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*'managing the environment today – to safeguard its future tomorrow'*

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14<sup>th</sup> February 2022

ADK Ref. 22-003/Ltr1

FAO: Bethany Thornton (Blackpool Borough Council – PLANNING)

Dear Ms Thornton

**Re: Application 22/0054 – Great Crested Newts**

**Land adjacent to 27 Stockydale Road, Blackpool, FY4 5HP**

I am the Principal Ecologist for ADK Environmental Management Ltd. I am currently working with our client Mr Dennis Mackay and his Planning Consultant, Ms Jane Fox (both copied into this statement letter for information).

ADK Environmental Management Ltd. have been asked to consider and comment upon the ecological value of the site, in particular relation to Great Crested Newts, a European Protected Species (EPS) and specifically in relation to the proximity of a number ponds.

The site has been the subject of a number of planning applications regarding the erection of a small number of dwelling houses. The area is known to ADK Environmental Management Ltd., having carried out a number of ecological surveys at the former Baguleys Garden Centre, Midgeland Road, Blackpool.

Planning Application **Reference 17/0301**, dated 05/05/17, describes the application site as roughly rectangular with a frontage of some 75 metres to Stockydale Road and a depth of some 50 metres. Permission was refused for the development for the following reasons:

*“The proposed development would involve access onto a narrow country lane with limited lengths of footpaths and sharp bends where visibility is obscured by hedgerows. As such to proposed development would exacerbate existing issues of pedestrian and vehicular conflict. It would be detrimental to highway safety, and it would conflict with paragraphs 17 and 32 . . .*

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There was no mention of requiring any ecological surveys for EPS.

This decision was signed on 30/08/17 by G. Johnston, Head of Development Management.

It would appear that this decision was appealed, and another Planning Application **Reference 17/0301**, dated 30/08/17 was submitted and considered with the Summary of Recommendation to Grant Permission – again no mention of any requirement for ecological surveys in relation to any EPS.

Planning Application **Reference 18/0077**, dated 14/08/2018 was considered and the Summary of Recommendation was Defer for delegation. The foot of page 11 of that document was the heading **‘Ecological and Arboricultural Impact’** where in paragraph 3 under that heading on page 12 it states;

*“No ecological appraisal has been submitted as part of the application but it is acknowledged that the site does not include any ponds or watercourses or other features of notable ecological value. As such it is considered to have low habitat value and is unlikely to provide key support to protected species. It is considered that the imposition of relevant advice notes to inform the developer of their responsibilities and obligations with regard to protected species would be sufficient to discharge the Council’s duty as a Responsible Authority with regard to biodiversity.”*

Planning Application **Reference 18/0642** dated 02/04/2019 was submitted and considered with the Summary Recommendation: Grant Permission. Page 11 of the application under the heading **‘Ecological and Arboricultural Impact’** it states:

*“The applicant has submitted an ecological appraisal. The development proposed would not affect any protected landscapes and no protected species have been identified on site. A new site layout plan has been submitted since first submission . . . ”*

No requirement for any EPS specific survey for great crested newts was required.

Just by way of confirmation of both the geography and demography of the survey site, the potential for the site to support EPS and specifically great crested newts is compromised by the following;

- The A5230 Progress Way runs east west to the south of the site approximately between 239 metres and 285 metres of the site.
- Lakeside Caravan Park and Stockydale Fisheries both lie to the south of Progress Way.
- The site is bounded by Midgeland Road approximately 100 metres to the west and Jubilee Lane North approximately 124 metres to the east. The whole of the area west of Midgeland Road is highly urbanised.
- North of the site is Walker’s Hill which is also highly urbanised.

The dense urbanisation and daily traffic volume on the majorly used highway infrastructure significantly lowers the potential against the dispersal possibility or opportunity of Great Crested Newts (GCN) accessing the site in question (as stated in Natural England Guidance Notes) despite the location of small ponds nearby, three of which have been identified in the northeast but south of Progress Way and Jubilee Lane north, and one pond identified to the southwest of Midgeland Road. The major pond is a fisheries which in Natural England's Guidance notes is not favourable for GCN due to fish fry eating GCN eggs.

Finally, any pre-construction groundworks could and should be undertaken via best practice and be conducted under the watch of a suitably qualified and experienced Environmental Clerk of Works (ECoW) under the Precautionary Principle in Environmental Law. All contractors to receive a Toolbox Talk (TBT) briefing regarding European Protected Species (EPS) and specifically in relation to GCN.

We consider the above approach sound and would ensure environmental compliance under the Wildlife and Countryside Act 1981 in relation to GCN, a EPS.

In terms of the overall ecological value in relation to EPS, the site is considered to be relatively low value now given that the site is now cleared. It is noted that no ecological impact resulting from the proposed development of the site was identified as an issue during the consideration of previous planning applications and there is no reason why a consistent approach cannot be applied in this case. The ecological value of the site can be improved ('Biodiversity net-gain') with the benefit of a (native) landscaping scheme (Landscape Management Plan LMP) and the addition of, for example, bat and bird boxes, which I understand can be made a requirement of a planning condition.

Cont.

Overall, the survey site has not changed in any substantive ecological way and it is difficult to understand the need to now request for GCN surveys to be undertaken bearing in mind the points raised above and the Council's earlier comments aforementioned.

Kind regards,

*Andrew King*

Andrew

**Mr Andrew D. King** BSc (Hons) Environmental Management

FInstLM FCMI MICWCI MCIEEM MEECoW MRSB MIEMA M.R.E.S. GCGI

**Principal Environmental Advisor & Principal Ecologist**

cc. Jane Fox (Fox Planning & Development Consultancy)

Denmac Holding Ltd.



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