

## CHAPTER 3

### THE DEVELOPMENT PROCESS

#### PRE-APPLICATION: THE NEED FOR UP-TO-DATE INFORMATION

- 3.1 Planning staff welcome pre-application discussions. Such discussions may establish the potential impact of a development and help to outline the scope of survey and assessment needed to support an application.
- 3.2 Where the current level of biodiversity interest upon a site is unknown, and there are reasonable grounds to believe that the site may be used by a Priority Species, then an applicant shall be expected to undertake a site survey and assessment prior to the consideration of a development proposal. The information gained from the site survey and assessment should be up-to-date and sufficient to allow the development impact to be appropriately assessed. Failure to provide accurate environmental information will be a reason to refuse the registration of the planning application or will result in its subsequent refusal when considered against policy. This is because in order to protect and conserve species and habitats it is crucial that their distribution and interaction with the wider environment is understood.
- 3.3 Applicants should be aware that some developments may require the collation of ecological data, such as badger social group surveys, over an extended period of time in order to present the most suitable scheme of mitigation. The advance planning of ecological works should always be considered early on in a project.
- 3.4 The provision of compensatory habitats may also be required in advance of a development project. This is to ensure that the new habitat is of a suitable standard prior to the loss of the existing habitat.

#### SUBMISSION OF A PLANNING APPLICATION: DEVELOPMENT GUIDELINES

- 3.5 Development proposals should adhere to the following development guidelines:

<b>Guideline 1: Site survey and assessment for Priority Species and Habitats</b>	<b>Example best practice approach:</b> Surveying ponds and terrestrial habitat in advance of a development application for the presence of great crested newts.
<b>Guideline 2: Protection of existing biodiversity</b>	<b>Example best practice approach:</b> Development plans will show how features of value to biodiversity have been integrated into the design of a development, and how such features might relate to the biodiversity of the surrounding area (e.g. wildlife corridors and greenways linking to the open countryside or the enhancement of watercourses within development sites).

<p><b>Guideline 3: Enhancement of habitats</b></p>	<p><b>Example best practice approach:</b> The restoration of a pond would provide an attractive feature within a development whilst also providing for a diverse range of species. Enhancement proposals should aim to contribute towards BAP targets or delivering aspects of the Countryside Enhancement Area concept.</p>
<p><b>Guideline 4: Mitigation against disturbance</b></p>	<p><b>Example best practice approach:</b> If disturbance of a Priority Species or Habitat is unavoidable then a suitable mitigation scheme will need to be agreed. Where mitigation cannot take place on site, the applicant will be expected to enter into a planning agreement to re-create habitats off-site, and / or to make a financial contribution towards the management of nearby sites in order to off-set the impact upon local biodiversity. In some cases simply planning work on-site to avoid sensitive times of the year, such as the bird breeding season, may adequately address the issue. At other sites the range of issues may be more complex and the input of a professional ecologist at an early stage is recommended.</p>
<p><b>Guideline 5: Compensation for Priority Species or Habitats</b></p>	<p><b>Example best practice approach:</b> Where an impact is unavoidable and mitigation alone cannot adequately protect a species or habitat then the provision of compensatory habitat will be expected. The provision of compensatory habitat should be relevant to the loss that has occurred within the development site and should ultimately aim to provide an overall biodiversity gain. For example, if a pond is to be lost then two new ponds should be created, where an area of grassland is lost then a similar or larger area of wildflower grassland should be created. All created habitats are expected to be positively managed for at least ten years after their creation.</p>
<p><b>Guideline 6: Future monitoring of biodiversity impact</b></p>	<p><b>Example best practice approach:</b> Monitoring of a bat population for a minimum of three years to assess the use of a new roost site. Monitoring schemes will often be required where a mitigation or habitat compensation scheme has been proposed. The monitoring of the impact will allow information to be gained that may be of use to similar future schemes. A monitoring scheme may also provide information as to how the management of a compensation scheme could be adjusted in order to provide further biodiversity gain.</p>

## BIODIVERSITY INFORMATION TO SUPPORT A PLANNING APPLICATION: LOCAL REQUIREMENTS FOR PRIORITY SPECIES CONSERVATION

- 3.6 When undertaking development, the majority of sites, whether infill, greenfield or brownfield, will be considered as having potential to support biodiversity. Where a proposed development is likely to affect Priority Species, the applicant must submit a Priority Species Survey and Assessment.
- 3.7 If the application involves any of the development proposals shown in table 1 a Priority Species Survey and Assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are explained in the table. The survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines or methods where available. Further information on appropriate survey methods can be found on the website of the Institute of Ecology and Environmental Management: *Sources of Survey Methods* [www.ieem.net/survey%2Dsources/](http://www.ieem.net/survey%2Dsources/)
- 3.8 The survey may be informed by the results of a search for ecological data from the Cambridgeshire and Peterborough Biological Records Centre. The survey must be to an appropriate level of scope and detail and must:
- Record which species are present and identify their numbers (may be approximate).
  - Map their distribution and use of the area, site, structure or feature (such as for feeding, shelter, breeding).
- 3.9 The assessment must identify and describe potential development impacts likely to harm the Priority Species and / or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show how:
- Alternative designs or locations have been considered.
  - Adverse effects will be avoided wherever possible.
  - Unavoidable impacts will be mitigated or reduced.
  - Impacts that cannot be avoided or mitigated will be compensated.
- 3.10 In addition, proposals are encouraged that will enhance, restore or add to features or habitats used by Priority Species. The assessment should also give an indication of how species numbers are likely to change, if at all, after development so as to establish whether there will be a net loss or gain.

