

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO Conservation Advisory Group 28th May 2003
Leader & Conservation Portfolio Holder
AUTHOR/S: Ecology Officer.

DEVELOPING EFFECTIVE BIODIVERSITY POLICIES

Purpose

1. To present for consideration and to seek Member's views upon a first draft of the Local Biodiversity Policy, and to seek authority to further develop and consult upon the proposal.
2. The ultimate purpose of the Local Biodiversity Policy will be to present a strategic and robust approach to biodiversity conservation and enhancement with the district that reflects national and regional planning guidance. The Policy will then be proposed as Supplementary Planning Guidance.

Background

3. The draft Local Biodiversity Policy has been prepared in the context of the following national and regional guidance;
 - I) Planning Policy Guidance Note 9 "Nature Conservation", 1994. It states that;
"Statutory and non-statutory sites, together with countryside features which provide wildlife corridors, links or stepping stones from one habitat to another, all help to form a network necessary to ensure maintenance of the current range and diversity of our flora, fauna, geological and land-form features and the survival of importance species. In some areas the maintenance of traditional agricultural practices is important for nature conservation objectives. Sensitive landscaping and planting, the creation, maintenance and management of landscape features important to wildlife, and the skilled adaptation of derelict areas can provide extended habitats."
 - II) PPG 9 also refers to the EC Habitats Directive and the requirement upon Member States to endeavour to encourage the management of landscape features that, because of their linear or continuous structure, or their function as stepping-stones, are essential for migration, dispersal and genetic exchange. River corridors, field boundaries, ponds and small woods are given as examples.
 - III) Regional Planning Guidance 6 provides guidance in general terms to Local Planning Authorities take positive action to :
 - achieve targets set out in Local and National Biodiversity Action Plans.
 - review adopted land-use policies to ensure that they do not damage biodiversity;

- safeguard threatened habitats and create new habitats that are characteristic of the region;
 - promote agri-environment schemes to assist in the maintenance of enhancement of farmland biodiversity.
- IV) In March 2002 the Cambridgeshire and Peterborough Joint Structure Plan Review “Planning For Success” (draft deposit plan) was produced, it is known as the Structure Plan. The Structure Plan outlines principles and policies to be carried forward into Local Plans. The Structure Plan contains a number of policies for protecting, enhancing and managing the area’s environmental assets and resources. The policies that relate to biodiversity are covered within the following;
- P7/1 – Sites of Natural and Heritage Interest
P7/ 2 – Biodiversity
P7/3 – Countryside Enhancement Areas
- V) The Cambridgeshire Biodiversity Action Plan (BAP) was launched in April 2000. The BAP consists of 45 species and habitat action plans. The plans detail measures required to conserve, enhance and recreate habitats, and the species that they contain, across Cambridgeshire.

Considerations

- 4 The current SCDC Local Plan includes a number of general policies that can be used to protect, conserve and enhance biodiversity. The purpose of the now proposed draft Local Biodiversity Policy is to complement the objectives of the adopted Local Plan and present a wider range of more detailed planning guidance that will ultimately be proposed for adoption as Supplementary Planning Guidance (SPG).
- 5 The Local Biodiversity Policy will also aim to refine the current content of biodiversity related Local Plan policies and guide applicants in delivering high quality applications.
- 6 The Local Biodiversity Policy if adopted as SPG will be a useful policy tool for Members, officers, residents and developers and will assist the Council as a whole in meeting its duty towards to conservation and enhancement of biodiversity.

Options

- 7 I) Members are asked to consider the implications of the range of outline policies as presented in Appendix 1 accompanying this paper.
- II) Member’s views are sought on the appropriate content and level of detail of the policy.
- III) Guidance is sought from Members on which proposed policy areas should be developed in further detail.

Financial Implications

- 8 None specific

Legal Implications

- 9 It is proposed that the final version of the Local Biodiversity will be adopted by Council as Supplementary Planning Guidance and will then become part of the statutory local plan framework.

Staffing Implications

- 10 None specific

Sustainability Implications

- 11 The protection and conservation of the natural environment will contribute towards sustainable development.

Consultations

- 12 This report is the first part of the consultation process. If the Advisory Group are in agreement, consultation will be sought with appropriate local and national bodies.

