



# **Draft Green Infrastructure and Biodiversity Supplementary Planning Document (SPD)**

## **Consultation Statement**

## **Introduction**

1. Craven District Council has prepared a draft Supplementary Planning Document (SPD) in relation to Green Infrastructure and Biodiversity which provides further guidance on Green Infrastructure and Biodiversity in the Craven Local Plan area. In accordance with the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and [NPPF](#) definitions of SPDs, it adds further detail to help explain the objectives relating to the following policies of the [Craven Local Plan \(Nov 2019\)](#) and, once adopted, forms a material consideration in the determination of relevant planning applications:

- Policy ENV4: Biodiversity;
- Policy ENV5: Green Infrastructure;
- Policy SD1: Presumption in favour of sustainable development;
- Policy SD2: Meeting the challenge of climate change.

## **Purpose of the Consultation Statement**

2. Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that, before adopting a Supplementary Planning Document, Local Planning Authorities (LPAs) should prepare a Consultation Statement. This should include the following information:

- (i) The persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) A summary of the main issues raised by those persons; and
- (iii) How those issues have been addressed in the supplementary planning document.

3. Regulation 12(b) requires both the consultation statement and the SPD to be made available for the purpose of seeking representations on a draft SPD.

## **Public Consultation**

4. In line with Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Council's [Statement of Community Involvement](#) (SCI) 2022, draft SPDs are subject to two rounds of public consultation. Regulation 12 requires LPAs to invite comments on a draft SPD during a period of public participation. Regulation 13 then requires LPAs to invite representations on a draft SPD over a period of not less than four weeks.

5. The first public consultation on the draft Green Infrastructure and Biodiversity SPD ran for a period of four weeks from Tuesday 4<sup>th</sup> January until Tuesday 1<sup>st</sup> February 2022. The first draft SPD was published on the Council's website and comments were invited to be submitted in writing, no later than Tuesday 1<sup>st</sup> February 2022 either by post or email.

6. Following this first round of public consultation, representations are invited on a second draft of this SPD over a four-week period from Monday 11<sup>th</sup> July until Monday 8<sup>th</sup> August 2022, in line with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
7. The Council has developed a comprehensive local plan consultation database which includes specific and general bodies and individuals for consultation purposes. The [Subscriptions](#) web page on the Council's website allows individuals and organisations to submit their details and be entered onto the local plan consultation database, via Mailchimp at any time. All contacts within the local plan consultee database were notified of the draft Green Infrastructure and Water Management SPD consultation by either postal or electronic mailshot. Consultees include:
  - Specific Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations, including Town and Parish Councils;
  - General Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations;
  - Individuals that have subscribed to receive details of spatial planning consultations.
8. A press release was issued by the Council the week commencing 20<sup>th</sup> December 2021. This was subsequently published in the Craven Herald & Pioneer newspaper on Thursday 23<sup>rd</sup> December 2021. The consultation was also promoted on social media (Twitter and Facebook). A copy of the press release is included at Appendix 1 to this report.

### **What issues were raised & How have they been addressed?**

9. A total of 14 representations were received to the public consultation. Table 1 below sets out who submitted the response, a summary of the main issues raised, the Council's response and how the issues raised have been addressed in the SPD, together with details of any changes to the SPD, where appropriate.

Table 1: Summary of the issues raised by respondents, the Council's response and recommended changes to the SPD

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
Councillor Andy Brown	The document looks helpful. The only thing that might be missing is a suggestion of exploration of potential for net biodiversity gain for species that are heavily protected such as great crested newts. There are areas where we have them close to a development and some clever design work might enable a spread of the species.	Agreement that this reference can be accommodated. <b>Change to SPD - additional sentence to paragraph 2.3.3 as follows: "Biodiversity net gain provision also enhances the local survival prospects of heavily protected species such as great crested newts. Some appropriate design work close to a proposed development can enable the spread of such protected species."</b>
Pendle Borough Council	No substantial comments to make, but note the need to mention that: <ol style="list-style-type: none"> <li>1. Developers should assess any potential cross boundary issues, which may arise from their proposed development;</li> <li>2. The Pendle GI Strategy, and those of other neighbouring authorities, as possible sources of such information.</li> </ol>	The two notes can be included in the SPD. <b>Change to SPD - additional paragraph 2.4.3 worded as follows: "Applicants should assess any potential cross boundary issues between local authority plan areas, which may arise from their proposed development. Where such cross boundary issues are identified, applicants should consult Green Infrastructure Strategies of neighbouring authorities where they exist, as they are possible sources of important ecological information."</b>
Marine Management Organisation	Standard advice regarding marine licensing, marine planning and minerals and waste plans and local aggregate assessments.	The standard advice is noted. <b>No change to SPD required.</b>
Kate Jennings, Settle resident	<ul style="list-style-type: none"> <li>• 1.4.4 The Environment Act The Environment Act also strengthens the NERC Act s40 Biodiversity Duty on all public bodies, with implications in the exercise of the planning and other functions. Suggest that this merits a mention here alongside BNG provisions.</li> <li>• 2.1.3 Screening: Amendment required as follows (see addition in bold) to reflect the relevant legal test: <b>"The first step is a screening process to identify any potential designated European sites that may be impacted by the development. A summary of the screening process involves determination of any likely significant effects, consultation with statutory bodies and screening outcome"</b>. This is the legal test and it's important to get this right (albeit that the '.gov.uk' guidance fails to do so....) – see Reg 63 (1) (a) <a href="https://www.legislation.gov.uk/ukxi/2017/1012/regulation/63/made">https://www.legislation.gov.uk/ukxi/2017/1012/regulation/63/made</a></li> <li>• 2.1.12 Existing designated sites and irreplaceable habitats of national and local importance: This needs editing – see underlined section: "...should be protected from development. Criterion a) ii) aims to ensure that development proposals <u>do not have any there are no</u> adverse impacts on any national or local designated sites and their settings..."</li> <li>• 2.2.1: Here it is stated that <b>"Biodiversity Net Gain (BNG) aims to leave biodiversity on a particular site in a better state after development than before it."</b> [Emphasis added]. The provisions within Schedule 14 of the Environment Act <a href="https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpga_20210030_en.pdf">https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpga_20210030_en.pdf</a> make clear that the net biodiversity value created by the development must outweigh the biodiversity value of the site subject to development – but that that net gain may comprise both on- and off-site gains. Provision of on-site and near to site provision should be prioritised. Important to be clear that it need not (and in some cases will not be possible to) confine the required level of BNG provision to that which is possible on-site. See underlining of relevant passage from Schedule 14 in full submission.</li> <li>• 2.3.0 Movement of wildlife, and enhancement, improvement and creation of green infrastructure: While reference is made to the importance of ensuring wildlife can move through developments and the general desirability of bat and bird boxes, there are no clear expectations set for developers. Some minimum standards useful here.</li> </ul>	<p>This reference can be accommodated. <b>Change to SPD – additional text to paragraph 1.4.4 as follows: "The Environment Act strengthens the Natural Environment and Rural Communities Act 2006 s40 which extends biodiversity duty on all public bodies, with implications for Craven District Council and all other public bodies in the exercise of their planning and other functions."</b></p> <p>This wording reference can be accommodated. <b>Change to SPD – amended wording to paragraph 2.1.3 as follows: "The first step is a screening process to identify any potential designated European sites that may be impacted by the development. A summary of the screening process involves determination of any likely significant effects, consultation with statutory bodies and screening outcome"</b>.</p> <p><b>Change to SPD – re-wording of paragraph 2.1.12 as follows: "aims to ensure that development proposals do not have adverse impacts on any national or local designated sites and their settings."</b></p> <p>The change of wording can be implemented. <b>Change to SPD – altered wording to part of paragraph 2.2.1 as follows: "Biodiversity Net Gain (BNG) aims to leave biodiversity in a better state after development than before it, using onsite or offsite contributions, or a combination of both."</b></p> <p>Minimum standards are not a requirement of Policy ENV4 or Policy ENV5 and hence cannot be included in the SPD. <b>No change to SPD required.</b></p>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
	<ul style="list-style-type: none"> <li>2.3.1 Lagoons</li> </ul> <p>Some requirements around lagoon design to maximise their biodiversity value (and also limit the risks they can pose to wildlife) – in particular a requirement for shallow areas with accessible gradients to allow safe access and egress for mammals.</p>	<p><b>Change to SPD – the second sentence of paragraph 2.3.1 is amended as follows: “Practical ways to enable wildlife to move throughout both the natural and built elements of any proposed scheme include the creations of new habitats – for example through tree planting or the creation of new wetlands, such as lagoons and through the retention and integration of existing habitats on a site, where possible. Lagoons can effectively be designed to maximise their biodiversity value, and also limit the risks they can pose to wildlife, by for example having shallow areas with accessible gradients to allow safe access and egress for mammals.”</b></p>
Canal & River Trust	<p>Section 2.3: support for wording in paragraphs 2.3.8 and 2.3.12, which explicitly refer to the canal network as part of the water environment and a GI Asset. This will help make the document more effective, as it will help ensure that consideration is given to our network when considering the impact of proposals on green (and blue) infrastructure assets.</p> <p>2.1.22 Water Resources The wording of this section of the document refers primarily to the Water Framework Directive. This might discourage applicants and developers from focussing upon habitats alongside the watercourses, which can have a direct impact on the quality of the water spaces itself. Encourage additional text promoting the protection of habitats along watercourses to ensure that the biodiversity of the water spaces and the general corridor effect is maintained and enhanced.</p>	<p>The support for these paragraphs is welcome. <b>No change to SPD required.</b></p> <p>The wording of this section does refer primarily to the Water Framework Directive and its aim is to provide further guidance specifically relating to criterion a) and sub criterion vi) of policy ENV4 which ensures there is no deterioration of the Water Framework Directive ecological status of surface or ground water bodies as a result of development. <b>No change to SPD required.</b></p>
PBA Ecology	<p>p.5, 1.5.0 should read 1.4.0</p> <p>p.6, 1.4.4: Consider adding a final sentence at the end of this paragraph, including reference to Consultation on Biodiversity Net Gain Regulations and Implementation (January 2022). <u>Consultation on Biodiversity Net Gain Regulations and Implementation - Defra - Citizen Space</u></p> <p>p.16, 2.2.10 (formally 2.2.9): CIEEM have also published Biodiversity Net Gain Report and Audit Templates that provide a framework for writing reports for projects that are aiming to achieve BNG. Applicants are encouraged to use this framework to demonstrate compliance with Policy ENV4 on delivering net gain in biodiversity. The templates set out a suggested structure and content for reports specifically produced in relation to BNG assessments. Suggested text in submission. p.16, 2.2.9: Perhaps add a new paragraph after 2.2.9 (as supplied in the submission).</p> <p>p.24, Table 1: Consider adding requirement for a Biodiversity Gain Plan (ref. Annex B of <u>Consultation on Biodiversity Net Gain Regulations and Implementation - Defra - Citizen Space</u>)</p> <p>p.33, Appendix C: Glossary. Consider the additions/amendments, taken from <u>Consultation on Biodiversity Net Gain Regulations and Implementation - Defra - Citizen Space</u>.</p> <p><b>Biodiversity metric 3</b> Biodiversity metric 3 updates and replaces the beta biodiversity metric 2.0 published in 2019. It is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain.</p>	<p><b>Change to SPD – section ‘1.5.0’ to be changed to ‘1.4.0’.</b></p> <p>The inclusion of reference to Defra’s consultation on BNG Regulations and Implementation is not considered to be necessary. During the lifetime of the SPD parts of the Environment Act will come into force as the necessary regulations are put in place and it is not necessary to refer to draft Regulations in this SPD. <b>No change to SPD required.</b></p> <p>Paragraph 2.2.10 of the SPD already encourages applicants to use this framework to demonstrate compliance with Policy ENV4 and provide a weblink to the report and templates. <b>No change to SPD required.</b></p> <p>A Biodiversity Net Gain Plan is not a requirement of either Policy ENV4 or ENV5 or the Council’s local validation requirements, and hence cannot be included. Table 1 has been amended to recommend that the results of applying the BNG/Small Sites metric is included in an Ecological Impact Assessment, required as part of the Council’s local validation requirements. <b>No change to SPD required to section 2.2.0.</b></p> <p>Some of the suggested additions and amendments to the Glossary of the SPD can be included. <b>Change to SPD – Appendix D Glossary (formally Appendix C), additions as follows: “Biodiversity Metric 3.0: Biodiversity Metric 3.0 was released in July 2021 and it updates and replaces the beta biodiversity metric 2.0 published in 2019. It is a biodiversity accounting tool, produced by Natural England, that can be used for the purposes of calculating biodiversity net gain.</b></p>