- 3.11 The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species License. For further detailed information see: [www.natural-england.org.uk/conservation/wildlife-management-licensing/default.htm](http://www.natural-england.org.uk/conservation/wildlife-management-licensing/default.htm)

- 3.12 Please be aware that:

**Applications that do not contain the necessary level of biodiversity information will not be registered by the District Council and will be returned to the applicant undetermined.**

**Applications that have failed to inform the District Council about the presence of a Priority Species and / or Habitat on a development site may be refused on the basis of failure to adequately address the biodiversity impact of the proposal.**

**Applicants are strongly advised to discuss all potential environmental issues at the earliest stage possible with the District Council.**



*The formerly common house sparrow has undergone a rapid decline in recent years due to the loss of nest sites, cover and lack of suitable food. New developments can provide native planting to provide cover and food, and nest boxes can be erected.*

## LOCAL REQUIREMENT FOR PRIORITY SPECIES: CRITERIA AND INDICATIVE THRESHOLDS FOR WHEN A SURVEY AND ASSESSMENT IS REQUIRED

Table 1	Species likely to be affected and for which a survey will be required										
Proposals for development that will trigger a Priority Species survey	Bats	Barn owls	Breeding birds	Gt. crested newts	Otters	Water voles	Badgers	Reptiles	Amphibians	Schedule 8 plants	BAP species
<p>Proposed development which includes the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:</p> <ul style="list-style-type: none"> <li>all agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with exposed wooden beams greater than 20cm thick</li> <li>all buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water</li> <li>pre-1960 detached buildings and structures within 200m of woodland and/or water</li> <li>pre-1914 buildings within 400m of woodland and/or water</li> <li>pre-1914 buildings with gable ends or slate roofs, regardless of location</li> <li>all tunnels, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures</li> <li>all bridge structures (especially over water and wet ground)</li> </ul>	•	•	•								
Proposals involving lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water	•	•	•								
Proposals affecting woodland, or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies	•		•				•			•	•
<p>Proposed tree work (felling or lopping) and / or development affecting:</p> <ul style="list-style-type: none"> <li>old and veteran trees that are older than 100 years</li> <li>trees with obvious holes, cracks or cavities</li> <li>trees with a girth greater than 1m at chest height</li> </ul>	•		•								•
	•		•								•
	•		•								•

Table 1	Species likely to be affected and for which a survey will be required										
Proposals for development that will trigger a Priority Species survey	Bats	Barn owls	Breeding birds	Gt. crested newts	Otters	Water voles	Badgers	Reptiles	Amphibians	Schedule 8 plants	BAP species
Proposals affecting gravel pits, quarries, cliff faces or caves	•		•					•			•
Major proposals within 250m* of a pond or Minor proposals within 100m* of pond  (Note: A major proposals is one that is more than 10 dwellings or more than 0.5 hectares or for non-residential development is more than 1000m <sup>2</sup> floor area or more than 1 hectare)				•							•
Proposals affecting or within 25m* of rivers, streams, lakes, or other aquatic habitats such as reedbeds or fen	•		•		•	•			•	•	•
Proposals affecting 'derelict' land (brownfield sites), allotments and railway land			•	•			•	•	•		•
Proposed development affecting any buildings, structures, feature or locations where <u>Priority Species are known to be present</u> **	•	•	•	•	•	•	•	•	•	•	•

Table adapted from version produced by ALGE 2007, Validation of Planning Applications

\* Distances may be amended to suit local circumstance on the advice of the local Natural England team and / or Local Biodiversity Partnership.

\*\* Confirmed as present by either a data search (for instance via the Biological Records Centre or as notified to the developer by the local planning authority, and/or by Natural England, the Environment Agency or other nature conservation organisation.

### EXCEPTIONS FOR WHEN A FULL PRIORITY SPECIES SURVEY AND ASSESSMENT MAY NOT BE REQUIRED

3.13 A full Priority Species survey and assessment may not be required when:

1. Following consultation by the applicant at the pre-application stage where the LPA has stated in writing that no Priority Species surveys and assessments are required.
2. If it is clear that no Priority Species are present, despite the guidance in the above table indicating that they are likely and the applicant is able to provide evidence with the planning application to demonstrate that such species are absent (e.g. this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation).

3. If it is clear that the development proposal will not affect any Priority Species present, then only limited information needs to be submitted. This information should, however:
  - a. demonstrate that there will be no significant affect on any Priority Species present; and
  - b. include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.
- 3.14 In some situations, it may be appropriate for an applicant to provide a Priority Species survey and assessment for only one or a few of the species shown in the table above e.g. those that are likely to be affected by a particular activity. Applicants should make clear which species are included in the assessment and which are not and why the exceptions apply.
- BIODIVERSITY INFORMATION TO SUPPORT A PLANNING APPLICATION:  
LOCAL REQUIREMENTS FOR DESIGNATED SITES AND PRIORITY  
HABITATS**
- 3.15 The District Council will have regard to the protection of biodiversity at designated sites and to Priority Habitats. Where a proposed development is likely to affect such a site or habitat an applicant must submit a Biodiversity Site Survey and Assessment.
- 3.16 If the application is likely to affect any of the designated sites, Priority Habitats or biodiversity features listed in table 2 a survey and assessment for the relevant feature(s) must be submitted with the application. Exceptions to when a survey and assessment may not be required are explained in the table. The survey should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines or methods where available. Further information on appropriate survey methods can be found on the website of the Institute of Ecology and Environmental Management *Sources of Survey Methods* [www.ieem.net/survey%2Dsources/](http://www.ieem.net/survey%2Dsources/)
- 3.17 The survey may be informed by the results of a search for ecological data from the Cambridgeshire and Peterborough Biological Records Centre. Information on internationally and nationally designated sites can be found at: [www.natureonthemap.org.uk](http://www.natureonthemap.org.uk)
- 3.18 The survey must be to an appropriate level of scope and detail and must:
  - Record which habitats and listed Biodiversity Features are present on and, where appropriate, around the site.

- Identify the extent / area / length present.
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

3.19 The assessment should identify and describe potential development impacts likely to harm designated sites, Priority Habitats, and listed Biodiversity Features. This should include both direct and indirect effects occurring during construction and after development. Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered.
- How adverse effects will be avoided wherever possible.
- How unavoidable impacts will be mitigated or reduced.
- How impacts that cannot be avoided or mitigated will be compensated.

3.20 In addition, proposals are encouraged that will enhance, restore or add to designated sites, Priority Habitats, or Biodiversity Features. The assessment should give an indication of likely change in the area (hectares) of Priority Habitat(s) on the site after development such as to whether there will be a net loss or gain.



