

[REDACTED]

From: [REDACTED]
Sent: 24 August 2017 12:23
To: Blackcountrycorestra
Subject: BCCS Issues and options - NE comments
Attachments: [REDACTED]

Please find attached NEs response to the BCCS Issues and Options

Many thanks

[REDACTED]
West Midlands Urban Planning &
Black Country Garden City Focus Area
Natural England
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Black Country Core Strategy **'Have your Say' Response Form**

We want your views on the future of the Black Country. This form is to help you to comment on the Black Country Core Strategy Issues and Options Consultation. The document is available on the website at:

www.blackcountrycorestrategy.dudley.gov.uk

How to complete this form: We have set out a number of questions in the Issues and Options document that we would like you to answer. You can answer as many or as few questions as you like. You can also make comments on any other part of the plan or supporting evidence and documents. This form is provided as a single box. If you are making representations of different sections of the Issues and Options document please use a separate box for each question or chapter.

Where possible please submit evidence to support your views. This can range from a personal explanation behind your choice of option, to detailed figures from a piece of published evidence. If you are submitting detailed supporting evidence it would be helpful if you could include the title, author and date of the document(s). Any supporting evidence can be attached to this form or submitted as a separate document.

How to submit your comments: Please complete this form and return it by **5pm 8th September 2017**. Any comments received beyond this date might not be taken into account. This form and any other documents you might wish to provide can be sent by email to blackcountrycorestrategy@dudley.gov.uk or by post to:

Dudley Council
Council House
Priory Road
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Please state clearly the section of the Issues and Options document you are commenting on and include question numbers and chapter titles where relevant. This will help us to fully take your comments into account.

Question 1 – Do you agree that the Core Strategy review should be a partial review, retaining and stretching the existing spatial strategy and updating existing policies? Yes/No; If not, what do you think should be the scope of the review?

Response: Yes

Comment:

Natural England's considers the environmental policies of the existing Core Strategy relatively robust. We, therefore, agree that the partial review should retain much of what is currently in place with regard to environmental policy with improvements, where necessary, to some policies to update these in accordance with new legislation and emerging environmental evidence. Where appropriate, the appropriate environmental policies should also be further strengthened in order to ensure the successful environmental transformation of the Black Country the Plan desires.

Natural England also considers that there should be a greater reference to the importance of the natural environment and landscape-scale green infrastructure (GI) benefits throughout the Plan. The necessary 'Environmental transformation' of the sub-region is indeed one of the core directions contained within the Plan's Vision; this direction and need is only further supported with the emergence of the Black Country Garden City aspirations. The benefits of GI to an urban area are well documented and are crucial to the delivery of high quality sustainable development. It can provide multiple benefits for people and wildlife, for health and well-being, for eco-system services, for the economy. As a result, we would recommend the Plan ensures the GI needs of the sub-region are front loaded as part of development decisions and referenced in development policy, where appropriate.

Question 2 – Do you think that the key evidence set out in Table 1 is sufficient to support the key stages of the Core Strategy review? Yes/No; If not, what further evidence is required and, if there are any particular issues that should be taken into account in considering development on any particular sites or in any particular areas, please provide details.

Response: Yes and No

Comment:

Natural England is unsure what the 'Strategic Mapping of the Black Country's Natural Environment' is. However, this may refer to Natural England's Black Country Garden City Part A GI Evidence Base & Pinch Point Analysis. This is an interactive Geographic Information Systems (GIS) tool which contains comprehensive and strategic Green Infrastructure (GI) evidence for the Black Country. It comprises detailed and layered social, environmental and economic information overlain with key housing sites data to identify the GI 'Pinch Points' (i.e. where GI intervention in the Sub Region should be prioritised). The GI evidence base considers the location of, and need for, 26 different GI functions across the Black Country relating to the needs of people and wildlife. It can inform both strategically and on a site specific basis as regards the areas greatest GI needs and opportunities.

This evidence, in a large part, meets the requirements of the Plan as detailed at paragraph 3.4. Natural England welcomes the planned preparation of a Habitat Regulations Assessment Screening Report at Preferred Spatial Option stage. (para 3.8).

Question 5 - Do you agree with the proposed approach to the Black Country Green Belt Review? Yes/No; If not, what additional work do you think is necessary?