Conclusions/Summary

- 13 The adoption of detailed local biodiversity policies will be effective in protecting features and habitats of importance for biodiversity.
- 14 The adoption of detailed local biodiversity policies will complement the Structure Plan policies, PPG9 and RPG6.
- 15 The adoption of detailed local biodiversity policies will assist the District Council in progressing its targets within the Cambridgeshire Biodiversity Action Plan.

Recommendations

- 16 It is recommended that:
- I) The Conservation Advisory Group consider the draft report and advise the Conservation Portfolio Holder to authorise the development of detailed biodiversity policies.
 - II) Request that the Ecology Officer reports back on the results of the consultation.

Appendix 1 : DRAFT SCDC Local Biodiversity Policy.

Background Papers: the following background papers were used in the preparation of this report:

- *Planning Policy Guidance note 9: Nature Conservation*, DoE, 1994
- “Regional Planning Guidance for East Anglia to 2016”, Government Office for the East of England, Nov 2002

- “Cambridgeshire and Peterborough Biodiversity Action Plan”, Cambridgeshire Biodiversity Partnership, April 2000
- Calderdale Unitary Development Plan, adopted April 1997.
- Cambridge City Council supplementary planning guidance notes.

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NB: 1st Consultation Draft
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Forward

Biodiversity is a term used to describe the richness of the living environment around us. Species once considered to be common are facing increased stress upon their populations. The rate of species loss has never been higher. International initiatives exist to reduce the rate of species loss. At the national level lists of species and habitats have been produced that require particular measures to halt their decline.

South Cambridgeshire District Council, as a Local Planning Authority, is able to make a significant contribution towards the protection, conservation and enhancement of local biodiversity. This draft Local Biodiversity Policy strives to outline national and regional guidance, and then to propose measures as to how the planning system can be used to influence and control development proposals to produce an ecologically diverse and sustainable local environment.

1.0 Biodiversity Policy – The Need

- 1.1 In recent years awareness has grown of the pressure upon biodiversity and its associated habitats from development. There is a need to safeguard biodiversity interest throughout the countryside and the built environment, and not just at specific sites. Apart from at identifiable sites of biodiversity interest, PPG 9 ‘Nature Conservation’ requires that the value of areas providing corridors or stepping stones for biodiversity between one habitat and another be given proper consideration. Such corridors and stepping-stones may include woods, ponds, rivers, ditches and hedgerows.
- 1.2 In its capacity as the Local Planning Authority the District Council has an obligation to consider how development will affect biodiversity. The conservation and enhancement of an ecologically diverse countryside is a prime consideration of this document. Very little of the English landscape that we see today has not been influenced by Man. However, recent decades have seen an increased rate of change that has resulted in a significant loss of habitats including hedgerows, flower rich meadows, and wetlands. Other habitats such as planted woodlands and grasslands are fragmented and are unlikely to ever receive the transfer of species that occurred in the past, thus their potential to be ecologically rich is limited.
- 1.3 In 1994 “Biodiversity: The UK Action Plan” was published listing habitats and species considered to be threatened nationally. Whilst the national plans provide a framework for action, in order to deliver action on the ground Local Biodiversity Action Plans have been produced.
- 1.4 In 2000 the Cambridgeshire and Peterborough Biodiversity Action Plan was launched. This listed a total of 45 plans; with 26 Habitat Action Plans and 19 Species Action Plans. Five broad habitat themes encapsulate all of the species and habitat action plans. The broad themes are:
 - Rivers and Wetlands
 - Trees and Woodlands
 - Farmland
 - Cities, Towns and Village
 - Dry Grasslands.

1.5 The recent Regional Planning Guidance for the East of England and the Countryside and Rights of Way Act, 2000, have emphasised the responsibility that Local Planning Authorities have in achieving the targets as set out in national and local Biodiversity Action Plans. This draft policy document is therefore a contribution to meeting that requirement.