*Due to their biodiversity value old orchards have been added to the UK BAP. Fragments of old orchards still occur in many villages and should be conserved or suitably integrated within the landscape of new developments.*



## LOCAL REQUIREMENTS FOR DESIGNATED SITES AND PRIORITY HABITATS: CRITERIA FOR WHEN A BIODIVERSITY SITE SURVEY AND ASSESSMENT IS REQUIRED

**Table - 2 Local Requirements for Designated Sites and Priority Habitats: Criteria for When a Biodiversity Site Survey and Assessment is Required**

<p><b>1. Designated sites</b> (as shown on the LDF Proposals Map)</p> <p><b>Internationally designated sites</b></p> <ul style="list-style-type: none"> <li>• Special Protection Area (SPA)</li> <li>• Special Area of Conservation (SAC)</li> <li>• Ramsar Site</li> </ul> <p><b>Nationally designated sites</b></p> <ul style="list-style-type: none"> <li>• Site of Special Scientific Interest (SSSI)</li> <li>• National Nature Reserve (NNR)</li> </ul> <p><b>Regionally and locally designated sites</b></p> <ul style="list-style-type: none"> <li>• County Wildlife Sites (CWS)</li> <li>• Local Nature Reserve (LNR)</li> </ul>
<p><b>2. Priority Habitats</b> (Habitats of Principal Importance for Biodiversity under S.41 of the NERC Act 2006)</p> <ul style="list-style-type: none"> <li>• Ancient and/or species-rich hedgerows</li> <li>• Floodplain grazing marsh</li> <li>• Fen, marsh, swamp and reedbeds</li> <li>• Purple moor grass and rush pastures</li> <li>• Lowland beech and yew woodland</li> <li>• Lowland calcareous grassland (e.g. species-rich chalk and limestone grasslands)</li> <li>• Lowland heathland and/or dry acid grassland</li> <li>• Lowland meadows (e.g. species-rich flower meadows)</li> <li>• Lowland mixed deciduous woodland (ancient woodland)</li> <li>• Lowland wood-pasture and parkland</li> <li>• Rivers and streams (e.g. chalk streams)</li> <li>• Standing open water and canals (e.g. lakes, reservoirs, ponds, aquifer fed fluctuating water bodies)</li> <li>• Wet woodland</li> </ul>
<p><b>3. Other Biodiversity Features</b> (as identified by the Cambridgeshire and Peterborough Biodiversity Partnership - see paragraph 84 ODPM Circular 06/2005))</p> <ul style="list-style-type: none"> <li>• Secondary woodland and mature / veteran trees</li> <li>• Caves and disused tunnels (e.g. roosts for bats)</li> <li>• Trees and scrub used for nesting by breeding birds</li> <li>• Previously developed land with biodiversity interest (i.e. brownfield sites)</li> <li>• Urban green space (e.g. parks, allotments, flower-rich road verges and railway embankments)</li> </ul>

Table adapted from version produced by ALGE 2007, Validation of Planning Applications

## EXCEPTIONS FOR WHEN A FULL BIODIVERSITY SITE SURVEY AND ASSESSMENT MAY NOT BE REQUIRED

- 3.21 A full biodiversity site survey and assessment may not be required when:
1. **International and National Sites:** The applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.
  2. **Regional and Local Sites and Priority Habitats:** The applicant is able to provide copies of pre-application correspondence with the District Council's Ecology Officer or similar conservation professional, confirming that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other Priority Habitats or Biodiversity Features.

## DETERMINATION OF PLANNING APPLICATIONS: BIODIVERSITY ISSUES

- 3.22 Biodiversity is now established in planning policy as an important element within the decision making process – a material consideration. Government guidance, PPS9, emphasises the importance of biodiversity and the requirement for development to positively enhance wildlife.
- 3.23 Development proposals provide many opportunities for building-in beneficial biodiversity features as part of good design. Planning policies, conditions and legal agreements can be used to maximise, and require, the provision of specific features for biodiversity.
- 3.24 Development proposals will be considered against the following Biodiversity Issues in order to appreciate how they have considered the requirements of PPS9 and LDF policies:

**Table 3 - Biodiversity Issues**

B1 - Protection, Enhancement, Creation, Restoration and Management of Biodiversity Habitats
B2 - Biodiversity Site Protection
B3 - Mitigation and Compensation
B4 - Planning Obligations
B5 - Protection of Wildlife Corridors
B6 - Protection of Ancient Woodland
B7 - Biodiversity Provision in the Design of New Buildings
B8 - Provision of Green Roofs and Walls
B9 - Maximising the Biodiversity Potential of Agricultural Land

### 3.25 Biodiversity Issue B1 - Protection, Enhancement, Creation, Restoration and Management of Biodiversity Habitats

The District Council will require development to:

1. Secure the protection, enhancement and management of natural and semi-natural landscapes and habitats together with the biodiversity that they contain, and to seek the restoration or creation of new wildlife habitats.
2. Secure the provision of appropriate public access to natural green spaces, particularly within or close to the villages.
3. Ensure that planning applications contain an adequate amount of information on a site's past and present biodiversity status in order to allow the impact of a proposal to be appropriately assessed.
4. Contribute to a net biodiversity gain as a means to achieve sustainable development.

3.26 **Protection of Priority Species and Habitats** - An example of a Priority Species of particular significance within the district is the occurrence of the Barbastelle bat (*Barbastelle barbastellus*), one of Britain's rarest bats. The species is protected on Schedule 5 of the Wildlife and Countryside Act, 1981, and on Annex IV of the EC Habitats Directive. The Directive is European law that provides for the creation of a network of protected sites known as *Natura 2000*. In the UK Special Areas of Conservation (SAC) are designated. The Eversden and Wimpole Woods SSSI also represents the SAC boundary. This area is shown on Map 1 and shows the wide area of land that is currently believed to support the bats outside of the SAC which is integral to the species' long-term survival within the district. Development proposals should aim to retain mature trees, woods and copses, and to provide new habitat linkages, through new tree planting and the integration of existing hedgerow networks with new ones. Where a development is likely to cause an adverse effect, either alone or in combination, upon the special features of the SAC it shall be subject to rigorous scrutiny. Where a proposal is likely to have a significant effect on any European site it will be subject to an Appropriate Assessment.