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	<p><b>Biodiversity net gain or biodiversity gain</b> (<i>suggested replacement</i>) The term 'biodiversity gain' can be used interchangeably with 'biodiversity net gain' or can be used to mean the enhancements or gains which are delivered as part of meeting an overall biodiversity net gain objective.</p> <p><b>Biodiversity unit</b> A biodiversity unit is the 'currency' of the biodiversity metric. A unit represents a combined measure of habitat distinctiveness, area, and condition.</p> <p><b>Conservation covenants</b> A legally binding, voluntary agreement to conserve the natural or heritage features of the land.</p> <p><b>Irreplaceable habitat</b> Defined in the NPPF as: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, saltmarsh and lowland fen.</p> <p><b>Mitigation hierarchy</b> (<i>suggested replacement</i>) The principle that environmental harm resulting from a development should be avoided (through locating development where there will be less harmful impacts), adequately mitigated, or, as a last resort, compensated for.</p> <p><b>Priority habitats and species</b> Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.</p> <p><b>Protected species</b> Many species of plants and animals in England and often their supporting features and habitats are protected by law.</p> <p><b>Small Sites Metric (SSM)</b> A simplified version of biodiversity metric 3. It has been specifically designed for use on small development sites where the project chooses to do so.</p>	<p><b><i>"Biodiversity unit: A biodiversity unit is the 'currency' of the biodiversity metric. A unit represents a combined measure of habitat distinctiveness, area, and condition."</i></b></p> <p><b><i>"Conservation covenants: A legally binding, voluntary agreement to conserve the natural or heritage features of the land."</i></b></p> <p><b><i>"Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, saltmarsh and lowland fen."</i></b></p> <p><b><i>Mitigation hierarchy: The mitigation hierarchy is a widely used tool that guides users towards limiting as far as possible the negative impacts on biodiversity from development projects. It includes a hierarchy of steps: Avoidance, Minimisation, Rehabilitation, Restoration and Offset.</i></b></p> <p><b><i>"Priority habitats and species: Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006."</i></b></p> <p><b><i>"Protected species: Many species of plants and animals in England and often their supporting features and habitats are protected by law."</i></b></p> <p><b><i>"Small Sites Metric (SSM): A simplified version of biodiversity metric 3.0. It has been specifically designed for use on small development sites where the project chooses to do so."</i></b></p>
Bradley Parish Council	<p>The draft SPD does not mention Neighbourhood Development Plans. The SPD ought to explain the relationship to existing and future Neighbourhood Plans which may contain more local policies and provisions for Green Infrastructure and Biodiversity.</p> <p><u>Comments on Part 2 – Conforming with relevant policies of the Craven Local Plan:</u> Paragraph 2.1.10 of the draft SPD explains that Local Green Space (LGS) designations allow communities to protect green spaces of local importance and that the adopted Local Plan policy ENV10 lists sites that are designated as LGS. The SPD should mention the designation of LGS sites within adopted NDPs (e.g. Gargrave NDP) and any future NDPs.</p> <p><u>Comments on Part 3 – Preparing and Submitting Planning Applications</u> Acknowledge that paragraph 3.4.1 (formally 3.5.1) of Part 3 of the draft SPD references the importance of community engagement by developers when developing schemes and planning for Green Infrastructure. This is welcomed but consider that more emphasis should be placed in the SPD for applicants to demonstrate how they have effectively engaged with communities and how final scheme designs have reflected and taken on board the views of the local community. This needs to be proportionate to the scale of development proposed but consider that it ought as a minimum be required for schemes comprising multiple new houses.</p>	<p>In order to explain the relationship between the adopted Craven Local Plan and made Neighbourhood Plans and policies contained within them, the following new paragraph is included. <b>Change to SPD – additional text added to end of paragraph 1.1.3 with the following wording: "Once made or adopted, neighbourhood plans form part of the development plan. It will therefore be necessary for development proposals to comply with any biodiversity and green infrastructure policies in made neighbourhood plans where they exist and cover the location where development is proposed."</b></p> <p><b>Change to SPD – additional sentence to paragraph 3.4.1 as follows: "Applicants should refer to both paragraphs 126 and 132 of the NPPF, which relate to effective engagement between applicants and the community. One of the Council's local validation requirements for major development, development that is judged to be locally significant and when development is classified as a departure from the current development plan is the preparation of a <a href="#">Community Involvement Statement</a>, which sets out the level and nature of consultation that has been undertaken with the community in the formulation of a development proposal prior to the submission of a planning application."</b></p>