Response: Yes

Comment:

Natural England generally supports the proposed evidence based approach to the Green Belt Review. In order to meet the housing demands of an area we recognise that it is sometimes necessary to release the most appropriate green belt land in order to best accommodate the needs of both the future and existing populations. The Sub-Region, in most parts, comprises tightly constrained built form, however, there are important pockets of valuable green space / infrastructure contained within which perform a variety of important functions for people and wildlife. It is, therefore, important that we ensure future development is planned such that the populations, new and existing, are able to receive the multi-functional benefits of GI which enhance quality of life.

We note the comments of the Black Country Local Nature Partnership (LNP) in response to this question recommending the evidence review is extended across the Black Country and not just the greenbelt. We believe that Natural England's 'Black Country Garden City: GI Evidence Base and Pinch Point Analysis' will be able to support you in this endeavour. We would advise you contact the LNP for further discussion on this issue as they suggest.

Question 6 – Do you agree that the key issues set out in Part 3 are the key issues that need to be taken into account through the Core Strategy Review? Yes/No; If not, what other key issues should be taken into account?

Response: Yes

Comment:

Key Issue 1 – Recommend inclusion of Natural England's 'Black Country Garden City: GI Evidence Base and Pinch Point Analysis'

For Key Issue 5 – Recommend inclusion of Natural England's 'Black Country Garden City: GI Evidence Base and Pinch Point Analysis'

Natural England welcomes the commitment to make provision for environmental infrastructure (Paragraph 3.35) and looks forward to working with you to help ensure this aim is fully realised. We also welcome the recognition of the need to abide by the Habitat Regulations (Paragraph 3.38) but note that nationally and locally designated sites are excluded from this section. In consideration of their importance to the Sub region we would recommend reference to their respective value. We welcome the inclusion of the reference to the Cannock Chase SAC and SAC Partnership and the Council's commitment to the undertaking of a fresh HRA screening exercise for the purposes of informing the Plan.

Question 7 - Do you think that the Core Strategy vision and sustainability principles remain appropriate? Yes/No; If not, what alternatives would you suggest?

Response: No

Comment: Natural England disagrees with the principle that brownfield sites will always be prioritised for development and it is our opinion that all sites must be assessed on the same merits regardless of location. Whilst the re-use of brownfield sites is encouraged in the NPPF, Paragraph 111 states that this is only when brownfield sites do not have high environmental value. There is a growing body of evidence that urban greenspace and brownfield sites can be of equal or greater importance for wildlife and people as some areas of greenbelt. (Comment replicated and aligned with LNP response)

Question 8 - Do you think that the Core Strategy spatial objectives remain appropriate? Yes/No; If not, what alternatives would you suggest and how might these changes impact on individual Core Strategy policies?

Response: No

Comment: Given that paragraph 1.1 of this document states that one of the three main purposes of the strategy is to direct environmental activity to the right places it is surprising that there is no spatial objective that explicitly allows for the provision of green infrastructure. Environmental Infrastructure is one of the five strategic policies subsequently set out in the document but this would be greatly strengthened if it were backed up by an explicit spatial objective such as “safeguard existing environmental assets and take opportunities to improve environmental infrastructure to support wildlife populations and provide other ecosystem services”. (Comment replicated and aligned with LNP response)

**Question 11a – Do you support Strategic Option 1A? Yes/No; If yes, please explain why.
If no, do you support Option 1B? Yes/No; If yes, please explain why.
If you support the release of further employment land for housing, what should the characteristics of these employment areas be?**

Question 12a – Do you support Spatial Option H1? Yes/No; What criteria should be used to select suitable sites? e.g. ability to create a defensible new green belt boundary, size, access to existing residential services.

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Question 13a – Do you support Spatial Option H2? Yes/No; what should the characteristics of Sustainable Urban Areas (SUEs) be? e.g. minimum/ maximum size, mix of uses, mix of housing types, accessibility to other areas.

What criteria should be used to select suitable sites? e.g. proximity to a rail station, availability of existing infrastructure, easy access to jobs, potential to support existing settlements / services, proximity to the existing growth network, potential to support urban regeneration.

Question 13b – What infrastructure do you think would be needed for different sizes of SUEs?

Question 13c - Are there any potential locations that should be considered for SUEs (please submit through the 'call for sites' form) and what infrastructure would be required to support these?

Question 13d - Do you think that the Core Strategy should set out detailed guidance for the development of SUEs (e.g. type and tenure of housing, specific infrastructure required), rather than details being determined at a local level in light of local policies? Yes/No; Any further comments?