3.27 **The control of invasive plants** - Vigorous or invasive non-native plant species can impact negatively upon biodiversity by out-competing native flora. This can then lead to a negative impact upon fauna by limiting the available feeding and cover areas. Species of particular concern include Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*), giant hogweed (*Heracleum mantegazzianum*), parrot's feather weed (*Myriophyllum aquaticum*), New Zealand pygmy weed (*Crassula helmsii*) and Chinese water fern (*Azolla filiculoides*). Where proposals at development sites are likely to result in the

spread of non-native invasive plant species the development may not be permitted until suitable measures have been agreed and / or undertaken to control the invasive species.



*Japanese knotweed*



*Giant hogweed*

- 3.28 **Equestrian activity** - The increased use of land for equestrian purposes can bring benefits if properly planned and sensitively managed. The use of grassland sites by horses can sustain their botanical interest. However, there is also much potential to damage the interest of grassland sites through over-grazing. Over-grazing may lead to the proliferation of certain weed species, increased soil erosion and diffuse pollution. Development proposals for stabling or for Change Of Use (COU) to paddock land will be subject to an appropriate level of scrutiny.
- 3.29 **Enhancement of existing biodiversity assets through development** - The creation and enhancement of habitats adjacent to existing wildlife sites to complement and provide a buffer for existing areas will be sought. Habitat creation and enhancement towards the achievement of targets in the Biodiversity Action Plans will also be sought.
- 3.30 There is also considerable scope for the use of green building methods within the landscaping of new developments. Buildings can be screened using native shrubs and hedges. They can also be made attractive to biodiversity by using climbing plants on walls, fitting window boxes or installing green roofs and walls. Plants can cleanse particles from the air thus improving local air quality. Channelised or culverted watercourses can be restored to provide a more natural profile to rivers and streams whilst increasing the range of aquatic habitats, with the additional benefits of increased flood storage capacity and improvements to water quality.



*The use of climbing plants can help to screen buildings and provide wildlife habitats.*

- 3.31 **The use of Article 4 Directions** - In particularly sensitive areas such as within the Green Belt or within Conservation Areas, the District Council will consider the use of Article 4 Directions of the Town and Country Planning (General Permitted Development) Order 1995 which would remove certain Permitted Development rights. The purpose will be to control development that is of potential harm and maximise opportunities for biodiversity within new developments.
- 3.32 Development (that might otherwise be Permitted Development) that can be harmful to watercourses includes the construction of outhouses, boathouses, gazebos, jetties, bank stabilisation, decking or sheds that reduce or destroy the natural bankside habitat. Lighting and fencing can also impact upon the movement of species such as otter or bats.
- 3.33 **Garden extension** - It is important to consider the impact of garden extensions into the open countryside. In particular the physical and visual impact on the wider landscape character area will need to be considered. Such a change will normally require planning consent for a Change Of Use (COU). Species and features associated with a farmland landscape may not be replicable within the garden environment. These issues shall be considered when determining the biodiversity impact of a COU planning application to create or extend gardens.
- 3.34 Applicants will normally be required to plant native species hedges to define boundaries in open countryside as opposed to the erection of fences that may hinder the natural movement of animals.



*Garden extensions can provide an opportunity to diversify arable landscapes. Fencing can be softened through the use of native hedging. Wildflower grass mixes can be sown to increase the biodiversity value of new grasslands.*