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CPRE	<p>Supportive of this draft SPD in general as it clearly sets out the intentions of the relevant policies in the adopted Local Plan.</p> <p>Paragraph 1.4.4 could be strengthened by acknowledgment being given to the fact that whilst 'biodiversity net gain in England is not mandatory' the Environment Act and the NPPF are both material considerations in the determination of planning applications. The NPPF clearly states at paragraph 174d that planning decisions should contribute to and enhance the natural and local environment. The Council should set out clear aspirations in this paragraph to strongly require measurable net gains to be delivered (in line with Policy ENV4a of the Craven Local Plan and section 2.2 of the SPD).</p> <p>Encouraging to see the reference to Natural England's Biodiversity 3.0 within the document as the preferred tool for measuring biodiversity gain. Useful to add the words, 'or successor versions' immediately after the text in paragraph 2.2.3 to read '<i>it is highly recommended that they utilise the Biodiversity Metric 3.0 or successor versions, which was launched by Natural England in July 2021</i>' as this is still a relatively novel area and may be likely to change again in the future as new models are released.</p>	<p>Support for the draft SPD is welcomed.</p> <p>The role of this SPD is to provide further guidance to adopted local plan policies ENV4 and ENV5. ENV4 requires that, wherever possible, development will make a positive contribution towards achieving a net gain in biodiversity. As policy ENV4 does not specifically require measurable net gains to be delivered, the SPD cannot require it. Instead, in order to achieve a net gain in biodiversity wherever possible, the SPD encourages a minimum percentage of BNG in accordance with the Defra BNG Metric, and the level of promotion is deemed sufficient and appropriate, given the wording of Policy ENV4.</p> <p><b>No change to SPD required.</b></p> <p>This reference to successor versions of the Biodiversity Metric 3.0 can be accommodated as suggested. <b>Change to SPD – change to paragraph 2.2.4 within the second sentence as follows: “it is highly recommended that they utilise the Biodiversity Metric 3.0, which was launched by Natural England in July 2021, or successor versions.....”</b></p>
North Yorkshire County Council	<p>Biodiversity focussed comments: In general, the policy ENV4 is quite strong and provides clear expectations on applicants in relation to biodiversity (including net gain). Consider that the SPD may not be clear enough to guide developers on what CDC are expecting in relation to their submission. It is more of a justification for the policy rather than additional guidance.</p> <p>Policy references to both the UK BAP and Craven BAP are out of date and at 2.1.14 - 2.1.16 inclusive there is a need to update this to be NERC s41 habitats and species. They need to update references to priority habitats and species to 'Habitats of Principal Importance' and 'Species of Principal Importance'. Draft SPD makes reference to these in the context of the Craven BAP but then it doesn't really tell developers what they expect. A clear statement to say that Ecological Assessments will need to take account of the presence and impact upon habitats and species of principal importance as set out in s.41 NERC. This is a clear expectation that the developer can communicate to their ecological consultant.</p>	<p>The SPD is comprised of 3 parts. Part 2 is intended to be an explanation of the various criteria of Policies ENV4 and ENV5, and it is not perceived to be a justification. Part 3 of the SPD sets out guidance to developers on what developers must submit with their planning application to meet the policy criteria. It is considered that the SPD is clear enough to guide developers on what CDC are expecting in relation to their application. As a result of a response received during public consultation on the draft SPD, further changes have been made to provide further clarity.</p> <p><b>Change to SPD – paragraphs 2.1.14, 2.1.15 &amp; 2.2.4 can be updated in this respect. Paragraph 2.1.14 has been amended as follows: “Policy ENV4 criterion (a)(iii) specifically requires development to avoid the loss of and encourage the recovery or enhancement of ecological networks, habitat and species, especially priority habitats and species identified in the Craven BAP, or any subsequent update (see full policy text at Appendix A of this SPD). It should be noted that both the UK BAP and the Craven BAP (which can be accessed via the Council's policy evidence webpage relating to policy ENV4), no longer provide the most up to date information with regards to important habitats and species. Lists of Habitats and Species of Principal Importance are now set out by Natural England, as required by section 41 of the National Environment and Rural Communities (NERC) Act 2006. Applicants are required to take habitats and species of principal importance that could be potentially affected into consideration during the development process when planning the layout and timing of a development. By avoiding negative impacts at the outset, it is not only wildlife that benefits. Time and financial resources are saved by planning for wildlife early in the development process, and there is also the opportunity to actively demonstrate a commitment to conserve and protect habitats and species of principal importance.”</b></p> <p><b>Additional text added to paragraph 2.1.15 as follows:</b>  <b>“Public bodies, including local authorities, have a legal duty to have regard to conserving biodiversity in the exercise of their normal functions, including ensuring that Ecological Assessments, required as part of the Council's local validation</b></p>

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	<p>Para.1.4.4 setting out of the Environment Act 2021 requirements in relation to BNG could be a lot more positive. The approach outlined probably doesn't really help the developer, especially what policy ENV4 states. It should be supported by the text in the SPD. Need to advocate the key principles of the Environment Act 2021 in relation to BNG i.e. 10% net gain, use of the Defra Metric and secure for 30 years. In the short term, add the caveat 'where possible' to match the policy and the NPPF. Figure 1 – the arrow seems to be going the wrong way? As in 'avoid last'? Language used is potentially confusing and doesn't seem to match the mitigation hierarchy.</p> <p>2.3.3 – Whilst built features for wildlife can be beneficial they are only acceptable in addition to retained or created habitat networks – which can be demonstrated by BNG and landscape scheme.</p> <p>Table 1 – pages 24 &amp; 25: Recommend updating the reference to Ecological Assessment and use the industry standard of Ecological Impact Assessment (EclA) making reference to the current CIEEM guideline. It seems to indicate that an assessment is only needed where a designated site is affected (or potentially affected) by the development. Recommend including one entry for EclA which requires the assessment to be submitted for any application which may have an impact upon designated sites, protected species, irreplaceable habitats, habitats and species of principal importance (HPI &amp; SPI s41 NERC). Recommend providing links to relevant CIEEM guidance and also including a link to North and East Yorkshire Environmental Data Centre. No reference in the SPD to where developers can get up to date ecological data and this is a key requirement of an EclA.</p> <p>Table 1 does not set out when a BNG assessment (Defra metric) will be required. This is the ideal point to set out when CDC would expect a BNG report including thresholds (e.g. number of houses or size of site).</p>	<p><i>requirements take account of the presence and impact upon habitats and species of principal importance. An Ecological Assessment can identify where a habitat or species of principal importance may be present on a proposed development site and set out how these habitats or species can be conserved (Table 1 and paragraph 3.2.6 in Part 3 of this SPD provide further detail about Ecological Assessments).</i></p> <p>The first sentence of paragraph 2.1.16 has been amended as follows:  <b><i>“Section 41 NERC lists cover a wide range of semi-natural habitat types.”</i></b></p> <p>The last sentence of paragraph 2.2.5 has been amended as follows:  <b><i>“The Natural England <u>Lists of Habitats and Species of Principal Importance</u> (see paragraph 2.1.14) can provide relevant information to applicants on local species of importance to assist such assessments.”</i></b></p> <p>The key principles of the Environment Act 2021 in relation to BNG are advocated. It is not appropriate to add the caveat 'where possible' to match the policy and the NPPF in terms of a percentage net gain, use of metric and conservation covenants, as it goes beyond the policy wording, as these specific elements are not mentioned.  <b>No change to SPD required.</b>  <b>Change to SPD – Amended Figure 3 is now underneath the original Figure 1 which is shown as crossed through. The arrow is shown with a 'decreasing preference' reference to avoid any doubt, and the options are to be numbered from 1 to 4 in order of preference. The figure will use the mitigation hierarchy language of Avoid, Mitigate, Compensate, and Enhance (Net Gain).</b></p> <p><b>Change to SPD – additional sentence to paragraph 2.3.3 as follows: “Whilst built features for wildlife can be beneficial, they should be in addition to retained, improved or created habitat networks, which can be demonstrated by Biodiversity Net Gain and a landscape scheme.”</b></p> <p><b>Change to SPD – Table 1 will use the industry standard of Ecological Impact Assessment (EclA). This table will include one entry for EclA which requires the assessment to be submitted for any application which may have an impact on the habitats and species mentioned. In terms of Environmental Impact Assessment, links are provided to the relevant CIEEM guidance and also a link to North and East Yorkshire Ecological Data Centre (NEYEDC).</b></p> <p><b>Additional text referring to the NEYEDC added to paragraph 2.1.13 as follows:  “Applicants are also encouraged to contact the North and East Yorkshire Ecological Data Centre (NEYEDC) with regards to the current status of SINC (www.neyedc.org.uk). The NEYEDC has a key role in designating and mapping SINC, and maintaining biodiversity records. The NEYEDC can provide ecological data for the Craven local plan area, including information on SINC, and is a more up to date source of information than the Council's policies maps for these types of sites.”</b></p> <p>Setting out when Craven DC would expect a BNG report including thresholds goes beyond the criterion requirements of Policy ENV4 or ENV5.  <b>No change to SPD required.</b></p> <p><b>Change to SPD – Table 1 has the following additional amendment into the row detailing Ecological Assessments: “The results of applying the BNG/Small Sites</b></p>