Response to questions 11a, 12a, 13a, 13b and 13d: No

Comment: From an environmental perspective it would be preferable if the selection of sites were undertaken using an evidence based approach that weighs up the pros/cons of each individual site. The impact on and potential benefits for the provision of green and environmental infrastructure should be one of the characteristics used in the assessment of sites. This is not currently referred to in the opportunities and challenges tables for the different approaches.

Assessing each proposed development on its merits rather than using a broad-brush approach provides a genuine spatial choice that enables better sustainable development. (Comment replicated and aligned with LNP response)

Question 16 – Do you support Spatial Option E1? Yes/No; What type of sites are needed to meet the needs of industry and what criteria should be used to select sites? (e.g. quick motorway access)

If you think that are any potential locations that should be considered please provide details (please submit specific sites through the 'call for sites' form).

Question 17 – Do you support Spatial Option E2? Yes/No; What type of sites are needed to meet the needs of industry and what criteria should be used to select sites e.g. quick motorway access, good sustainable transport links?

If you think that are any potential locations that should be considered please provide details (please submit specific sites through the 'call for sites' form).

Question 18 – Do you support Spatial Option E3? Yes/No; What type of sites are needed to meet the needs of industry and what criteria should be used to select sites? (e.g. quick motorway access)

If you think that are any potential locations that should be considered please provide details (please submit specific sites through the 'call for sites' form).

**Question 19a – Do you support Spatial Option E4? Yes/No; Any further comments?
Question 19b - Should any factors be taken into account in an assessment of the opportunities? Yes/No; If yes, what should they be? (e.g. quick motorway access, strong transport links with the Black Country, good sustainable transport links with the Black Country)**

If you think there are any potential locations that should be considered, please provide details.

Question 20 - Do you think there are any other deliverable and sustainable Employment Land Spatial Options? Yes/No; If yes, please provide details.

Response to Questions 16-20: No

Comment: As with the spatial options proposed for housing, we would prefer the selection of sites for employment to be undertaken through evidence based approach that weighs up the pros/cons of each individual site. The impact on and potential benefits for the provision of green and environmental infrastructure should be one of the characteristics used in the assessment of sites. This is not currently fully explored in the opportunities and challenges tables for the different approaches.

Assessing each proposed development on its merits rather than using a broad-brush approach provides a genuine spatial choice that enables better sustainable development. (Comment replicated and aligned with LNP response)

Question 21 – Do you think that changes are required to Policy DEL1 to ensure it covers both development within the existing urban area and any within the Green Belt? Yes/No; If yes, please provide details.

Response: Yes

Comment: The definition of infrastructure in Policy DEL 1 is broad, including public open space and sustainable drainage but the provision of environmental infrastructure is not mentioned specifically in DEL1 nor Paragraphs 5.1 to 5.6 of this report except to say that environmental impacts should be mitigated. We would like to see the provision of additional environmental and green infrastructure explicitly covered in this policy and the LNP can provide advice and support for this. It is also our opinion that this policy should be no different in greenbelt or urban areas. (Comment replicated and

aligned with LNP response)

Questions 32 & 33 – Do we consider the proposed approach to incorporate health and well-being issues is appropriate? Is there more the Plan can do?

Response: Yes

Comment:

We would support the continuation of health and well being related criterion being interwoven throughout the various policies of the Plan provided the Council can satisfy itself that this is sufficient in order to secure to positive benefits from such aspirations. We particularly welcome the inclusion of Theme 2 – Planning for active lifestyles although it is important to recognise that simply provision of open spaces does not always provide the health benefits we desire. The quality of the open space, the sensory experiences, perceived safety, etc are also critical to encouraging utilisation and hence attaining the community benefits. Much of this comes down to management and maintenance of sites, however, it is also important to consider locational aspects of open space / GI as some existing areas may encourage use whereas others detract.

Question 36 - Do you think that the current accessibility and density standards set out in Policy HOU2 and Table 8 should be changed? Yes/No; If yes, what standards should be applied instead, for example should the minimum net density of 35 dwellings per hectare be increased to maximise brownfield housing delivery?

Response: No

Comment: We disagree with both the assumption that housing densities should be different in greenbelt and urban areas and that there should be a minimum net housing density on brownfield sites. The ecological importance of brownfield sites can equal or greater than in the greenbelt and the need for green infrastructure is often higher in urban areas. The density of a development should depend on the needs of the residents and strategic goals and should therefore be assessed on a site by site basis. (Comment replicated and aligned with LNP response)

Question 38 - Do you think that the current accessibility and density standards are appropriate for green belt release locations? Yes/No; If no, what standards should be applied in these locations and why?