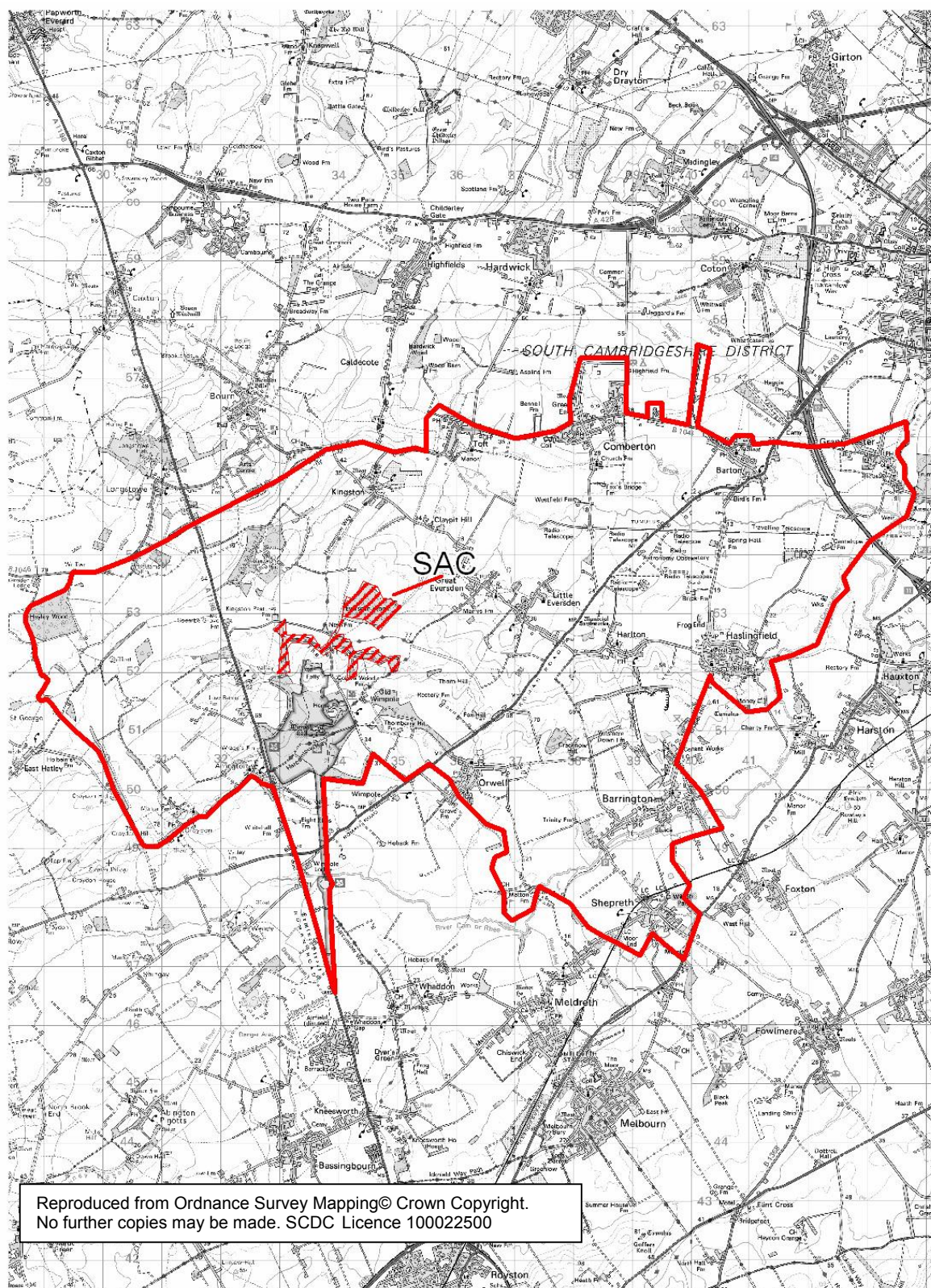


- 3.35 **Development in gardens** - The protection of species and their habitats is an important part of sustainable development. Much of the open space within the built-up areas of villages constitutes domestic gardens or curtilage land. These sites may support a wide array of wildlife especially where a diverse mix of flowerbeds, shrubs and tree cover is provided. A wide diversity of native and non-native flowering and berry bearing plants can also be particularly attractive to biodiversity especially invertebrates such as moths. Gardens ponds will further increase the value of a garden for biodiversity by drawing in amphibians, birds and mammals.
- 3.36 Areas with long gardens or large blocks of gardens and areas with a diversity of habitats can support Priority Species, such as the great crested newt or house sparrow. Large or long gardens are generally less disturbed by people and may contain a wider range of habitats such as a pond, formal areas and unmanaged areas. Small gardens, however well landscaped, tend to support a more limited range of wildlife. It is therefore possible that certain back garden blocks may provide the best habitat within a local area. In such cases the retention of habitat for biodiversity will have to be carefully integrated within development proposals.
- 3.37 **Habitat creation and management** - There will always be some opportunity within development proposals to create and manage biodiversity. Development proposals that deliver public open space which provides new wildlife habitats with clear management objectives will be encouraged. There is a particular need for such initiatives within or near to villages where the desire for increased access to nature is greatest. Access can be improved by making places more attractive and safer, enhancing, or creating, new accessible wildlife habitats. In the few cases where there are habitats or species that are particularly sensitive to disturbance, such as badger setts, specific mitigation and / or specific management proposals will be required to be presented prior to the commencement of development.



*Stockbridge Meadows  
Riverside Park has been  
provided by Manor  
Kingdom Ltd for  
Melbourn Parish Council  
through a legal  
agreement attached to a  
planning decision.*

Map 1 - Barbastelle bat area of importance for Eversden and Wimpole Woods SAC





### 3.38 Biodiversity Issue B2 - Biodiversity Site Protection

Sites will be considered important for biodiversity where they:

1. Are European protected sites (SPAs, SACs or Ramsar sites).
2. Are Nationally protected sites (SSSIs, NNRs or AONB).
3. Are County protected sites (CWS).
4. Provide for the presence of a Priority Species and / or Habitat.
5. Have the potential to assist in the delivery of National, County or District Biodiversity Action Plan targets.
6. Provide for the quiet enjoyment of biodiversity within semi-natural areas of an otherwise built environment (LNR).
7. Act as an educational resource (LNR).
8. Clearly act as a stepping-stone, wildlife corridor or refuge area within an otherwise built environment.
9. Have a demonstrable level of public involvement in the management of the site.

Development proposals, where appropriate, shall be expected to provide appropriate access to Biodiversity Sites.

The most important Biodiversity Sites are shown on the Proposals Map within the LDF. Other such sites may occur through the process of site assessment as development proposals come forward and shall be added to the Proposals Map where necessary.

3.39 Within South Cambridgeshire there will be a tiered approach to biodiversity conservation at known sites. The two broad categories shall be Statutory Protected Sites (to be known as statutory sites) and Non-statutory Protected Sites (to be known as non-statutory sites).

3.40 **Statutory sites** - In line with PPS9, statutorily protected sites constitute a material consideration in all development proposals. Policy NE/7 of the Development Control Policies section of the LDF details the Council's approach to such sites. Sites that fall within policy NE/7 include Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Ramsar sites and Sites of Special Scientific Interest (SSSI). Full details of the special interest of SAC's and SSSI's of particular interest to South Cambridgeshire can be obtained from Natural England at [www.natural-england.org.uk/conservation/designated-areas](http://www.natural-england.org.uk/conservation/designated-areas).



- 3.41 **Non-statutory sites** - the most important non-statutory site is the County Wildlife Site (CWS). The *Cambridgeshire and Peterborough County Wildlife Site Handbook* provides a guide as to how the CWS system operates in Cambridgeshire. Further information regarding CWS and copies of the handbook can be obtained from [www.wildlifebcnp.org/ourwildlife-countysites.htm](http://www.wildlifebcnp.org/ourwildlife-countysites.htm)
- 3.42 The conservation of biodiversity across the district as a whole is an issue that requires a closer focus at the local level and a certain amount of careful balance in order to afford protection without unnecessarily restricting development. It has become apparent that there is a need to identify areas within the villages that provide for local biodiversity and also for people's enjoyment of local biodiversity.
- 3.43 Non-statutory sites shall contribute to the overall conservation of biodiversity at the local level by retaining habitats and features important to Priority Species. Many parishes have relatively small areas that are managed by local people for the benefit of biodiversity. Due to their small size or limited number of species these areas may not fulfil the criteria used to designate statutory sites, however they may have an inherent value at the local level. Such sites should also be protected from inappropriate development where possible. Non-statutory sites frequently provide areas where people engage with and experience biodiversity, and thus contribute towards people's quality of life.
- 3.44 Non-statutory sites incorporate the following types of sites:
- County Wildlife Sites (CWS)
  - Local Nature Reserves (LNR)
  - Village Green Spaces (VGS)
  - Pocket Parks (PP)

For information on the above sites please refer to the SCDC Biodiversity Strategy.