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	<p>Harrogate BC have done this and it saves time going back to each applicant individually and ensures consistency.</p> <p>3.3.6 – This paragraph is very limiting to designated sites and again wrongly insinuates that an Ecological Assessment (EclA) is needed in these circumstances. An EclA is required for any application that has the potential to impact upon any designated sites, legally protected species, HPI, SPI, irreplaceable habitat etc.</p> <p>3.4.1 – An EclA is essential to most outline applications (in particular major applications). Consideration of protected species is a material consideration in the determination of all applications (full or outline) and as such this should be requested and include key avoidance and mitigation principles. EclA or any ecological assessment of impacts (including surveys) must not be left to condition or reserved matters.</p> <p>3.4.2 – NYCC agrees that for outline or full applications, the details of biodiversity enhancement along with monitoring and management can be left to condition or reserved matters.</p> <p>Overall, the SPD provides an opportunity to provide clarity to the developer, provide a level playing field and sign post key sources of information. Remove some of the more descriptive material in order to focus more on key advice for developers.</p> <p>Landscape focussed comments: These landscape comments relate more closely to Green Infrastructure (ENV5) rather than Biodiversity and Net Gain (ENV4).</p> <p>GI is a broad multi-functional concept capable of delivering a wide benefit range (including biodiversity and biodiversity Net Gain). GI and biodiversity are related but different concepts.</p> <p>SPD may perhaps be interpreted as over-focused on Biodiversity and Biodiversity Net Gain - providing more information on the principles and aims of Green infrastructure would be beneficial.</p> <p>Recommend that the Principles of GI are more closely aligned with Natural England's fifteen GI Principles of 'Why', 'What' and 'How', and linked to baseline evidence and assessment methods set out within the England Green Infrastructure Mapping Database:</p> <p>SPD document could express the Council's aspirations to develop a future GI Strategy and mapping as national guidance develops. SPD could consider GI Principles at a strategic and local level.</p> <p>Link to Natural England's Green Infrastructure Principles and the England Green Infrastructure Mapping: <a href="https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx">https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx</a></p>	<p><b><i>Metric should be submitted to the Council as part of a planning application and could be included in an Ecological Impact Assessment which is part of the Council's local validation requirement for planning applications.</i></b></p> <p>Amending text in supporting document column as follows: <b><i>“Ecological (or Geological) Impact Assessment (EclA) is on the Council's local validation list and may be necessary to accompany the planning application. It is recommended that the results of applying the BNG/Small Sites metric is included in an Ecological Impact Assessment.”</i></b></p> <p><b><i>Change to SPD – paragraph 3.2.6 will be corrected accordingly, with a sentence to state that: “An Ecological Impact Assessment (EclA) is required for any application that has the potential to impact upon any designated sites, legally protected species, Habitats of Principal Importance, Species of Principal Importance, irreplaceable habitat etc.”</i></b></p> <p><b><i>Change to SPD - Paragraph 3.3.1 is to include additional sentences as follows: “An EclA is essential to most outline applications (in particular major applications). Consideration of protected species in particular is a material consideration in the determination of all applications (full or outline) and as such this is requested as part of the Council's local information requirement and should include key avoidance and mitigation principles. EclA or any ecological assessment of impacts (including surveys) should not be left to condition or reserved matters.”</i></b></p> <p>The support is welcomed for the position on outline or full applications.</p> <p>The SPD aims to provide clarity to the developer, and sign posts key sources of information. As a result of some responses received during consultation on the draft SPD, Parts 2 and 3 will be revised to focus more clearly on key advice and to reduce any unnecessary descriptive text.</p> <p>The SPD will focus on providing more information on the principles and aims of Green Infrastructure, so that there is also a strong focus on Green Infrastructure within the document. <b><i>Change to SPD – a new Appendix C setting out the Principles of Green Infrastructure as described. Additional text to paragraph 2.3.5 stating: “Appendix C of this SPD provides a table listing Green Infrastructure principles, based on information put forward by Natural England. These GI Principles can be used to help applicants achieve requirements of policy ENV5. They do not introduce any new policy requirement. Craven District Council is currently developing a selection of resource materials, including mapping to identify green and blue infrastructure in the Craven area and promote its multi-functionality. This resource material provides examples of how appropriately sited and designed green and blue infrastructure can provide multifunctional benefits such as biodiversity provision, flood risk reduction, and more attractive areas to live including recreational benefits.”</i></b></p>
Environment Agency	Pleased that additional information for this topic area is being presented as an SPD for Craven District. The SPD is a very comprehensive document and a useful tool for planning applications, partners and the LPA.	Support for the SPD and its content is welcomed.

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	<p>2.0.0 Introduction; 2.0.2: Pleased to see the recognition that GI includes 'blue' spaces. Refer to 'Green-Blue Infrastructure' throughout the SPD for ease of understanding that blue spaces are included. This should also be reflected in the title of the SPD.</p> <p>Page 12, Figure 1 (Sequential steps of the mitigation hierarchy for biodiversity): This figure appears to be incorrect. Arrow indicating the order of preference is the wrong way around. Figure should be updated to ensure the order of preference within the hierarchy is clear and correct.</p> <p>Water Resources, 2.1.23: SPD should be more explicit that one of the WFD measures of the quality of water bodies is an assessment of its physical habitats. It is not only about the quality of the water as measured in chemical terms or pollution terms. The link to riverine Biodiversity Net Gain should be made here. It may be useful to rename this section of the SPD to 'Water Framework Directive' (page 13) 2.1.22 and 2.1.23. The heading <i>Water Resources</i> is misleading as this section does not focus on water quantity. Please see appendix 1 for some additional information regarding Water Framework Directive.</p> <p>2.2.0 Biodiversity net gain page 14, Section 2.2.3 and 2.2.4, Biodiversity Metric 3.0 Recommend further detail on the requirements of the Metric and what Craven wishes to see, such as: - Support the suggestion that BNG to be assessed and measured using the latest version of the DEFRA Biodiversity Metric. Rather than the use of the metric being 'highly recommended', the text could set out the expectation (requirement) that the metric will be used unless justification for not doing so is set out. Advise changing this to be the 'latest version of the Biodiversity Metric' rather than 'Biodiversity Metric 3.0' to ensure the SPD remains valid should subsequent versions of the metric be released. For example, Metric version 3.1 is due to release in the next few months. The submission includes some recommendations in this regard.</p> <p>2.2.5 (formally 2.2.4) sets out that an ecologist is required in using the metric. Recommend amending 2.2.4 in the interests of clarity and set out more about what comprises a suitably qualified person, the qualifications/certificates required, e.g. trained in UKHab, accredited in RiverMorph. Understand there is a definition in BS8683:2020.</p> <p>2.2.8 (formally 2.2.7) <i>'The results of applying the metric should be submitted to the Council'</i> – better if the document was explicit that the actual metric calculation spreadsheet is submitted and not only the high level results. It has been a problem for some LA ecologists in not having sight of the calculation spreadsheet and have found it difficult to assess the quality of the assessment, and acceptability of results. Wording from the CIEEM templates:</p>	<p>Paragraph 2.0.2 explains that states 'Green' Infrastructure (GI) is a network of multi-functional green and blue spaces and that it is a broad concept, including natural features, such as parks, forest reserves, hedgerows, restored and intact wetlands and marine areas, as well as man-made features, such as eco-ducts and cycle paths. <b>No change to SPD required.</b></p> <p><b>Change to SPD – within this figure (now Figure 3) the arrow is changed with a 'decreasing preference' reference to indicate the preferred direction. The options have been numbered from 1 to 4 in order of preference. The suggested language of Avoid, Mitigate, Compensate and Enhance is now used. The amended figure is presented underneath the original figure and the original version is crossed through.</b></p> <p>Paragraphs 2.1.22 - 2.1.25 are already titled Water Framework Directive. The suggested references to physical habitats associated with water bodies and also to riverine BNG can be incorporated. <b>Change to SPD – additional paragraph 2.1.24 as follows: "One of the WFD measures of the quality of water bodies is an assessment of its physical habitats. Development can impact on the quality of the physical habitats in a waterbody by, for example, introducing hard infrastructure, walls, removing vegetation, impacting on the riparian zone. Development also has the opportunity to improve physical habitat quality by removing hard infrastructure such as walls and weirs and the like, and by establishing riparian vegetation and trees. Assessment of the impacts on waterbody WFD status requires an assessment of impacts on the morphology (physical habitats) of the river to ensure that a proposed development does not result in a deterioration, but aims for improvement. Riverine Biodiversity Net Gain, in terms of improving the habitat quality of rivers and streams and creating new such habitat, can contribute greatly in this regard."</b></p> <p>The SPD cannot set out a requirement that the Biodiversity Metric is used by applicants, as use of the Metric is not a requirement of Policy ENV4 or ENV5. The current wording, recommending the use of the BNG Metric, is hence deemed appropriate. The detail recommended by the EA on the metric cannot be included in the SPD, as it goes beyond the current policy criterion requirements.</p> <p><b>Change to SPD - the suggested reference to the latest version of the Biodiversity Metric is included at paragraph 2.2.4.</b></p> <p>Paragraph 2.2.5 is clear that an applicant is required to utilise a professional ecologist to apply the metric. It is not considered appropriate to include details in this SPD of what qualifications/certificates are required to work as an ecologist. <b>No change to SPD required.</b></p> <p>Paragraph 2.2.8 – SPD can be amended to state what should be provided to local authorities in terms of metric calculations. <b>Change to SPD - additional text in paragraph 2.2.8: "The completed metric spreadsheet, including the full calculations that lead to the final biodiversity unit scores should be submitted. Summary results or extracts of any metric calculations would not be sufficient alone. The metric does not change the protection afforded to biodiversity. Existing levels of protection afforded to</b></p>

