your biodiversity net gain strategies to maximise benefits.
We would advise that the Local Authority also considers Natural England's Green Infrastructure Framework of Principles and Standards for England. As stated in our document, "Green infrastructure (GI) is part of the solution to many of the challenges we face; health inequalities, biodiversity crisis, climate change, nature recovery and levelling up. The GI framework supports local authorities, developers, parks and greenspace managers and local communities to enhance and create new good quality green infrastructure."
We would also suggest reference is made to the emerging Local Nature Recovery Strategy. Preparing Local Nature Recovery Strategies (LNRS) is a statutory requirement under the Environment Act 2021. LNRS are designed to work closely alongside other measures in the Act including supporting the delivery of mandatory biodiversity net gain and providing a focus for a strengthened duty on all public authorities to conserve and enhance biodiversity. They will also underpin the Nature Recovery Network, alongside work to develop partnerships and to integrate nature into our incentives and land management activities. Each LNRS will be specific and tailored to its area. The responsible authorities and people involved in preparing a strategy can choose how they want it to look, but every strategy must contain:
1. A local habitat map.
2. A written statement of biodiversity priorities. Statutory guidance for responsible authorities explains in detail what these 2 things should contain. Together they set out what the strategy is aiming to achieve and what practical actions will help do this. They will also propose where actions could be carried out for best effect and to connect and expand existing areas that are important for nature. We expect local nature recovery strategies to propose actions such as the:
• creation of wetlands
• restoration of peatlands
• planting of trees and hedgerows
• more sustainable management of existing woodlands and other habitats like grasslands These actions are intended to help nature itself and to also help improve the wider natural environment.
Whilst the Staffordshire Local Nature Recovery Strategy (LNRS) is currently a work in progress, Newcastle-under-Lyme Borough Council Regulation 19 pre-submission should still be consistent with

NPPF Paragraph 185 in terms of setting out local habitat priorities and identifying potential measures by which they can be achieved, alongside mapping areas that could become of particular importance in the future.
Natural England encourages Newcastle Under Lyme Borough Council via their Local Nature Recovery Strategy to actively develop cross border cooperation between other Local Planning Authorities (LPA) (for example Staffordshire Moorlands Borough Council) in coordinating land development projects that impact on local biodiversity sites to ensure that local biodiversity corridors are maintained and link up other local important sites for nature conservation.
This is a good way of achieving nature recovery and preparing to deliver the LNRS alongside enabling the local authority and its partners to identify, map and safeguard site areas, including green and blue infrastructure opportunities and interlinkages.
Habitats Regulations Assessment
Natural England notes that this Local Plan is not directly connected with or necessary to the management of any European site. A screening assessment has been undertaken which identified a number of Likely Significant Effects (LSE) associated with the Local Plan. Taking no account of mitigation measures, the HRA concludes that Local Plan has the potential to affect the following European sites:
-Cannock Chase SAC
-Humber Estuary SAC, SPA and Ramsar
-Mersey Estuary SPA and Ramsar
-Midland Meres and Mosses Phase 1 Ramsar
-Midland Meres and Mosses Phase 2 Ramsar
-Pasturefields Salt Marsh SAC
-Peak District Dales SAC
-Peak District Moors (South Pennine Moors Phase 1) SPA
-Severn Estuary SAC, SPA and Ramsar
-South Pennine Moors SAC
-West Midland Mosses SAC
We welcome that your HRA includes the Humber Estuary SAC, SPA and Ramsar site which is hydrologically connected to the river Trent. If the Local Plan resulted in significant water pollution, this European site could be affected and has therefore been screened in, in relation to water quality only, on a precautionary basis. Natural England however notes that the Sustainability Appraisal identifies "A long-term cumulative adverse effect …in terms of water quality" (p 148) as a result of the plan, this is not fully reflected in the current HRA.
Natural England note that the Sustainability Appraisal states: that "the entirety of the borough falls within IRZs of one or more SSSIs. All five SSSIs within the borough are in 'unfavourable' condition: Burnt Wood SSSI, Maer Pool SSSI, Black Firs and Cranberry Bog SSSI (Midlands Meres and Mosses Phase 2 Ramsar), Betley Mere SSSI (Midlands Meres and Mosses Phase 1 Ramsar) and
Metallic Tileries, Parkhouse SSSI."
Natural England are also aware of the extensive network of ancient woodland spread across the borough, totalling 707.60 hectares, as well as a large quantity of priority habitats, totalling 1,791 hectares.
Natural England agree that the following designated sites and related priority habitats in adjoining LPA areas may also be affected by development through several pathways, including fragmentation, recreational pressure and/or pollution (including Air and Water Quality). Midlands Meres and Mosses Phase 2 Ramsar - Oakhanger Moss SSSI, Wybunbury Moss SAC SSSI, Tyrley Canal Cutting SSSI, King's and Hargreaves Wood SSSI, Gannister Quarry SSSI, Roe Park Woods SSSI, Wetley Moore SSSI, Churnet Valley SSSI, Hatherton Flush SSSI, Sounds Heath SSSI, Ford Green Redebed SSSI, and Cop Mere SSSI.