- 3.45 **Open space targets** - In order to encourage the further provision of biodiversity areas (and non-statutory sites) through development English Nature's *Accessible Natural Green Space Target* (ANGST) will be aspired to. The provision of new LNRs is one such mechanism to achieve the target and deliver necessary quality open space. The ANGST criteria as set out in PPG17 require the following:
- Every home to be within 300m / 5 minute walk of a natural greenspace site of at least 2 ha.
  - Every home to be within 2km of >20ha natural greenspace site.
  - Every home to be within 5km of a >100ha natural greenspace site.

- Every home to be within 10km of a >500ha natural greenspace site.

- 3.46 **Preservation of non-statutory sites** - Non-statutory sites in combination with statutory sites represent a strategic framework for the conservation of biodiversity. The District Council will give an appropriate level of protection to non-statutory sites to ensure the continued existence of their main features of interest, and to ensure that the contribution such sites have towards the achievement of Biodiversity Action Plan targets is not unnecessarily compromised.
- 3.47 Applications for development within, or near to, a non-statutory site will be expected to be informed by up-to-date information and will be subject to assessment with particular account taken of any direct or indirect effects on the main features giving rise to the designation. Indirect effects can include increased use and disturbance, hydrological changes (for example due to increased hard surfaces or underground development), an increased level of noise, pollution, shading and lighting disturbance. Adverse effects on a site include effects on the species that it supports. This principle shall also apply to the effects on people's opportunity to enjoy and experience nature on a site. Development on or adjacent to an important site can have an adverse impact upon people's enjoyment of the site's biodiversity and landscape value, for example through intrusive visual features, restrictions on access or a significant increase in noise.
- 3.48 If significant harm cannot be prevented, adequately mitigated against, or compensated for, the planning permission will be refused.

**3.49 Biodiversity Issue B3 - Mitigation and Compensation**

**Where, exceptionally, development that is harmful to a Biodiversity Site or a Priority Species (or Habitat) is permitted, appropriate planning conditions or obligations will be required to adequately mitigate and / or compensate for the harm.**

- 3.50 **Avoiding net loss** - The protection of habitats and species, and the avoidance of biodiversity loss is a key objective of PPS9 and the South Cambridgeshire LDF. Avoidance of adverse impact will therefore always be the preferred approach to biodiversity conservation and issue B1 should always be considered. In exceptional circumstances, where the benefits of a proposal are demonstrated to clearly outweigh the importance of biodiversity conservation, conditions will be imposed and obligations negotiated with the aim of securing compensatory habitat creation to prevent any net loss.
- 3.51 Where development is permitted that may affect a Priority Species measures should:
1. Facilitate the survival of the species' population.

2. Reduce disturbance to a minimum.
  3. Provide adequate compensatory habitat in order to sustain and enhance the current level of a population.
- 3.52 The compensatory habitat will preferably replace “like with like”. Where this is impossible more extensive new habitat will be sought that replaces the loss with a similarly valued habitat or biodiversity feature. Likewise measures may be required that:
1. Secure the future of a retained site as an LNR or similar.
  2. Provide for its long-term beneficial management.
  3. Provide public access to a new habitat.
- 3.53 It should be noted that the translocation of species and habitats shall only be allowed as a measure of last resort.
- 3.54 The SCDC Biodiversity Strategy provides further information on methods of mitigation in section 4.4 tables 10 and 11.



*Protective measures in place to conserve a population of common lizards following their translocation within Melbourn.*

### 3.55 Biodiversity Issue B4 - Planning Obligations

**The District Council will seek to use planning obligations under Section 106 of the Town and Country Planning Act, 1990, in order to ensure the protection, restoration, management and further enhancement of biodiversity and people’s accessibility to sites for the appreciation of biodiversity.**

**Planning obligations shall be considered as an important tool for the delivery of green infrastructure in line with the identified Countryside Enhancement Areas and the Cambridgeshire Green Vision.**

- 3.56 **Securing biodiversity gain** - Planning obligations are an important tool in securing mitigation and compensation for losses of biodiversity caused through development, and also for securing biodiversity enhancements. In seeking biodiversity gain priority will be given to actions that help achieve Biodiversity Action Plan targets. In particular, enhancements to create appropriate access to Biodiversity Sites will be sought. Planning obligations relating to the creation of new wildlife habitats will usually include a provision for the ongoing management of new sites for at least ten years.
- 3.57 **Assessing contribution requirements** - Unlike other service areas, contribution requirements for biodiversity features cannot be solely based on housing units. Instead assessments will be made on a case-by-case basis, taking account of:
1. The effect of a proposal on any existing Biodiversity Features, and upon Priority Species and Habitats.
  2. The opportunities provided by a proposal for biodiversity, taking account of the location, type, scale and composition of the development.
- 3.58 There is no minimum development threshold. Whenever development falls into either categories in 3.57 it will be necessary to implement suitable mitigation and / or enhancement measures and, where appropriate, to make provision for such measures off-site.
- 3.59 The Cambridgeshire and Peterborough Structure Plan, 2003, has identified a broad approach to countryside enhancement and presents it in Policy P7/3 *Countryside Enhancement Areas*. Similarly, the Cambridgeshire and Peterborough Biodiversity Partnership has also produced its *50 Year Vision Map* (refer to the SCDC Biodiversity Strategy).
- 3.60 Countryside Enhancement Areas apart from their habitat value, have the potential to provide accessible open spaces where people can experience the countryside close to home. This has the potential to contribute to people's quality of life. A greater provision of accessible sites spread across the district is required to relieve the pressure upon established "honey pot sites" such as Grantchester Meadows and Wandlebury Ring.
- 3.61 Examples of Countryside Enhancement Areas where significant projects are already underway include the *West Cambridgeshire Hundreds Project* (Wildlife Trust and landowners), and the *Coton Farming and Countryside Reserve* (Cambridge Preservation Society), the *Wicken Fen Vision* (National Trust) and the *Fen Drayton Lakes Projects* (RSPB). These projects should be considered as prime examples of countryside enhancement projects that will provide significant areas of land for both people and biodiversity, thus meeting the aim of green infrastructure provision.