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	<p>- The completed metric spreadsheet, including the full calculations that lead to the final biodiversity unit scores should be submitted. Summary results or extracts of any metric calculations would not be sufficient alone.</p> <p>2.2.9 (formally 2.2.8) Consider adding “and applications should comply with these good practice principles for development.”</p> <p>2.2.10 (formally 2.2.9) additional references include: - BS 8683 Process for designing and implementing Biodiversity Net Gain - Specification. The British Standards Institution 2021. Please see appendix 1 for some additional information regarding Biodiversity Net Gain.</p> <p>2.3.0 As well as creation of new habitats and site layout and building design there are some other key elements that benefit riverine wildlife (element list in submission).</p> <p>2.3.4 Welcome that rivers are recognised as GI assets.</p> <p>2.3.8 (formally 2.3.7) Welcome that rivers, streams and watercourses are highlighted.</p> <p>Water Environment as part of GI: Welcome that the value of rivers, streams and canals is recognised, and their importance as both rural and urban assets. In addition to their value as corridors with semi-natural margins, as stated, it should be recognised that the quality of the aquatic environment itself is also important. This includes both the quality of the physical habitats in the river and the quality of the water which is vital for the rivers value as a recreational resource as well as for biodiversity and fisheries.</p> <p>2.3.10 is the Fresh Aire Project still current?</p> <p>2.3.12: Recommend that this could also refer to pocket parks where watercourses have been opened up.</p> <p>2.4.2: Welcome that this sets out the Environment Act requirements and conservation covenants.</p> <p>3.2.0: Documents to Support a Planning Application: this section should also have a paragraph setting out that a BNG assessment is required.</p> <p>Table 1: Supporting documents which are commonly required to accompany a planning application. The table should set out the documents required to demonstrate BNG, including the Biodiversity Metric spreadsheet. It could refer back to section 2.2.9 CIEEM BNG Report and Audit Templates, and should also refer to the need to provide the actual Metric calculation spreadsheets.</p> <p>Appendix 1 Water Framework Directive: The Humber River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. NPPF paragraph 174 (e) promotes the use of the River Basin Management Plan to enhance the environment. Catchment and River Basin Management Plans (RBMPs) water quality priorities should be reflected in strategic planning documents. The WFD needs to be considered throughout the development of the Local Plan and SPDs. Local planning authorities have an important role when it comes to the WFD - making sure new development does not cause deterioration and whenever possible supports measures to improve water bodies. The WFD(E&amp;W) Regulations 2017 requires all water bodies to reach good status by 2027. New development is a major pressure on water bodies that might prevent them reaching, or maintaining, good status. The Water Environment (WFD)(E&amp;W) Regulations 2017 Part 6, paragraph 33 places a duty on each public body including local planning authorities to ‘have regard to’ River Basin Management Plans (RBMPs).</p>	<p><b>protected species and habitats are not changed by using this or any other metric. Statutory obligations will still need to be satisfied.”</b></p> <p><b>Change to SPD - additional text to paragraph 2.2.9: “Applications are encouraged to comply with these good practice principles for development. Applicants are also encouraged to demonstrate that the achievement of BNG calculations have been undertaken in accordance with the document (or any subsequent publications).”</b></p> <p>Para 2.2.10 can be amended to refer to BS 8683  <b>Change to SPD – additional text added to end of paragraph 2.2.10 “Applicants are advised to consult the <a href="#">British Standards 8683: Process for designing and implementing Biodiversity Net Gain – Specification (The British Standards Institution 2021)</a>.”</b></p> <p>It is considered that the general subject area referred to here is covered in the new paragraph 2.1.24.  <b>No change to SPD required at paragraph 2.3.0.</b></p> <p>Support for the paragraphs mentioned is welcomed.</p> <p><b>Change to SPD – additional text to paragraph 2.3.8 as follows: “In addition to their value as corridors with semi-natural margins, it should be recognised that the quality of the aquatic environment is also important. This includes both the quality of the physical habitats in the river and the quality of the water which is vital for the river’s value as a recreational resource as well as for biodiversity and fisheries.”</b>  <b>Change to SPD – in paragraph 2.3.10, the reference to the Fresh Aire Project has been removed as it is not a current project.</b></p> <p><b>Change to SPD – in paragraph 2.3.12, the reference to ‘pocket parks’ has been included where watercourses have been opened up.</b></p> <p>Support for paragraph 2.4.2 is welcomed.</p> <p>The submission of a BNG assessment is not a policy requirement. Instead Table 1 has been amended to recommend that the results of applying the BNG/Small Sites metric is included in an Ecological Impact Assessment, required to meet the Council's local validation requirements.  <b>No change to SPD required.</b></p> <p>All of the text that is mentioned here in Appendix 1 is noted. The SPD provides further details to the criterion (a) and sub criterion (vi) which specifically relates to the Water Framework Directive and ensures that there is no deterioration of the WFD status of waterbodies as a result of development.  <b>No change to SPD required.</b></p> <p><b>Change to SPD - new paragraph 2.1.25 with the following text: “The Humber River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. This management plan designation is of relevance to Craven District because it is the plan in England which covers North Yorkshire. This document sets out the current state of the water</b></p>