2.0 Conserving and enhancing biodiversity – The Approach

- 2.1 It is a primary objective of this document to protect important habitats from unmitigated adverse impacts arising from new development, and to ensure that species and habitats of biodiversity interest are given due consideration within the planning process.
- 2.2 The following objectives will be considered to underline the approach required to achieving the conservation and enhancement of local biodiversity. Particular attention shall also be paid to species and habitats contained within the Cambridgeshire Biodiversity Action Plan (BAP), and to sites that are designated for their biodiversity interest (e.g. Sites of Special Scientific Interest, Local Nature Reserves and County Wildlife Sites).
- 2.3 When undertaking new development all sites, whether infill, greenfield or brownfield, should be considered as part of a wider mosaic of habitats that support wildlife.
- 2.4 Extensive lists of habitats and species can be found in the Cambridgeshire BAP. In brief the following habitats and land-use types should be carefully assessed within development proposals; parks and open spaces, meadows and pastures, wildlife corridors (e.g. railway routes, watercourses, road verges, shelterbelts and hedgerows), wetlands, woodland and individual trees (especially ancient or dead trees). Derelict sites, allotments, buildings and other parts of the built environment may have developed biodiversity interest over time which should also be taken into account.
- 2.5 Development proposals should show how features of value to biodiversity on site have been integrated into the design of the development, and how these relate to the biodiversity of the surrounding area (e.g. wildlife corridors and greenways linking to the open countryside or the enhancement of watercourses in development sites).
- 2.6 Where possible, applicants will be encouraged to enhance existing habitats and create new ones, particularly where they will help to achieve BAP objectives.
- 2.7 Where damage to habitats is likely to occur, a mitigation strategy to minimise the significance of this damage will need to be agreed with the District Council. Where mitigation cannot take place on site, the developer 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. Monitoring schemes will be required to report upon the success of the habitat creation.
- 2.8 Any demolition or construction work must be carried out at the appropriate time of year to avoid disturbance to species (e.g. roosting bats or breeding birds).
- 2.9 Areas of green space created as a result of development should provide a diversity of landform, such as formal and informal recreation areas where people can experience biodiversity, targeted habitat creation areas, secluded and open spaces.

3.0 Planning For Biodiversity - information to accompany planning applications

- 3.1 When considering development proposals applicants will be encouraged to consider the potential impact upon biodiversity. This may necessitate the undertaking of an ecological assessment appropriate to the size and scale of the development detailing the following information to determine the potential impact of the application;
- Recognition of international, national and local policies relating to the protection of habitats and species found on and adjacent to the proposed development site.
 - An audit of habitats and species listed within the Cambridgeshire BAP found on, and adjacent to, the proposed development site together with information relating to their sensitivity to the development.
 - Submission of adequate survey information on habitats and species undertaken at an appropriate time of year by a competent ecologist.
 - Details of how the proposed development intends to conserve existing habitats and species, and how it will retain and enhance natural features both within and, where appropriate, adjacent to a proposed development site.
 - Details of how the proposed development aims to mitigate against adverse effects on habitats and species.
 - Details of how the development proposes to compensate for habitat loss.
 - Details of proposed long-term management and monitoring schemes, and proposed off-site agreements to protect and enhance the local biodiversity.
- 3.2 Applicants are strongly advised to discuss all the potential environmental issues at the earliest stage possible with the Local Authority.

4.0 The Biodiversity Checklist

- 4.1 The Cambridgeshire County Council published the “Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough” in 2001. It is proposed that the SCDC adopts the Checklist in its entirety.
- 4.2 The document should be used as a tool for guiding the level of information supplied with planning applications. Particular attention should be paid to the best practise examples included within the document.
- 4.3 The checklist is intended to assist applicants in the provision of high quality planning applications, which will then lead to the efficient processing of the information by the Planning Authority. The Checklist also provides information on major and minor developments and environmental legislation. The “objectives” of the Checklist will expect to have been met when major developments are being considered.
- 4.4 The main “objectives” of the Checklist are:
- Protect
 - Enhance
 - Mitigate

- Compensate
- Monitor and Enforce

5.0 Natural Area Profiles

- 5.1 The Local Plan no.2, Proposed Modifications, 2002 has policies relating to the use of the Natural Area Concept. A Natural Area profile is not a designation, but an area of the countryside identified by a unique combination of physical attributes such as geology, plant and animal species, land-use and culture. These attributes contribute to an area's sense of place and its distinctive biodiversity. The concept acknowledges that biodiversity does not recognise administrative boundaries.
- 5.2 Applicants should be aware that English Nature is the body that has produced the studies and should be the point of contact for further information.
- 5.3 Natural Area profiles produced incorporating the South Cambridgeshire District are:
The East Anglian Chalk
The East Anglian Plain
The West Anglian Plain
The Bedfordshire Greensand Ridge
The Fens
- 5.4 Within these documents the biodiversity resource is identified in terms of its habitats and species. For example, within the East Anglian Chalk Natural Area unimproved calcareous grassland and spring-fed calcareous flowing and standing water are listed amongst six other habitat types. Species listed include white-clawed crayfish and serotine bat.
- 5.5 The lists of habitats and species contained within each Natural Area profile should be used to identify those biodiversity features of at least local value within specific Natural Areas. Together Natural Area profiles and BAPs provide guidance on the range of habitats and species important for the protection, conservation and enhancement across the South Cambridgeshire District.

