



Craven Local Plan Examination

Matter 19

Statement by Craven District Council

Matter 19 – Biodiversity (Policy ENV4)

Hearing Day 9—Wednesday 24th October 2018 (Week 3)

September 2018

Issue 1 – Biodiversity – Policy ENV4

Q1. Is Policy ENV4 consistent with paragraph 113 of the Framework which states that local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged?

Council's Response

1. Yes, Policy ENV4 is consistent with paragraph 113 of the Framework in that it sets out criteria that ensure would be developers aim to conserve and manage the biodiversity/geodiversity on site. This is addressed at criteria (a), (i), (ii), (iii). The conservation, management and protection of landscape areas are addressed in Policy ENV1, criteria (a) and (d).

Q2. Does Policy ENV4 make distinctions between the hierarchy of international, national and locally designated so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks?

Council's Response

1. Yes, Policy ENV4 makes distinctions between the hierarchy of international, national and locally designated sites in criteria (a) (i) and (ii) and directs the decision maker to assess whether the level of protection is commensurate with the status of the site.

Q3. Does the Local Plan include policies which plan for biodiversity at a landscape-scale, including across local authority boundaries as required by paragraph 117 of the Framework? Does the Plan identify and map components of ecological networks, including wildlife corridors and stepping stones that connect them?

Council's Response

1. Yes, Policy ENV4 (a), (iii) and (e) and Policy ENV1 (b) and (d) plan for biodiversity at a landscape-scale. Policy ENV4 (a), (iii) ensures protection for priority habitats and species identified in the Craven BAP 2008 (or any subsequent update) (BI001) which often occur across local authority boundaries. Policy ENV4 (e) states that 'the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland would be wholly exceptional', and these also cross local authority boundaries. ENV1 (b) 'supports proposals that secure the restoration of degraded landscapes, in ways that also help to achieve biodiversity', which would have cross boundary implications, and ENV1 (d) gives great weight to the conservation of the AONB and the YDNP, which are landscape areas that cross

local authority boundaries.

2. The local plan identifies (at paragraph 5.55) and maps (on the Submission Policies Map) the Fresh Aire Project, and identifies (at paragraph 5.55) the Leeds and Liverpool Canal Towpath Access Development Plan, both of which are sub projects of the wider Leeds City Region Green and Blue Infrastructure (LCR GBI) Strategy project (2017-2036). Elements of the LCR GBI Strategy are reflected in the plan but the overall strategy and mapping for the review of the LCR GBI Strategy is not yet finalised. At the next review of the local plan it may be possible to include elements of the mapping from the LCR GBI Strategy which are relevant to Craven and show how these link to other cross boundary local authorities. The local plan also maps Ancient Woodland, SINCs, SSSI, SAC and SPA all of which are cross boundary and all of which are afforded protection in the plan as ecological networks, wildlife corridors and stepping stones for biodiversity.

Q4. What is the justification for specifically identifying sites under Policy ENV4 to make net gains in biodiversity through the introduction of green infrastructure routes?

Council's Response

1. Justification lies in paragraph 109 of the Framework which states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. As such Policy ENV4 identifies sites that incorporate green infrastructure routes/areas. These green infrastructure routes are intended to be multifunctional but if they are present on site, the Council would also want to see net gains in biodiversity. Green infrastructure routes have also been identified in many cases across allocation sites in an attempt to join up green routes on either side of the site (i.e. PROWs, parks, woodlands). These will enable wildlife to move more freely and easily throughout the local environment, and minimise barriers in new development sites.

Proposed Modification

Page 130 of the Submission Draft Local Plan: paragraph 5.45 of the supporting text to the Policy ENV4 to be modified to include reference to paragraph 109 of the NPPF:

“After the sentence in paragraph 5.45 which reads “In order to do this, we need to make the best of all opportunities, wherever they arise, to safeguard native habitats and species and to help their recovery, expansion, adaptation to climate change and movement across the plan area”, the plan should be modified to include the wording “The NPPF states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. As such green infrastructure routes/areas have been incorporated into greenfield site allocations where possible

and these are identified under Policy ENV4 to ensure a degree of biodiversity will be retained and maintained on these sites.”

Q5. Is it clear to decision-makers, developers and local communities how any habitat loss and/or mitigation will be determined to ensure that proposals for new development secure net gains in biodiversity?

Council’s Response

1. Yes, it is clear to decision-makers, developers and local communities how any habitat loss and/or mitigation will be determined to ensure that proposals for new development secure net gains in biodiversity. Criterion (b) of policy ENV4 ensures that benefits in biodiversity are achieved that are equal to, or where possible exceed the biodiversity value of the site prior to development. In respect of allocated greenfield sites where green infrastructure has been identified, a development principle has been included which requires a ‘Biodiversity Appraisal to assess the existing ecological conditions on the site. This is to be accompanied by a standardised Biodiversity Mitigation Plan (BMP) which must cover matters of both habitat and protected species, with the aim that negative effects on biodiversity are avoided or suitably offset, and enhancement effects are implemented’. It is agreed that this is less clear for windfall sites; as such the requirement for a Biodiversity Appraisal could be included in Policy ENV4 to ensure would-be developers avoid or suitably offset negative effects on biodiversity.

Proposed Modification

Page 133 of the submission local plan: An additional criterion to be added to Policy ENV4 as follows:

“There is a requirement for a Biodiversity Appraisal to assess the existing ecological conditions on sites. This is to be accompanied by a standardised Biodiversity Mitigation Plan (BMP) which must cover matters of both habitat and protected species, with the aim that negative effects on biodiversity are avoided or suitably offset, and enhancement effects are implemented.”

Craven District Council

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