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	<p>Strongly encourage the SPD to set out water policies that reflect the requirements of River Basin Management Plans and WFD.</p> <p>Biodiversity Net Gain: growth and development carry the potential for both positive and negative environmental impacts. Net gain is about ensuring that the overall impact from development on the environment is positive.</p> <p>Strongly encourage to consider at the earliest opportunity how to incorporate net gain within Local Plan policies and Supplementary Planning Documents. Need to consider any supporting evidence requirements. Biodiversity net gain policy and guidance needs to be founded on a good yet proportionate evidence base. A good evidence base puts LAs in a strong position to shape the subsequent direction of policy. Use the best available local environmental data. There is also an opportunity to consider Nature Recovery Strategies within this evidence gathering and wider natural capital goals. Consider the importance of local context and partnership in net gain implementation. This could include wider regional working with other authorities across North Yorkshire to consider a joined-up approach to net gain and wider nature recovery. This is the opportunity to consider the local biodiversity priorities and the level of significance for sites. Encourage the inclusion of reference to this in the SPD and how efforts to achieve ENG would be welcomed by the LPA.</p>	<p><b>environment, pressures affecting the water environment, environmental objectives for protecting and improving the waters, programme of measures, and actions needed to achieve the objectives.”</b>  <b>Weblink to plan document is also provided.</b></p> <p>The information provided on Biodiversity Net Gain is noted. Considering that Policies ENV4 and ENV5 were published in a local plan prior to the introduction of mandatory net gain, and also the metric implementing it, the information on BNG within the SPD is considered appropriate. Requirements of the Environment Act will inform the Craven Local Plan review and update  <b>No change to SPD required.</b></p> <p>The references to this mentioned published guidance are noted. NYCC has been identified as the lead authority for preparing a Local Nature Recovery Strategy for North Yorkshire and as a result there will joint working throughout North Yorkshire, both prior to and after Local Government Reorganisation.  <b>No change to SPD required.</b></p>
Yorkshire Wildlife Trust	<p>The document is very comprehensive, with the following comments:</p> <p>Local Wildlife Sites: LWS (or Sites of Importance for Nature Conservation) are of great significance as core wildlife-rich habitats of substantive nature conservation value. As a result, many LWS are of SSSI quality and together with the statutorily protected sites, contain most of the country's remaining high quality natural habitat and threatened species.</p> <p>2.2.12 – Criterion a) ii) needs some re-wording.....'aims to ensure that development proposals do not have any there are no adverse impacts on any national or local designated sites and their settings'.</p> <p>2.1.13 Please note that Defra's MAGIC database does not include SINC sites (Local Wildlife Sites) and this information would need to be obtained from the local record centre <a href="http://www.neyedc.org.uk">www.neyedc.org.uk</a>, which would normally be required as part of the desk study of an Ecological Impact Assessment. Note that SINC sites are on the Local Plan Policy maps.</p> <p><b>Biodiversity Net Gain</b>  Welcome a mandatory requirement for a minimum of 10% Biodiversity Net Gain as a first step, but in the context of the ecological crisis, believe that development must deliver at least 20% net gain. Support the use of a biodiversity metric to demonstrate how net gains for biodiversity can be achieved as part of development proposals. Welcome the implementation of Defra v3.0 metric as industry standard. The metric is however, just one part of BNG, and it should be clearly demonstrated that the good practice principles for net gain have been met, by submission of appropriate supporting information. Welcome reference to these and the CIEEM guidance on the supporting information requirements within the SPD at 2.2.8 and 2.2.9.</p> <p><b>Native Planting</b>  2.2.14 &amp; 2.2.15 (formally 2.1.13 &amp; 2.1.14) Policy ENV4 (a)(v) also refers to incorporating appropriate planning – should read planting.</p>	<p>Sites of Importance for Nature Conservation (SINCS) are discussed in paragraphs 2.1.7 - 2.1.13 and the wording used is consistent with policy ENV4.  <b>No change to SPD required.</b></p> <p><b>Change to SPD – re-wording of the second sentence of paragraph 2.1.12 as follows: “Criterion (a) (ii) aims to ensure that development proposals do not have adverse impacts on any national or local designated sites and their settings.....”</b>  <b>Additional text to paragraph 2.1.13 as follows: “Applicants are also encouraged to contact the North and East Yorkshire Ecological Data Centre (NEYEDC) with regards to the current status of SINCS (www.neyedc.org.uk). The NEYEDC has a key role in designing and mapping SINCS, and maintaining biodiversity records. The NEYEDC can provide ecological data for the Craven local plan area, including information on SINCS, and is a more up to date source of information than the Council's policies maps for these types of sites.”</b></p> <p>Policy ENV4 does not require a minimum percentage of Biodiversity Net Gain, therefore the SPD cannot specify or recommend a specific percentage requirement, 20% or otherwise. The SPD encourages a minimum 10% percentage in line with the upcoming mandatory BNG requirements.  <b>No change to SPD required.</b></p> <p>The support is welcomed for the references to the Defra v3.0 metric, good practice principles for net gain, and CIEEM guidance.</p> <p><b>Change to SPD – the typos are to be corrected in (now) paragraphs 2.2.15 &amp; 2.2.16: “planting” will replace “planning”.</b></p>

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	<p>Recommend inclusion of details of the 'Building with Nature' initiative within the SPD, which is a framework that enables developers to integrate high-quality multifunctional green infrastructure to create places in which people and nature can flourish. Building with Nature sets out standards to provide a benchmark to be used in addition to the Biodiversity Net Gain metric, in order to provide a qualitative assessment of a proposed development site. The Building with Nature (BwN) key themes are listed in the submission.</p> <p>Building with Nature is a voluntary approach developed by practitioners, policy-makers and academic experts, and tested with the people who will use and benefit from the framework. Schemes can be assessed at pre-application, reserved matters and post-construction/in-use stages. Further information can be accessed via the website: <a href="https://www.buildingwithnature.org.uk">https://www.buildingwithnature.org.uk</a>.</p>	<p>Information on the 'Building with Nature' initiative can be included as suggested. <b>Change to SPD – text to paragraph 2.2.1 with the following wording: “The Building with Nature voluntary initiative sets out standards to provide a benchmark to be used in addition to the Natural England Biodiversity Net Gain metric, in order to provide a qualitative assessment of a proposed development site. Schemes can be assessed at pre-application, reserved matters and post-construction / in-use stages. Further information can be accessed via the website: <a href="https://www.buildingwithnature.org.uk">https://www.buildingwithnature.org.uk</a>.</b></p>
United Utilities	<p>Identification of Opportunities for BNG: Our operational sites, such as treatment works and pumping stations, are key infrastructure for the district which may need to expand in the future to meet growth needs or respond to new environmental drivers. Maintaining a space around such operational sites and preserving land within works to meet future operational needs is therefore desirable to respond to any future requirements. In this regard, emphasise the need for any policy relating to the implementation of BNG to acknowledge the importance of flexibility in the delivery of any BNG required in response to the delivery of our capital infrastructure. Keen to ensure that any spatial hierarchy is sufficiently flexible to ensure we can safeguard land which could be used in the future for critical infrastructure such as land within and around water and wastewater infrastructure. Consider this to be reflective of national planning policy and guidance.</p> <p>Paragraph: 027 Reference ID: 8-027-20190721 states: 'How can biodiversity net gain be of lasting value? New or improved habitat needs to be located where it can best contribute to local, national and international biodiversity restoration, including the Nature Recovery Network proposed in the 25 Year Environment Plan, locally identified ecological or green infrastructure networks and biodiversity opportunity areas.' Wish to highlight the need for flexibility to be able to consider offsetting on wider land rather than on, or adjacent to operational land. A strategic approach has a number of benefits which are listed in the submission.</p> <p>Water Management: highlight support for the delivery of BNG which is truly multifunctional. Strongly encourage the guidance to continue to reflect the importance of linking the delivery of BNG to multi-functional sustainable drainage systems, in preference to conventional tanked and oversized storage systems for the management of surface water. In masterplanning new development sites, encourage BNG which is able to contribute to natural flood management techniques especially when new development sites are located adjacent to existing watercourses.</p> <p>Water Resources: Note that a large part of the district is public water supply catchment land. Development proposals on water catchment land can have an impact on water supply resources and recommend that the draft SPD recognises that any proposals for BNG may also need to have regard to the implications for public water supply in liaison with the relevant water undertaker for the area.</p> <p>Management and Maintenance of Biodiversity and green Infrastructure – Long-term GI management mechanisms in Craven This section refers to the use of planning obligations / conservation covenants for long term management and maintenance of BNG. Encourage the council to give more detailed thought to a potential template approach which could be used by applicants including template unilateral undertakings which would assist in the timely issue of new planning permissions.</p> <p>Our Assets: it is important to outline to the LPA the need for our assets to be fully considered in proposals relating to BNG. We will not normally permit development over or in close proximity to our assets. Noting the key requirement of BNG to be delivered as part of a 30-year management plan, any BNG will need to carefully consider water and wastewater apparatus and the need for access to this apparatus for maintenance, repair and replacement. This will be important to consider when masterplanning development sites. All United Utilities' assets will need to be afforded due regard in the masterplanning process for a site. This should</p>	<p>The comment is noted. The aim of this SPD is to provide further guidance to adopted local plan policies relating to biodiversity and green infrastructure. It is not the role of this or any SPD to prepare and adopt new local plan policy as this can only be done via the statutory process relating to the preparation and adoption of development plans. Adopted Craven Local Plan policies are reflective of national planning policy. <b>No change to SPD required.</b></p> <p>In terms of water management and water resources, some additional text can be incorporated. <b>Change to SPD – new paragraph 2.2.3 added with subsequent paragraphs renumbered as follows: “In the planning of proposed development sites, BNG should be encouraged if possible where it is able to contribute to natural flood management techniques, especially when new development sites are located adjacent to existing watercourses. Any proposals for BNG may also need to have regard to the implications for public water supply in liaison with the relevant water undertaker for the area. Applicants should cross refer to the Council's Flood Risk &amp; Water Management SPD for further information.”</b></p> <p>Para 2.4.0 provides details of conservation covenants and the use of planning conditions. A suggested potential template approach in terms of long-term management and maintenance of BNG is noted, but in this case it is beyond the requirements of Policy ENV4 and Policy ENV5 and hence cannot be included in this SPD. <b>No change to SPD required.</b></p> <p>Policies ENV4, ENV5 and ENV3 (Good Design) do not include specific requirements relating to United Utilities assets, and hence no such policy requirements can be introduced in the SPD. However, appropriate text can highlight the importance of water and wastewater treatment works in this respect. <b>Change to SPD – new paragraph 2.2.14 added with subsequent paragraphs renumbered as follows: “Where utility assets such as water and wastewater</b></p>

