

Report of	Meeting	Date
Chief Executive	Council	21 st July 2015

BIODIVERSITY AND NATURE CONSERVATION SUPPLEMENTARY PLANNING DOCUMENT

PURPOSE OF REPORT

1. To seek adoption of the Biodiversity and Nature Conservation Supplementary Planning Document (SPD).

RECOMMENDATION(S)

2. Members are asked to adopt the Biodiversity and Nature Conservation SPD as detailed in Appendix 1.

EXECUTIVE SUMMARY OF REPORT

3. This report explains the purposes and objectives of the Biodiversity and Nature Conservation SPD, which has now been finalised and is intended to be adopted.

Confidential report Please bold as appropriate	Yes	No

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

5. SPDs offer local planning authorities the opportunity to add guidance in specific policy areas. They are documents that must be prepared in consultation with interested parties, and must be subject to a screening process to discover whether a Sustainability Appraisal would be required. Unlike Development Plan Documents (DPDs) SPDs do not require independent examination before they are adopted.
6. On adoption, this SPD will be one of a suite of Central Lancashire SPDs that form part of the Local Development Framework for the Central Lancashire authorities of Chorley, Preston and South Ribble. They are to be considered alongside policy in the Central Lancashire Core Strategy and the Local Plans of the three authorities.

7. This SPD relates to Core Strategy Policy 22 on Biodiversity and Geodiversity and the local policies on biodiversity and nature conservation in the emerging Local Plans of the three authorities.
8. This SPD explains the Councils' approach towards conserving, protecting and enhancing biodiversity. Planning can make an important contribution to protecting and improving biodiversity, which is defined as 'the variety of all life on earth'. Development can have a negative impact on biodiversity, both directly, through the destruction of habitat, and indirectly (e.g. development that results in changes to air or water quality over time). Development can also have positive impacts for biodiversity by integrating new habitats with adjacent spaces.
9. The SPD provides guidance for applicants in terms of understanding the relevant Central Lancashire policies and what is required as part of the planning application process in order to protect, conserve and enhance biodiversity. It also provides information on how to consider planning applications having an impact on ecological networks, which are links between sites of biodiversity importance. In Lancashire they have been mapped by Lancashire County Council on behalf of the Lancashire Local Nature Partnership.

DRAFT SPD CONSULTATION RESPONSES

10. A draft version of the SPD was consulted on between 12th November and 23rd December 2015. Thirteen representations were received in relation to the consultation. A summary of the main issues raised and how those issues have been addressed in the SPD are included in Appendix 2. Over 1,500 people and organisations were consulted including statutory consultees and other organisations and members of the public that have asked to be kept informed of work on the Local Plan.
11. Three consultees had no specific comments to make, one supported the SPD (Bretherton Parish Council), three supported the SPD subject to amendments, five suggested further amendments to the SPD and one objected to the SPD.
12. The representations supporting the SPD subject to amendments were from the RSPB, Natural England and Fylde Council. Lancashire County Council, The Wildlife Trust, the Environment Agency and two Central Lancashire residents also suggested amendments to the SPD.
13. The proposed amendments suggested ways to enhance the SPD by referring to other legislation and guidance, by updating information that was out-of-date or incorrect, by providing greater clarity on the approach to be taken by planning applicants and by putting a greater emphasis on enhancing biodiversity and the positive role that planning can have in this regard.
14. The SPD has been amended to take account of the comments made, where practicable. It now includes:
 - Revised information about the role of sustainable drainage systems
 - References to additional legislation
 - Information about pollinators such as bees
 - Further information regarding nesting and roosting boxes
 - Reference to the Lancashire Ecological Network Approach and Analysis Document
 - Revised information about where nature conservation information and legislation can be found
 - Revised information about priority species
 - Reference to legal agreements in appropriate circumstances
 - More information about the positive impacts that planning can have for biodiversity

- Some additional information regarding designated international sites
- An expanded list of relevant environmental policies

15. The objection was received from PWC Surveyors who stated that they act on behalf of many clients that would be affected by the Lancashire Ecological Network designations. Whilst agreeing with the principle of establishing Ecological Networks they argued that the Network mapping was arbitrary and without adequate explanation. They stated that unjustified designations will result in unreasonable delays to the planning system whilst specialist ecological opinion is sought. They argued that a detailed assessment showing why areas identified are important should be carried out and be made available to view in another consultation period prior to publishing the SPD.
16. Given that the purpose of consultation was to seek views on the approaches suggested and not to consult on the Ecological Network mapping which was undertaken by other organisations, or the detailed methodology behind this, it is considered that there is no need to undertake a further consultation period prior to publishing the SPD, or to further amend the SPD. Since consultation on the SPD the Lancashire Local Nature Partnership have produced a Lancashire Ecological Network Approach and Analysis Document, which provides further guidance on the Network designations and this document is now publicly available on the Council's website at <http://chorley.gov.uk/Pages/AtoZ/Planning-Policy.aspx> alongside the Chorley Grassland and Woodland Ecological Network maps, the SPD and Consultation Statement.

NEXT STEPS

17. Under the planning regulations, the revised SPD along with a statement setting out the people consulted when preparing the SPD, a summary of the main issues raised and how these issues have been addressed must be made available for a minimum of 4 weeks before it is adopted. The 4 week period is taking place between 19th June and 17th July 2015.
18. Accordingly, the final version of the SPD is being placed before Members for approval to adopt for use for development control purposes. The SPD is also due to be adopted in Preston and South Ribble over the summer.

IMPLICATIONS OF REPORT

19. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

20. No comments

COMMENTS OF THE MONITORING OFFICER

21. No comments

GARY HALL
CHIEF EXECUTIVE

Report Author	Ext	Date	Doc ID
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