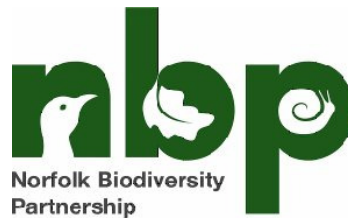




Suffolk Biodiversity
Partnership



Norfolk Biodiversity
Partnership



9th Annual Seminar on Planning and Biodiversity

12th November 2013

OPEN FORUM ANSWERS

(Questions were submitted prior to the event)

✚ **Are biodiversity measures missing out because of financial viability concerns?**

They certainly shouldn't be. Biodiversity measures must be shown to be an essential part of development and the costs factored in. Funds must be available for any requirements necessary for the mitigation hierarchy but also ought to be available for simple enhancement measures such as bat boxes.

*The answer lies in negotiation with developers, but planners have to recognise all the counter pressures around housing delivery and lack of 5 year supply. Delaying Section 106 payments may help to deliver biodiversity measures.**

Think of biodiversity as an economic asset and use it to add value / sell schemes.

Get biodiversity requirements into local plans so that the battle for the principle is only fought once.

** See Notes on P. 4 for more detail*

✚ **What is the view on the draft replacement guidance for PPS9?**

Unimpressive. The reduction in National Planning Practice Guidance has inevitably resulted in a loss of detail. Planners cannot be expected to be experts in all the topics surrounding planning. Visit the National Planning Practice Guidance website at <http://planningguidance.planningportal.gov.uk/> and follow links to natural-environment/biodiversity-ecosystems-and-green-infrastructure.

✚ **Natural England Standing Advice for Protected Species**

Natural England provides a consistent level of advice which can be applied to any planning application that could affect protected species present at a site. This is called "Standing Advice". It replaces some of the individual comments that Natural England has provided in the past to local authorities and is a material consideration in the determination of applications, in the same way as a letter received from Natural England following consultation.

Planning authorities should use Standing Advice to assess protected species survey requirements and mitigation strategies and when to consult Natural England.

The advice can be viewed on NE website at :

www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/advice.aspx

What is the relevance of Stirling University research on bats and micro-turbines (Nov 2012)?

It is felt that the research is not robust enough to warrant changing the advice on Suffolk Biodiversity Partnership's flow chart, published March 2013. This is available on the SBP website - <http://www.suffolkbiodiversity.org/> at the bottom of the Home page. The relevant paragraphs are given below:

"A review of published research by Stirling University has been undertaken and consideration given to the need to amend the flowchart. The disturbance effect on Pipistrelle bats at 20m (a distance consistent with the echolocation range of a small bat) has been noted as well as the potential impact on local populations in areas of good habitat. However, as this research had a small sample size, the results are not sufficiently robust to extrapolate to other bat species in relation to the impact of small wind turbines. Therefore further research is considered necessary to justify amending the Suffolk flowchart and guidance. The Defra funded National Bats and Wind Turbines project aims to provide information on the disturbance issues of bats and small wind turbines. This work is being led by Dr Fiona Matthews at the University of Exeter.

Obviously, should new and compelling evidence become available this guidance will be reviewed. We would be pleased to discuss and review new evidence at any time. Until such time as this happens, we suggest that unless this guidance is followed LPAs will not be able to satisfactorily demonstrate that they have met their obligations with regard to European Protected Species."

Environmental Impact Assessment and stone curlews

No specific question was asked. If you have any questions on this topic please contact Gen Broad at gen.broad@suffolk.gov.uk and I will endeavour to find the answers for you through Natural England.

Update on the Sustainable Drainage Systems (SuDS) Suffolk

The SuDS Approval Bodies (SABs) ie Unitary/County Councils will need to be ready by 1st April 2014 to approve any application which needs a SuDS. It is not known at present what the criteria for which types of development this will include. The SuDS engineers will probably be based with district authorities. There will be 3 in Suffolk (+ supporting officers) in Ipswich, Bury St Edmunds and Lowestoft. Sue Hooton (Senior Ecologist SCC) is working to get the best results for biodiversity, taking into account the particular area i.e something that will function ecologically. The Natural Environment team is working with Flood engineers for the best solution.

Norfolk and Suffolk

See the DEFRA SuDs newsletter available on the SBP website on the Planners page <http://www.suffolkbiodiversity.org/planners-page.aspx>

✚ RSPB publication: *Planning Naturally – Spatial Planning with Nature in Mind: in the UK and Beyond*

This report, produced jointly by the Royal Town Planning Institute, the Royal Society for the Protection of Birds and the Chartered Institute of Ecology and Environmental Management, outlines how planning for biodiversity should be integral to every part of the planning process and to inspire with examples of good practice. It provides “12 principles of good spatial planning” backed up with a range of examples of good practice from UK authorities. Published July 2013.

Jacqui Miller had some hard copies available during the meeting. The document can be downloaded at

www.rspb.org.uk/Images/planningnaturally_tcm9-349413.pdf

Questions submitted, but not answered during the seminar

✚ Consideration of biodiversity issues in relation to large solar farms

Hopefully the North Norfolk District Council and RSPB presentations answered this question. In addition, NE Technical Information Note TIN101 “Solar parks: maximising environmental benefits” may be useful.

<http://publications.naturalengland.org.uk/publication/32027>

✚ *Recent RSPB study (2009 - 2011) of the impact from wind turbines on birds (both on and offshore) proved to be inconclusive (evidence used to justify the building of the second stage of the offshore wind farm at Aberdeen). Is this still the case or does further research/study indicate otherwise? If it is proved to have a negative effect, what is the policy on the building of additional wind farms, particularly for Scotland, which intends to be 100% renewable energy supplied from wind by 2020?*

There are Several IEEM 2012 conference presentations on this subject at

<http://www.cieem.net/previous-conferences-2012-autumn-conference-318>

Also see RSPB (2013) review of the latest literature on the potential effects of wind farms on birds on the Bern Convention website :

<https://wcd.coe.int/ViewDoc.jsp?id=2064209&Site=&BackColorInternet=B9BDEE&BackColorIntranet=FFCD4F&BackColorLogged=FFC679>

- ✚ **How can better understanding and evidence of strategic scale (ie across district and county boundaries) recreational impacts on Natura 2000 sites, arising from new housing development, best be achieved?**
Rachel Hoskin's presentation included information on Strategic Mitigation Schemes which frontload the HRA process with evidence on a strategic scale. This would be useful for development likely to affect Brecks, coastal and habitat SPA & SACs. Durwyn Liley's presentation also addressed this issue.

NOTES

Local planning authorities (LPAs) are under pressure from the government to approve housing developments, in order to increase the delivery of new housing. Based on Section 6 of the National Planning Policy Framework (NPPF):

- There is a 'presumption in favour of sustainable development' which means that there have to be very strong reasons to refuse an application for development.
- The NPPF requires LPAs to maintain a five year housing land supply, which is a supply of sites with planning permission for housing, or awaiting determination of an application for housing, or allocated for housing through a Local Plan and likely to come forward within the following 5 years, that is sufficient to meet the LPA's identified housing need for 5 years.
- If an LPA cannot demonstrate that it has a five year housing land supply, its local plan will be considered out of date.
- The result of this is that applications for housing development are more likely to be submitted on sites (especially greenfield sites) which have not been identified for development through local plans. The presumption in favour of development means that there would need to be very strong reasons for refusal. Appeals have been allowed for such proposals all over the country e.g. 1,500 homes on the edge of Harlow and 800 on the edge of Stratford upon Avon.