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	include careful consideration of landscaping and biodiversity proposals in the vicinity of our assets and any changes in levels. Strongly recommend that the LPA advises future applicants of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on a development site and the delivery of BNG can be fully understood. Where UU assets exist on a site, ask site promoters to contact United Utilities to understand any implications.	<b>apparatus are included within a site, applicants should consider how landscaping and BNG on a site can be incorporated to ensure access to the asset. Where utility assets exist, applicants are advised to contact the utility company."</b>
Skipton Town Council	<p>The proposals are broadly welcome but whatever gains in aquatic biodiversity may be achieved can be ruined by unplanned discharges of polluted water by Yorkshire Water.</p> <p>A mature tree photosynthesises approximately 15 times the amount of air as a sapling so to replace a mature tree with a single sapling is not sufficient. Consequently, STC recommend the planting of up to 15 saplings to replace 1 mature tree in the course of any development. If more saplings are available than can be accommodated on the existing site, then the STC would assist in finding other locations for planting.</p>	<p>Support for the document content is welcome.</p> <p>The reference to perceived Yorkshire Water discharges is not within the remit of Policies ENV4 and ENV5.</p> <p>The suggestion regarding tree plantings is noted, however as this is not a requirement of any adopted local plan policy, it cannot be included in this or any other SPD. <b>No change to SPD required.</b></p>
Natural England	<p>Welcome the additional detail provided on the application of Biodiversity Net Gain (BNG) in plan policies. Part One: Context of the SPD successfully outlines the approach taken in the Craven LP, including clearly stating which policies are covered in and are the focus of the guidance. It also successfully outlines the relationship between the Craven LP and the requirements for BNG as stated in the NPPF 2021 and Environment Act (2021).</p> <p>Part Two: Confirming with relevant policies of the Craven LP adds further detail to help explain the objectives relating to relevant policy criteria. Welcome paragraphs 2.2.0 to 2.2.10 which refer specifically to BNG. Suggest the following improvements could be made:</p> <ul style="list-style-type: none"> <li>▪ Paragraph 1.4.4 makes specific reference to at least 10% BNG being required when mandatory biodiversity net gain commences for new applications. However, it would be useful if the document clearly stated what is currently expected. Although ENV4 b) states that 'development proposals should achieve benefits in biodiversity that are equal to, or where possible exceed the biodiversity value of the site prior to development', recommend that the SPD should be more aspirational. Recommend a requirement that ALL developments MUST at least achieve benefits in biodiversity that are equal to the biodiversity value of the site prior to development, and that developers voluntarily delivering any net gain, and in particular net gain of at least 10% are encouraged.</li> </ul> <p>Paragraph 1.4.4 could also be further strengthened with the addition of wording to reflect that The Act sets out the habitat secured via BNG should be secured for at least 30 years. Paragraph 2.4.2 refers to the 30-year obligation, however, it isn't implicitly clear that the requirement is pertinent to Policy ENV4 as well as ENV5.</p> <p>Paragraph 2.2.3 should be strengthened by stating that ALL applicants MUST use the Biodiversity Metric. Once mandatory net gain commences there will be an obligation to use the Biodiversity Metric, it is beneficial to incorporate it into this document. Suggest that reference is made to 'the latest version of the Biodiversity Metric' rather than 'Biodiversity Metric 3.0'. This will ensure that the SPD remains up to date should the tool be updated.</p>	<p>Support is welcomed for the additional detail provided on the application of BNG in plan policies, in addition to the comments on Part One: Context. <b>No change for SPD required.</b></p> <p>Support is welcomed for the paragraphs 2.2.0 to 2.2.10. Paragraph 1.4.4 cannot make reference to at least 10% BNG being required now, however it does make reference to BNG becoming mandatory, which is expected in winter 2023. The SPD cannot be 'more aspirational' than the policies under consideration here, as the role of the SPD is to explain and provide guidance on the existing adopted Craven Local Plan policy criteria. <b>No change for SPD required.</b></p> <p><b>Change to SPD – the last sentence of paragraph 2.4.2 amended, as follows: “A 30-year legal obligation or conservation covenant is considered by the Council to meet the requirements of Policies ENV4 and ENV5 for long-term maintenance and management of green infrastructure and biodiversity.”</b></p> <p>Paragraph 2.2.4 (formally 2.2.3) cannot state that applicants must use the Biodiversity Metric, as the use of the metric is not a specific requirement of Policy ENV4 and BNG is not yet mandatory. Instead paragraph 2.2.4 states: 'to assist applicants in fulfilling the net gain in biodiversity requirement of Policy ENV4, it is highly recommended that they utilise the Biodiversity Metric'. <b>No change to SPD required.</b></p> <p><b>Change to SPD – paragraph 2.2.4 amended as follows: Reference to “To assist applicants in fulfilling the net gain in biodiversity requirement of Policy ENV4, it is highly recommended that they utilise the <a href="#">Biodiversity Metric 3.0</a>, which was launched by Natural England in July 2021, or successor versions. This is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain.”</b></p>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
	<p>Paragraph 2.2.8 (formally 2.2.7) should be more detailed to ensure consistent information about the results of applying the metric is submitted by all applicants as part of the planning application. Recommend that full Excel calculation worksheets, condition assessment sheets, maps and GIS layers for pre- and post-development habitats are required, as well as a habitat and monitoring plan. The BNG Regulations and Implementation consultation (pp50-55) provides detail of the type of information likely to be required under the provisions of the Environment Act.</p> <ul style="list-style-type: none"> <li>▪ Paragraph 2.2.8 (formally 2.2.7) refers to Table 2 and paragraph 3.26, however, neither are present in the document.</li> <li>▪ Paragraph 2.2.9 (formally 2.2.8) should state the purpose of including the reference. For example, is the expectation that applicants must demonstrate net gain calculation and achieving BNG has been undertaken in accordance with the document (or any subsequent publications).</li> <li>▪ Paragraph 2.2.10 should be more explicit about the use of template. Or need to develop a bespoke list of what you would expect to be included in an Ecological Assessment in relation to BNG assessments (See related comments above (2.2.8 and 2.2.9).</li> </ul> <p>Recommend that the SPD should also provide guidance on the following: more detail about the Biodiversity Metric:</p> <ul style="list-style-type: none"> <li>▪ The metric does not change the protection afforded to biodiversity. Existing levels of protection afforded to protected species and habitats are not changed by using this or any other metric. Statutory obligations will still need to be satisfied.</li> </ul> <p>The metric includes separate calculations for area habitats (such as woodland) and linear habitats (such as a hedgerow or stream). There are three broad categories of habitats and biodiversity units for which scores are calculated differently: area habitats, linear hedgerows and lines of trees, and linear rivers and streams. It is an important rule of the metric that the three types of biodiversity units described above are unique and cannot be summed, traded, or converted. When reporting biodiversity gains or losses with the metric, the three different biodiversity unit types must be reported separately and not summed to give an overall biodiversity unit. The metric focuses on typical habitats and widespread species. Protected and locally important species needs are not considered through the metric and should be addressed through existing policy and legislation. Impacts on protected sites (e.g., SSSIs) and irreplaceable habitats are not adequately measured by the metric. They will require separate consideration which must comply with existing national and local policy and legislation. 'Trading down' must be avoided. Losses of habitat are to be compensated for on a 'like for like' or 'like for better' basis. New or restored habitats should aim to achieve a higher distinctiveness and/or condition than those lost.</p> <p>Habitats should be classified using the UK Habitat Classification System <a href="http://ukhab.org">http://ukhab.org</a>. Unique reference numbers should be assigned to each habitat parcel, hedgerow, line of trees or watercourse and any maps generated should clearly display the unique reference of each parcel and linear feature. The metric calculation applies to all land within the 'red line' of the application site. Be specific about this and define what it is if required. Being 'better' and 'more joined-up' are important facets of habitats that can contribute to halting and reversing biodiversity declines, so the metric accounts for whether the habitat is sited in an area identified as</p>	<p><b>Change to SPD - additional text in paragraph 2.2.8: “The completed metric spreadsheet, including the full calculations that lead to the final biodiversity unit scores should be submitted. Summary results or extracts of any metric calculations would not be sufficient alone.”</b> Relating to other submission comments, there are relevant amendments to Table 1 and the submission of information relating to the use of the metric and submission of results.</p> <p><b>Change to SPD –</b> references to table 2 and paragraph 3.26 have been removed.</p> <p><b>Change to SPD – additional wording to paragraph 2.2.9 as follows: “Applicants are encouraged to comply with these good practice principles for development. Applicants are also encouraged to demonstrate that the achievement of BNG calculations have been undertaken in accordance with the document (or any subsequent publications).”</b></p> <p>It is considered that the reference and link to the CIEEM Biodiversity Net Gain Report and Audit Templates provided in paragraph 2.2.10 is sufficient. Table 1 in Part 3 provide details of the Council's local validation requirements for planning applications, including the requirement for an EclA, Ecological Assessment or Biodiversity Survey and Report together with a link to further information relating to such a report.</p> <p><b>No change to SPD required.</b></p> <p><b>Change to SPD – additional text to paragraph 2.2.8 as follows: “The metric does not change the protection afforded to biodiversity. Existing levels of protection afforded to protected species and habitats are not changed by using this or any other metric. Statutory obligations will still need to be satisfied.”</b></p> <p>Comments relating to the detail of the BNG Metric is noted. The metric been prepared by Natural England and is not a Council-owned document. Its use is not a requirement of adopted Craven Local Plan policy ENV4. Therefore, it is not the role of the SPD to provide detailed information on the workings of the Metric. Paragraph 2.2.4 recommends the use of the metric and paragraph 2.2.5 states that an applicant is required to utilise an ecologist in applying and working with the BNG metric. A qualified ecologist will be aware of how the metric works and the requirements for reporting the results. It is not the role of this SPD to set out such level of detail for the current or future versions of the Natural England BNG metric.</p> <p><b>No change to SPD required.</b></p> <p>This approach would result in a change of policy in the local plan, and existing policy criteria cannot be changed without a local plan review.</p> <p><b>No change to SPD required.</b></p> <p>There has been a change made to paragraph 2.1.13, as a result of other comments made to provide reference to the NEYEDC as a source of up-to-date ecological data.</p> <p><b>No change to SPD required.</b></p> <p>Policy ENV4 requires a net gain in biodiversity, where possible, and does not specifically require the use of the BNG Metric, therefore the SPD is unable to set these out as new policy requirements, as this is not the role of an SPD. The Spatial Planning team are developing information and mapping relating to Green &amp; Blue Infrastructure delivery in the Craven local plan area, and this will show how the on-site and/or off-site BNG contributions relating to a planning application can have the greatest strategic significance, by linking to</p>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
	<p>being of strategic significance for nature. Are there relevant local strategies or plans that could be used to inform the level of strategic significance? For example, Local Plan, Biodiversity Action Plan, Local Nature Recovery Strategy or Green Infrastructure Strategy.</p> <p>What approach will be taken if a site has zero or very little existing biodiversity value? If a site has a baseline biodiversity unit value of zero, then it would be advisable any biodiversity unit gains are calculated as a numerical unit value as opposed to a percentage. It would be at the discretion of the LPA to agree an appropriate number of biodiversity units to be delivered for the site in question on a site-by-site basis. Where a local authority knows that several development sites are likely to have very little to no biodiversity value or of a major allocation that fits this bill, e.g., urban, recently-previously developed land, they could consider setting expected unit gain values for these sites in Local Plan policy.</p> <p>Additional guidance on the expectations for on-site and off-site delivery in the context of known ecological assets including protected sites and priority habitats. What measures would work best to enhance biodiversity within Craven? What core areas are priority to be increased, what are the priority habitats you want to see increase in quantity and/or quality, what new priority habitat to do you want to see created and where to act as stepping-stones or corridors?</p> <p>Addition of a process map to clearly outline the stages to be followed in the application process within Craven.</p> <p>Welcome the emphasis placed on pre-application discussions, provided in Part 3 of the SPD, which in the case of BNG are crucial.</p> <p>More detail needs to be provided regarding the specific documents needed to support a BNG proposal. Suggest Table 1 is amended to make a reference to BNG in the purpose of the Ecological Assessment supporting document. A list of key BNG documents would be a useful addition. Note 2.1.15 (formally 2.1.16) states that table 2 and paragraph 3.2.6 provide further detail about ecological assessments, however, it should refer to Table 1, and para 3.2.6 does not exist (note there are several references to Table 2 and paragraph 3.2.6 in the document).</p> <p>The Planning Advisory Service provides a useful resource for Local Authorities on the topic of BNG, in particular the Biodiversity Net Gain FAQ's.</p> <p>The sections of GI could also include GI targets, standards, requirements for development and opportunity areas. Please note Green Infrastructure standards and guidance are currently under development at Natural England and should be embedded in future guidance once finalised.</p>	<p>known ecological assets where this possible. This information will show how such applications can then potentially expand the habitat of existing ecological assets, or produce stepping-stones or corridors. The suggestion of a process map can also be included in this Green &amp; Blue Infrastructure work, upon further discussion with the Council's Development Management team. <b>No change to SPD required.</b></p> <p>The support is welcomed for the emphasis placed on pre-application discussions. <b>No change to SPD required.</b></p> <p>Once amended in response to comments made during the consultation process, Part 3 of the SPD should provide the reader with enough information with respect to submitting policy compliant applications, without the need for a process map. <b>No change to SPD required.</b></p> <p>In Table 1, reference has been made to BNG in the purpose of the Ecological Impact Assessment supporting document, and submission of information relating to the use of the metric. <b>Change to SPD</b> – the references to Table 2 and paragraph 3.2.6 have been removed.</p> <p>This comment is noted regarding PAS. <b>No change to SPD required.</b></p> <p>Recommended inclusions on GI cannot include GI targets, standards, requirements that are not a requirement of policy ENV5. <b>No change to SPD required.</b></p>