6.0 Biodiversity Policies

6.1 Biodiversity Action Plans

Development proposals will be expected to consider their impact upon species and habitats contained within the Cambridgeshire BAP. Developments resulting in a significant impact upon biodiversity will not be granted planning permission by the District Council.

Particular emphasis should be placed on the creation or enhancement of habitats and populations of species identified in the Cambridgeshire and national BAP.

A full set of species and habitat action plans can be found at:

www.camcnty.gov.uk/sub/cntyaside/biodiv

6.2 Biodiversity Enhancement

All development will be required, where appropriate, to enhance biodiversity. Conditions or planning obligations will be attached to:-

- (i) Protect, conserve and enhance biodiversity, having regard to the objectives of the Cambridgeshire Biodiversity Action Plan;*
- (ii) Protect, restore and manage sites of biodiversity importance and their associated species and habitats;*

6.3 Habitat Creation

The Structure Plan identifies areas of Countryside Enhancement. The “50 Year Wildlife Vision for Cambridgeshire”, produced by the Cambridgeshire Biodiversity Partnership identifies areas for possible habitat creation.

The District Council will encourage the creation of new habitats in line with the Countryside Enhancement Areas proposed in the Structure Plan. Planning condition and planning obligations may be used to assist in the progression of habitat creation. Particular emphasis will be placed upon the creation of habitats where they will link wildlife corridors or isolated features or create buffer zones.

6.4 Protection of Locally Important Sites

Development that is likely to have an adverse affect on Local Nature Reserves, County Wildlife Sites or areas of value to local biodiversity will not be permitted unless it can be clearly demonstrated that there are reasons for the proposals that outweigh the need to safeguard the biodiversity value of the site.

Where development is permitted the District Council authority will make use of planning conditions or planning obligations to:

- (a) Minimise disturbance;*
- (b) Protect and enhance the site’s biodiversity value;*
- (c) Contribute towards the objectives of the Cambridgeshire Biodiversity Action Plan; and*
- (d) Where damage is unavoidable, provide new or replacement habitats so that the total biodiversity resource remains at or above its current status.*
- (e) Provision is made for the long-term protection and management of such areas;*

- (f) *No link in to a network of habitats is damaged or destroyed.*
- (g) *That particular consideration is given to the value of the site within the local area and how it relates to other sites, features and wildlife corridors.*

6.5 Wildlife Corridors

Within the open countryside, villages and built-up areas landscape features exist that can be considered as important “wildlife corridors”, such features include: hedgerows, tree belts, protected roadside verges, water features and green lanes.

The District Council will seek to retain the integrity and value of wildlife corridors by:-

- (i) *Generally only allowing development that does not preclude the movement of species along the corridor;*
- (ii) *Promoting the environmental enhancement of wildlife corridors and developing wildlife linkages to other habitats of importance to biodiversity;*
- (iii) *Requiring development to include, where appropriate, landscaping schemes based on ecological principles.*

6.6 Development Adjacent to Water

The District Council will seek to ensure that, wherever possible, development on or adjacent to areas of flowing or standing water:-

- (i) *Does not adversely affect important wetlands;*
- (ii) *Is sensitive to existing features of biodiversity value and the potential as wildlife corridors;*

and that:-

- (iii) *Ponds and other bodies of water are safeguarded from adverse development;*
- (iv) *Environmentally sensitive engineering methods are used in connection with water areas;*
- (v) *Effluent discharge is carefully controlled;*
- (vi) *Watercourses are safeguarded from culverting or infilling;*
- (vii) *River banks are suitably landscaped or enhanced;*
- (viii) *Appropriate wetland features are introduced into development schemes;*
- (ix) *The planning and use of water areas/wetlands is accompanied by appropriate management schemes.*

6.7 Rivers and floodplains

Development will not be permitted where it would:

1. *Damage the ecological functioning of a watercourse and its floodplain;*
2. *Damage the appearance and character of a watercourse and its contribution to the Natural Area profile;*
3. *Reduce the flow or quality of a watercourse.*

Floodplains should aim to be continuous to assist the dispersal and movement of species. Engineering schemes, such as weirs and floodwalls that can lead to a change in the hydrological conditions of floodplains will be subject special scrutiny.