It is noted that the Appropriate Assessment stage of the HRA assessed potential impacts by topic;
-Impacts on designated features affected by a possible deterioration in air quality
-Impacts on water quality and quantity associated with increased levels of built development.
-Impacts associated with increased recreational pressure at European sites; and
-Consideration of impacts at associated functionally linked land.
Natural England notes that the HRA also factored the following into the assessment process "the protective framework provided by the Local Plan and existing protection measures set out in high level strategic policy and existing planning policy frameworks that serve to help overcome the identified potential adverse effects" and that "taking into consideration these factors, it is concluded that the Local Plan would have no adverse impact on site integrity at any European site, either alone or in-combination.
Natural England disagree agree with this conclusion that for those Habitats sites in the area of search with features sensitive to air pollution, adverse effects on their integrity, alone or in-combination, can be ruled out for the reasons set out at the beginning of this letter on page 2 and repeated in part below:
Cumulative adverse effects on integrity in relation to air quality as a result of this plan and neighbouring LPAs plans cannot currently be ruled out at the following internationally designated sites:
•Midlands Meres and Mosses Phase 2 Ramsar - Black Firs and Cranberry Bog SSSI
•Midlands Meres and Mosses Phase 2 Ramsar - Oakhanger Moss SSSI
Natural England are currently in discussion with a number of the Staffordshire and West Midlands LPA's with regards to the cumulative impacts of air quality. We advise that further work is required to inform the HRA. The HRA should demonstrate that there are no adverse effects on integrity of Habitat sites as a result of this Local Plan, alone and in combination with other plans and projects. With regards to allocated sites, it is unclear whether the individual sites put forward in the Local Plan have been assessed through the Habitat Regulations Assessment process and how mitigation will be applied here.
Sustainability Appraisal
Natural England has reviewed the Sustainability Appraisal (SA) and included comments taken from the document throughout our response.
The SA is a comprehensive document which should be reviewed in strengthening the HRA, particularly with regards to residual adverse effects that would be expected to remain in terms of wastewater following the implementation of the Local Plan policies. (p 141) Natural England notes that "Increased pressure on wastewater treatment has the potential to be a long term and potentially permanent significant effect" (p 142)

	The SA recognises the local distinctiveness of the plan area; “The Borough itself is largely rural in nature and supports some high-quality agricultural land, but is more heavily built up towards the north east surrounding Stoke-on-Trent. (p 8) Newcastle-under-Lyme has a strong rural character with a high-quality landscape and countryside, with some areas identified as being sensitive to change as a result of new development. (p 19) Tranquillity, ancient woodland, deciduous woodland, and strong undulating landforms make up the key features of some of these Landscape Character Types.” (p 20) Sets out the area specific barriers to achieving sustainable growth; “Although various Local Plan policies aim to reduce air pollution and promote sustainable modes of transport, the introduction of 8,000 dwellings and 63ha of employment floorspace is expected to increase vehicle emissions in the Plan area and result in an overall reduction in air quality. (p 67) Loss of tranquillity The proposed development of 8,000 new dwellings and 63ha of new employment land across the borough, with a number of development sites located within more rural areas, is likely to result in a loss of tranquillity of the rural landscape as a consequence of increases in noise and light pollution.(p 68) “The pre-mitigation SA assessments identified negative impacts in relation to air quality due to the proximity of sites to major roads, landscape character due to the location of sites within areas of high landscape sensitivity, close proximity to the PRoW network and potential for coalescence and urban sprawl, habitat sites, priority habitats, habitat distinctiveness, loss of undeveloped land, ‘best and most versatile’ (BMV) agricultural land, coinciding with mineral safeguarding areas (MSAs) and areas of surface water flood risk (SWFR); and access to healthcare facilities, schools, the local cycle network and railway network. (p 40) There is a low uptake of sustainable modes of transport in the borough, with private car use being the most popular method of travel when commuting to work. (p 21) Trends in transport choice are unlikely to change significantly, and private car use would continue to increase as the selected method of transport to work, with potential adverse impacts on air quality in the borough.”(p 23) Considers the local and cumulative significance of soil loss alongside the ecological implications: “Loss of soil resources, BMV land and ecosystem services The proposed allocations would cumulatively result in the loss of up to approximately 342ha of previously undeveloped land, including up to 263ha of BMV agricultural land. The proposed development would be expected to reduce the ability of the local soil biome to effectively provide ecosystem services, to some extent. Additionally, the loss of permeable soils could potentially increase the risk of flooding and result in a loss of biodiversity across the Plan area. Loss of soil can also result in an increase in soil erosion and have subsequent impacts on agricultural yield.(p 68) The majority of the borough is ALC Grade 3 soil, with areas of ALC Grade 2 scattered across the borough. Grade 2 and potentially Grade 3 represents some of the borough’s BMV agricultural land and should be conserved wherever possible (p 21) A total of 20 of the allocated sites contain areas of ALC Grades 1, 2 or 3 within the site area, leading to potential for up to 263ha of BMV land to be lost as a result of the development proposed in the Local Plan.” (p 59)’ Other Advice Further general advice is provided within Natural England Advice Note – Local Plans February 2024, attached at (Appendix A) - see attachment
Attachments	1364617 Natural England.pdf