- 3.62 **Establishing enhancement targets** - The SCDC Biodiversity Strategy has established a broad range of potential habitat creation initiatives and has proposed Countryside Enhancement Areas. Similarly, the Cambridgeshire Green Vision identifies the locations of fragile habitats; identifies current and future areas of importance for biodiversity; establishes mechanisms for landscape and biodiversity restoration; and produces a framework plan to assist in the Vision's long-term delivery. The Green Vision has identified areas that are deficient in biodiversity and countryside access. Consequently, a range of concept projects have been prioritised for delivery. The use of planning obligations will be a key means of taking forward the Green Vision where there is a clear relationship between a project and a proposed development. For example where a development site results in the loss of grassland and a nearby project aims to re-create semi-natural grassland then financial support for the enhancement project may be sought.
- 3.63 The Green Vision is the county's combined response to the need for a green infrastructure strategy, which was produced by Cambridgeshire Horizons in 2006. It presents a 20 year plan to improve the quality of life for residents of the county. It seeks to enhance the environment for both people and wildlife and respond to the planned population growth by identifying those areas most in need of environmental improvements. It can be viewed at [www.cambridgeshire.gov.uk/greenvision](http://www.cambridgeshire.gov.uk/greenvision)



*The RSPB's Fen Drayton Lakes Project will improve the site for wildlife whilst enhancing public access. The work to date has been funded by the Government's Growth Area Fund, however future improvements could be delivered through S106 agreements.*

#### 3.64 **Biodiversity Issue B5 - Protection of Wildlife Corridors**

**Development proposals will be expected to enhance the biodiversity value of the identified networks of Wildlife Corridors and to contribute towards green infrastructure projects for the district.**

**A Wildlife Corridor shall be a site, feature or combination of features within the landscape that form linkages between Biodiversity Sites or have been identified as a regularly used route or flight path for a Priority Species within the wider landscape.**

- 3.65 **Purpose of Wildlife Corridors** - Conservation of the district's biodiversity cannot be achieved solely by the protection of Biodiversity Sites (possibly fragmented sites). It should also take account of the value of other biodiversity features within the district such as rivers, ditches, hedgerows, ponds and woods which all provide valuable habitat. Regulation 37 of the UK Habitats Regulations draws specific attention to the management of such features in order to sustain biodiversity. Green spaces together with Biodiversity Sites may link together habitats, forming wider biodiversity networks. Green spaces adjacent to such sites may make them more resilient to pressure from overuse or climate change. Corridors will act as linkages between sites permitting the movement of some animals and plants. This may allow some animals to undertake movements between the different habitats that they require for survival, for example, great crested newts dispersing to land from breeding ponds. Wildlife Corridors may also enable species to re-colonise former habitats.
- 3.66 PPS9 requires the proper consideration of the value of networks of natural habitats or features acting as stepping stones for biodiversity between one habitat and another, and that they are given proper consideration.
- 3.67 **Water-based corridors** - Rivers, streams and ditches are perhaps the most obvious and important Wildlife Corridors within the district. Where considered significant they have been identified as Wildlife Corridors in the SCDC Biodiversity Strategy and form the basis of a wider network of natural habitats worthy of protection. In addition to providing key landscape settings they provide important semi-natural habitats for a wealth of biodiversity. Protected species such as the otter and water vole find habitats upon many of the rivers. Within an intensively farmed landscape, watercourses assist in species dispersal and migration. It is therefore essential to maintain the quality of these environments and to carefully balance public access.



*The River Shep acts as a wildlife corridor between Fowlmere Nature Reserve and the River Rhee allowing otters to move between sites.*

- 3.68 **Roadside verges** - Roadside verges constitute a significant area of grassland within the district. Due to their linear nature, road verges also have potential to act as Wildlife Corridors especially when associated with features such as hedgerows, tree belts or ditches. A series of Protected Roadside Verges (PRVs) exist and may act as refuge areas for uncommon species. Further information



on PRVs can be obtained from Cambridgeshire County Council's Biodiversity Officer.

### 3.69 Biodiversity Issue B6 - Protection of Ancient Woodland

**The District Council will not grant planning consent for development that would result in the loss of ancient woodland or its deterioration as a result of a planning consent.**

**The District Council will expect any development that may have an impact on the setting or character of an ancient woodland to mitigate any adverse impact, and to contribute to the woodland's management and further enhancement via planning conditions or planning obligations.**

**Ancient woodland shall be identified by having regard to the presence and combination of Ancient Woodland Indicator Species (as presented in the "Cambridgeshire County Wildlife Sites Selection Criteria", Cambridgeshire Biological Information Services, 1997).**

- 3.70 **Retention of ancient woodland** - The SCDC *Biodiversity Strategy* has defined what an area of ancient woodland is. Ancient woodland once lost cannot be recreated. PPS9 states quite clearly that local planning authorities should identify areas of ancient woodland and resist granting permission for developments that would result in the loss or deterioration of the woodland habitat. The SCDC Biodiversity Strategy shows known ancient woodlands upon its Proposals Map 4.
- 3.71 **Veteran trees** - English Nature defined a veteran tree as: A tree which, because of its great age, size or condition is of exceptional value culturally, in the landscape or for wildlife.
- 3.72 Some trees are clearly old and would instantly be recognisable as veteran or ancient. Others may not grow to a great size or reach a great age but they may be veterans for their species, such as large pollard willows or fruit trees within an old orchard.
- 3.73 Veteran trees found outside ancient woodland are particularly valuable for biodiversity due to the large amount of deadwood that they may contain. Deadwood is important for invertebrates and rot holes may provide nest sites for birds or roosts for bats. The retention of veteran trees within development sites shall be encouraged where they present no unacceptable safety risks. Where trees have to be removed the deadwood will be retained on site where possible.



*Veteran trees such as this willow pollard are important in respect of their biodiversity and landscape value. Once these trees are lost they may take many decades or even hundreds of years to be replaced. PPS9 encourages the conservation of such trees within development proposals.*

### 3.73 Biodiversity Issue B7 - Biodiversity Provision in the Design of New Buildings

**The District Council will expect:**

- 1. That on all major housing developments 50% of the dwellings will have features such as bird, bat or insect boxes provided in close association with the properties. On all other sites suitable provision for biodiversity enhancements shall be negotiated to achieve a similar standard.**
- 2. That appropriate new wildlife habitats will be incorporated into landscaping schemes and the general layout of the built environment.**
- 3. Development proposals to have regard to the biodiversity already present within a development site and to identify opportunities to maximise the provision for biodiversity within new buildings.**

**3.74 Net increase in biodiversity** - Design for biodiversity is a key test of sustainable development and offers many opportunities for innovative design in order to achieve Biodiversity Action Plan targets. PPS9 also states that local planning authorities should maximise opportunities for building-in beneficial biodiversity features as part of good design.