6.8 New Gardens in the Green Belt

There will be a general presumption against new gardens for houses in the Green Belt except in special circumstances where a real need can be demonstrated. Any new gardens should be in proportion to the dwelling and be directly adjacent to the dwellings that they serve. The development should meet the following criteria:-

- (i) It would not impede the movement of biodiversity across the Green Belt;*
- (ii) It would not adversely affect species and habitats within the Cambridgeshire Biodiversity Action Plan (BAP), particularly those of the farmland BAP.*
- (iii) That the new garden will include measures to enhance BAP species particularly those dependent upon the built environment.*

6.9 Farmland

The Council's Conservation section administers a Wildlife Enhancement Scheme through which grants may be available to farmers and other owners of arable land. Practical advice is also available in partnership with other advisory bodies such as DEFRA and FWAG. Natural Area profiles highlight the value of farmland and the habitats and species that they contain as important within the district. Continued support to partnerships such as the Cambridgeshire and Peterborough Biodiversity Partnership and the Green Belt Project also provides a mechanism to conserve and enhance the arable landscape.

In order to ensure the efficient and effective use of land in the district, the District Council will work closely with the farming community and other landowners to encourage farming practices, which are sensitive to biodiversity.

Proposals for change of use of farmland will be considered against the potential impact upon species contained within the Farmland Habitat Theme of the Cambridgeshire BAP.

6.10 Protection of Hedgerows

The District Council will support and implement measures to achieve the protection, conservation and enhancement of hedgerows and the adoption of sensitive management practices based on sound ecological principles by all landowners.

Development proposals that will result in the removal, or would threaten the future survival, of a hedgerow will only be permitted where the developer has demonstrated that the benefits of the development including any replacement planting or the creation of an alternative wildlife habitat will outweigh the harm caused by the removal of the hedgerow.

6.11 Equestrian activity

Proposals for development involving the keeping and riding of horses for recreation and/or commercial purposes, including the erection of stables, fences, jumps and other equipment will not be permitted where:

- 1. The proposal is of a scale and nature out of keeping with the Natural Area profile for the area;*
- 2. The proposal is located in an area with an inadequate provision of off-road horse-riding routes that will result in an unacceptable amount of pressure upon the carrying capacity of the local environment;*
- 3. There will be an unmitigated adverse effect upon local biodiversity.*

6.12 Barn Owls

Where a development is likely to affect a building that is, or has been used within the last year, by a barn owl the applicant will be expected to demonstrate how the proposal can commence without adversely affecting the species. Particular attention should be given to flight paths and feeding grounds. Where a negative impact cannot be avoided then suitable compensatory habitat must be provided in advance of the proposal commencing.

6.13 Invasive non-native plants

Vigorous or invasive non-native plant species can negatively impact 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, Himalayan balsam, giant hogweed, parrot's feather weed, New Zealand pygmy weed, Chinese water fern,

Proposals at development sites containing invasive plant species will not be permitted until suitable measures have been undertaken to control the invasive species.

6.14 Built Environment

All new development should include opportunities to enhance biodiversity. Suitable measures might include species-specific nest boxes, bat boxes or the use of native climbing plants against hard surfaces. Within higher density plots it is increasingly important to incorporate enhancement measures to ensure that new residents can still experience biodiversity.

Consideration should be given the incorporation of measures to facilitate the movement of animals within the built environment, such as fence lifting, greenways or landscaping schemes that make particular use of native species.

6.15 Green Roofs

Green roofs can be beneficial for biodiversity by providing “stepping stones” within development sites, providing feeding areas and contribute to the overall health of the environment.

The provision of green roofs will be encouraged where the opportunities for ecological enhancement of a site area limited.

7.0 Useful contacts and information

(To be completed at a later stage with assistance from Area Planning and Local Plans teams)