## Appendix 1

### **Craven Herald Press Release (text from website) – 23<sup>rd</sup> December 2021**

#### **Comments to be invited on flooding and homes for rural workers policies**

23<sup>rd</sup> December 2021

#### **CRAVEN residents are being invited to comment on policies of the area's local plan including flooding and homes for rural workers.**

A four week consultation will get underway in the new year on draft Supplementary Planning Documents (SPDs) of the Craven Local Plan, which was adopted by Craven District Council two years ago at the end of 2019.

The consultation will invite people to comment on first drafts of supplementary documents on flood risk and water management; and also on green infrastructure and biodiversity, and will be used to add further detail to the local plan.

Also out for consultation are second draft documents on good design and rural workers' dwellings.

The Craven Local Plan will be used to assess and decide planning applications and how land is used in the area outside the Dales national park up until 2032.

The four Supplementary Planning Documents will add further detail to the relevant policies of the local plan and once adopted should help those submitting planning applications to the council.

The public consultation will run from Tuesday, January 4 until February 1. To find out more, from January 4, visit: [www.cravencdc.gov.uk/spatialplanningconsultations](http://www.cravencdc.gov.uk/spatialplanningconsultations). Paper copies will also be available at the council offices, Belle Vue Square, Skipton, and at libraries.

The Spatial Planning Team can be contacted by emailing [spatialplanning@cravencdc.gov.uk](mailto:spatialplanning@cravencdc.gov.uk) .

<https://www.cravenherald.co.uk/news/19804618.comments-invited-flooding-homes-rural-workers-policies/>