Response: No

Comment: Whilst we understand the need for creating space-efficient developments we would like to see each housing application assessed on its own merits to a universal standard. (Comment replicated and aligned with LNP response)

Question 47 - Do you think that Policy HOU5 should be expanded to cover other types of built social infrastructure and to set out standards for built social infrastructure to serve major housing developments? Yes/No; If no, please explain why.

Response: Yes

Comment: The definition of healthcare facilities covered by Policy HOU5 should be extended to explicitly include the provision of multifunctional greenspace to allow healthy lifestyle choices as identified in section 6.11 of this report. (Comment replicated and aligned with LNP response)

Question 49a – Is there still a need for existing Policy DEL2 in order to manage the release of poorer quality employment land for housing? Yes/No; If no, please explain why.

Question 49b - If yes, should this policy be used to assess the release of employment land to alternative uses, other than housing? Yes/No; If yes, please explain why.

Response to Q49ab: Yes

Comment: Given that the NPPF requires the planning system to contribute to and enhance the natural environment in the pursuit of sustainable development, consideration could be given to releasing land for green infrastructure and nature conservation. This is essential as current evidence indicates that our existing network of designated sites is not sufficient to protect wildlife, that areas of publicly accessible greenspace are essential for our health and wellbeing and provide other ecosystem services often lacking in very urban areas. (Comment replicated and aligned with LNP response)

Question 65 - Should the Core Strategy set any targets or policy requirements for leisure development in the Strategic Centres? Yes/No; Any further comments?

Question 67 - Do you think there are any other uses and/or developments that should be planned for in the Strategic Centres? Yes/No; Please provide details.

Question 69 - Should more types of uses be encouraged and more flexibility be allowed to ensure the regeneration and vitality of the Black Country Town Centres? Yes / No; Please explain why.

Question 70 – Do you think there are any specific developments or uses that should be supported in any particular Town Centre? Yes/No; Please provide details.

Question 72 - Should more types of uses be encouraged and more flexibility be allowed to ensure the regeneration and vitality of the Black Country District and Local Centres? Yes/No; Please explain why.

Response to Q65, 67, 69, 70 and 72: Yes

Comment: Strategic centres also have a role to play in providing access to green open space and providing ecosystem services. Each development should be assessed on its merits, and whilst intensive development may be appropriate in some situations in strategic centres, the need and opportunities for multifunctional green infrastructure should be considered in all locations. This is especially relevant to health and wellbeing if strategic centres are developed such that people both live and work in these centres. (Comment replicated and aligned with LNP response)

Question 94 - Do you support the proposed changes relating to environmental infrastructure and place-making? Yes/No; If you think that any other changes should be made to Policies CSP3 or CSP4, please provide details.

Response: Yes

Comment: We welcome updates of environmental infrastructure requirements based on up to date evidence and recommend reference to Natural England's Black Country Garden City Part A GI Evidence Base & Pinch Point Analysis. This is an interactive Geographic Information Systems (GIS) tool which contains comprehensive and strategic Green Infrastructure (GI) evidence for the Black Country. It comprises detailed and layered social, environmental and economic information overlain with key housing sites data to identify the GI 'Pinch Points' (i.e. where GI intervention in the Sub Region should be prioritised). The GI evidence base considers the location of, and need for, 26 different GI functions across the Black Country relating to the needs of people and wildlife. It can inform both strategically and on a site specific basis as regards the areas greatest GI needs and opportunities.

Natural England and the LNP can also provide existing data, advice and support in developing new proposals.

Question 95a - Do you think Garden City principles should be applied in the Black Country? Yes/No; If yes, how should they be applied?

Response: Yes

Comment:

We refer your authority to Natural England's Black Country Garden City Part A GI Evidence Base & Pinch Point Analysis. This is an interactive Geographic Information Systems (GIS) tool which contains comprehensive and strategic Green Infrastructure (GI) evidence for the Black Country. It comprises detailed and layered social, environmental and economic information overlain with key housing sites data to identify the GI 'Pinch Points' (i.e. where GI intervention in the Sub Region should be prioritised). The GI evidence base considers the location of, and need for, 26 different GI functions across the Black Country relating to the needs of people and wildlife. It can inform both strategically and on a site specific basis as regards the areas greatest GI needs and opportunities. We consider this can align with the emerging Black Country Garden City principles and therefore help usefully inform development decisions towards the Garden City vision. NE is working alongside the Local Enterprise Partnership and is part of the Black Country Garden City Working Group to seek to realise these aims.