**3.75 Coping with higher density** - Higher density built environments can be exploited to create habitats on walls, balconies, roof terraces and decks. Distinct microclimates can be found in and around buildings, with varying levels of daylight, wind, temperature and moisture. This requires the selection of

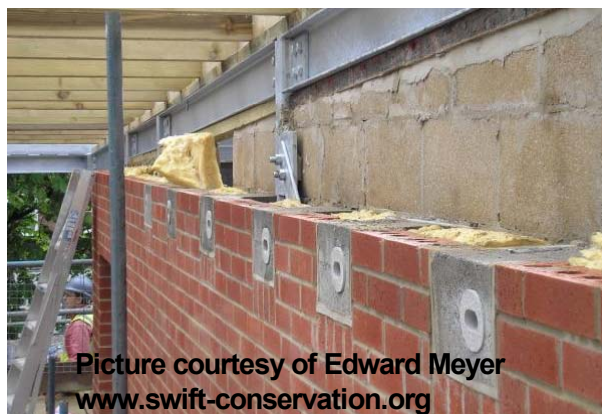


appropriate native plants that are adapted to each distinct microclimate. Additionally, the careful selection of more exotic species may provide extended flowering periods and increased yields of berries.

- 3.76 Climbing plants can be encouraged to colonise walls creating habitats for birds, insects and small mammals. They can also enhance the visual appearance of buildings, as well as providing cooling and insulation.
- 3.77 Habitat mosaics can be creatively incorporated within landscaped areas of buildings or used to make communal spaces more interesting and distinctive. Private gardens, balconies and roof terraces can also be a haven for biodiversity. The provision of wildlife features such as birdbaths and feeders, bat or hedgehog boxes can act as catalysts to encourage a greater interest in biodiversity.
- 3.78 The erection of specialist bird, insect and bat boxes can provide shelter for a wide range of species where the improved build of modern developments may have removed former crevices and holes. Swifts, house sparrows and starlings are three bird species that can easily be catered for with specialist bird boxes. Additionally, simple measures such as lifting fences 150mm off the ground may allow hedgehogs to make use of new garden spaces. Similarly, the provision of dropped kerbs (or their total exclusion where not absolutely necessary) will assist the movement of small animals such as toads along their migration routes. The replacement of open drains and gully pots with sustainable urban drainage systems (SUDS) will also reduce the number of animals becoming trapped in drains.
- 3.79 For further examples of the incorporation of biodiversity into developments and for habitat creation refer to the SCDC Biodiversity Strategy section 4.3.



*The creation of this osier greenway at Cambourne brings distinctive design and biodiversity gain to the housing estate.*



*Many specialist nest and bat boxes can be purchased. These swift brick-boxes are being built-in to dwellings in New Barnet for the Notting Hill Housing Trust.*

Picture courtesy of Edward Meyer  
[www.swift-conservation.org](http://www.swift-conservation.org)

### 3.80 Biodiversity Issue B8 - Provision of Green Roofs and Green Walls

**The District Council shall adopt the following approach:**

**The provision of green roofs and walls will be encouraged as a means to maximise biodiversity particularly where the opportunities for ecological enhancement of a site area are limited and where such measures will deliver landscape enhancement.**

- 3.81 Green roofs and walls can provide areas for biodiversity within high-density sites or those where habitat provision at ground level is simply not practicable. Green roofs can grow a variety of plant types depending on the roof design and its aspect. Commonly succulent plants of the sedum type are grown, however grass and wildflower roofs are possible. A similar approach is now being developed for the provision of vegetated green walls where prefabricated systems are being used to clad walls in order to provide a suitable growing medium.
- 3.82 Green roofs and walls can be beneficial for biodiversity by providing “stepping stones” within development sites. They can replicate the exposed surfaces of brownfield sites that are important for invertebrates and provide feeding areas for birds as well as contributing to the overall health of the environment. Sky larks have been recorded using green roofs on large factories where the wide open space mimics conditions found at ground level.
- 3.83 In addition to providing opportunities for biodiversity, green roofs can also provide the following benefits: water attenuation by reducing run-off rates, increase of thermal insulation and improvement of air quality by reducing the level of airborne particulates. Further information can be found at [www.livingroofs.org](http://www.livingroofs.org)



*Orchard Park  
Community Centre*



*A private building using green roof techniques to lessen the visual impact.*

**3.84 Biodiversity Issue B9 - Maximising the Biodiversity Potential of Agricultural Land**

**The District Council shall adopt the following approach:**

- 1. When considering proposals for the change of use or diversification of farmland, particular consideration shall be given to the potential for impact upon Priority Species and Habitats.**
- 2. New agricultural developments will be expected to make provision for typical farmland species, particularly Priority Species.**

**3.85 Biodiversity on farms** - The district of South Cambridgeshire is still a largely rural district with open farmland constituting a very noticeable proportion of the landscape. The farmland landscape, whether it be arable or pastoral, is also important for biodiversity. Until recently the rare stone curlew could still be found in the chalk belt in the south east of the district. On the fen edge nationally important numbers of birds, such as the golden plover may be observed in winter months. Rare arable plants such as the Venus's looking glass can be found on field margins. Consequently farmland could be considered as the most extensive biodiversity resource of the district. However, due to the pressures of increasing land use and the past needs of intensive cultivation, the farmland of the district in places is under severe stress.

**3.86** With consideration to the points above, farmland shall not be viewed as a landscape devoid of biodiversity. Appropriate surveys may be required in order to fully assist the evaluation of a development impact. The loss of farmland habitats may not always be suitably compensated for within modern developments.





*The farmland landscape of the East Anglian Chalk Natural Area looking towards Great Chishill (above) provides visual interest and habitat diversity. Arable plants (left) of field margins provide nectar for invertebrates and seeds for farmland birds.*