We also welcome the Para 6.148 reference to potential inclusion of agreed GCPs into Policy CSP3: Environmental Infrastructure.

Natural England understands the reasons for the proposed removal of the specific criterion relating to renewable energy generation as part of CSP3. However, the importance of such facilities should not be diluted in the Plan and we would recommend other policy support where appropriate.

Question 95b - Should the application of Garden City principles be different for brownfield and greenfield sites? Yes/No; If yes, please explain why.

Response: No

Comment: The application of the principals will vary on a site by site basis, as the environmental and social needs will vary between developments. The location of the site on brownfield or greenfield land is likely to influence the site specific requirements, but different standards should not be applied on the basis of a greenfield/brownfield categorisation. (Comment replicated and aligned with LNP response)

Question 96 - Do you support the proposed changes relating to nature conservation? Yes/No; If no, do you think that any other changes should be made to Policy ENV1?

Response: No

Comment:

We welcome the proposed changes that provide additional protection to irreplaceable habitats and to bring the definition of mitigation in line with NPPF to require compensation for residual negative impacts. We further recommend that the proposed additional protection for ancient woodlands is extended to include other irreplaceable features such as ancient and veteran trees. The LNP can provide advice on the most accurate data sets available to identify such features. (Comment replicated and aligned with LNP response)

Natural England also welcomes the proposed inclusion of a requirement for appropriate biodiversity features as part of new development – such as natural green space, use of native planting and nest boxes.

We welcome also the inclusion of a reference to the Black Country Geopark.

Natural England would recommend your authority liaise with the LNP who are able to provide advice towards making this Policy and its application as robust as possible.

Question 97 - Do you support the proposed changes relating to Historic Character and Local Distinctiveness? Yes/No; If no, please provide details of any other changes that should be made to Policy ENV2.

Response: No

Comment: We feel that there could be a greater recognition that nature and natural features are an

important constituent of place making and local distinctiveness and often have a strong relationship with historic character. (Comment replicated and aligned with LNP response)

Question 100 - Do you support the removal of the reference made to canal projects? Yes/No; Do you think that any other changes should be made to Policy ENV4? Please provide details.

Response: Yes

Comment:

Natural England recognises the difficulties that have emerged as a result of the inclusion of local projects (such as the Hatherton Branch Canal Restoration Project) and whilst generally supports the principle of such initiatives, recognises that difficulties can arise relating to the viability of such policies on grounds of technical challenges.

Recent discussions between NE and Walsall MBC (WMBC Policy EN4 Hatherton Branch Canal) have concluded that the viability of such projects are best considered at project level. For this reason, NE would support the removal of such initiatives from Core Strategy Policy and supporting paragraphs which, without the evidence to confirm technical viability, the deliverability of which remains in question.

We would add that reference to the supported principle of such initiatives would also be supported, provided the related paragraph made it clear that Council and Policy support would only be forthcoming where the evidence for its viability and deliverability was provided.

Question 101a - Do you support the proposed changes relating to Flood Risk, Sustainable Drainage and Urban Heat Island effects? Yes/No; Further comments?

Response: Yes

Comment: We strongly agree with the principal of prioritising natural SUDs as this provides greater opportunity for SUDs to provide multiple functions and provide biodiversity features. (Comment replicated and aligned with LNP response). Natural England's BCGC Part A GI Evidence Base can assist in this.

Question 102a - Do you support the proposed changes relating to open space, sport and recreation? Yes/No; If no, please explain

Response: Yes

Comment: We support this policy but suggest additional clarification and strengthening as discussed in our responses to Questions 102b and c.

Question 102b - Do you think that Policy ENV6, taken together with national and local policies, provides sufficient protection from development for open space? Yes/No; If no, please explain

Response: Yes

Comment: Would recommend specific reference to Natural England's BCGC Part A GI Evidence Base in accompanying paragraphs

Question 102c - Do you think that any other criteria need to be added to Policy ENV6, or any other changes should be made. Yes/No; If yes, please provide details.

Response: Yes

Comment: We suggest further clarification on what constitutes open space as the policy does not specify publically accessible open space. We would welcome a definition that extends all sites that have developed nature conservation interest, are used informally for recreation or provide other ecosystem services. Reference again to Natural England's BCGC Part A GI Evidence Base