



Warwickshire

Wildlife and Planning Guidance: Local Plans

This Leaflet is one of a series of 4 Wildlife and Planning Guidance Leaflets and is intended to provide useful information to assist you to campaign effectively for wildlife within your areas.

We would be pleased to receive any feedback on the Leaflets at the address below.

Warwickshire Wildlife Trust,
Brandon Marsh Nature Centre,
Brandon Lane,
Coventry
CV3 3GW

enquiries@wkwtr.org.uk
024 7630 2912

www.warwickshirewildlifetrust.org.uk

Copyright 2015 Warwickshire Wildlife Trust
Registered Charity Number 209200

1. The Development Plan:

The Planning system involves making decisions about the future of our cities, towns and countryside. It is vital to balance the needs of development with maintaining a resilient natural environment for both people and wildlife.

A healthy natural environment that is rich in wildlife provides many benefits to local communities. Wildlife and green spaces in and around our towns and villages add to our quality of life.

New development that is done properly can benefit wildlife, typically by creating new habitats or providing resources to manage previously neglected wildlife sites. However, when done badly, development can have a negative effect on important habitats and species.

Get Involved...

You can help protect and enhance your local environment by influencing planning decisions to ensure that they benefit rather than harm wildlife and protect important habitats and species.

What constitutes the Development Plan?

The statutory development plan is the plan for the future development of an area. It consists of:

- **Local Plans:** development plan documents adopted by local planning authorities, including any 'saved' policies from plans that are otherwise no longer current, and those development plan documents that deal specifically with minerals and waste.
- **Neighbourhood plans:** where these have been supported by the local community at referendum and subsequently made by the local planning authority.
- Any 'saved policies' from the former Regional Strategies, until such time as these are replaced by Local Plan policies.



2. What We Do:

Warwickshire Wildlife Trust works hard to influence planning decisions and the policies which guide them, to ensure that all planning proposals make a positive contribution towards the protection and enhancement of wildlife and wild places.

We do this by responding to:

Development Plans - Campaigning to ensure that the protection wildlife, protection and enhancement of habitat and progress towards the Wildlife Trust's Living Landscape Vision is integral to the policies of all planning documents.

Planning Applications – Responding to planning applications to ensure that developments secure positive outcomes for wildlife.

We focus our resources on responding to applications where we believe the impacts on, or opportunities for, wildlife will be the greatest. This includes:

- Major residential, commercial or infrastructure schemes;
- Applications affecting nationally or locally designated wildlife sites; and
- Applications affecting Wildlife Trust reserves

We recognise that there are many other applications that will have an effect on wildlife and so we endeavour to support any individuals or community groups who want to stand up for wildlife in their areas.

This guidance is intended to provide useful information to assist you to campaign effectively for wildlife within your areas.

3. Local Plans:

Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. The Local Plan contains policies against which planning applications will be tested and identifies specific areas for development.

Each local planning authority should produce a Local Plan for its area.

Local Plans are usually designed to last 15 years, they must be up-to-date, and be based on co-operation with neighbouring authorities, public, voluntary and private organisations.

Get Involved...

Ensuring strong nature conservation policies in Local Plans is the most important planning work we do and you can be involved too.

You can play an active role by

- having your say during public consultation periods for Local Plan.*
- seeking the inclusion of relevant nature conservation policies.*

Applications for development within sites identified in the Local Plan still need planning permission before they can proceed but if they conform with an up-to-date Plan there is a presumption that they will go ahead.

Planning decisions must be taken in accordance with the development plan unless **material considerations** indicate otherwise.

A **material planning consideration** is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).

The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration.

However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.



Your local authority should have a **Local Development Scheme** which will set out how and when your authority will produce planning documents. These documents are available in the Local Planning Authority offices or on their websites.

Get Involved...

Find out what documents are going to be produced and when - your local planning authority's Local Development Scheme should tell you.

Check when they will consult on them.

The Statement of Community Involvement will identify the planning authority's policy for involving people.

4. What is a Local Plan?

The Local Plan is a portfolio of plans and policies, which are comprised of several key features that will be common to all:

The Evidence Base involves gathering evidence, carrying out a Sustainability Appraisal to inform the preparation of the Local Plan and effective discussion and consultation with local communities, businesses and other interested parties.

The Local Plan needs to be based on adequate up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects for the area.

Documents that form part of the evidence base should be published as they are completed, rather than waiting until options are published or a Local Plan is published for representations.

This will help you and other interested parties consider the issues and engage with the authority at an early stage in developing the Local Plan.

*Get Involved...
Check the habitat and species data for your area and check that it's up to date.*



In Warwickshire Nature Conservation data is drawn from a number of sources:

Habitat data can be found at **Habitat Biodiversity Audit (HBA)** which is an up-to-date survey of every field and boundary in Warwickshire, Coventry and Solihull which resurveyed at least every 5 years, producing Geographical Information System (GIS) based maps and linked site notes.

<http://www.warwickshirewildlifetrust.org.uk/habitat-biodiversity-audit>

Ecological Services, Warwickshire County Council,

<http://www.warwickshire.gov.uk/ecology>

Species data can be obtained from **Warwickshire Biological Records Centre (WBRC)** which holds distribution data on some 15,000 individual species including protected species. Access to the records is free for the public but a charge is made to commercial users.

<http://www.warwickshire.gov.uk/biologicalrecords>

Statutory Sites information is held by Natural England
<http://www.naturalengland.org.uk/ourwork/conservation/designations/default.aspx>

Local Wildlife Sites information can be found at the WRBC as above

Data relevant to Nature Conservation may also be found in **studies or reports** relevant to your local area such as Green Infrastructure Strategies or landscape studies.

Check your LPA websites for details.

LPAs will be required to undertake a **Habitat Regulations Assessments (HRA)** into the impacts of emerging plans on European important Habitats such as Special Areas for Conservation (SACs) or Special Protection Areas (SPAs) sites known collectively as Natura 2000.

Habitats Directive 92/43/EEC article 6(3) and (4)
HRAs can be found on LPAs websites.

Warwickshire, Coventry & Solihull Local Biodiversity Action Plan

The links below take you to the latest updates to the Warwickshire, Coventry and Solihull Biodiversity Action Plans. There are 52 biodiversity action plans, 28 for our vulnerable species and 24 for our characteristic habitats, ranging from urban and rural settlement to woodlands and wetlands.

<http://www.warwickshirewildlifetrust.org.uk/LBAP2014>

The Local Development Scheme provides a timetable on what local plan documents will be produced and the main stages in production, including the opportunities for your involvement.



Penny Frith

Sustainability Appraisal is included which meets the requirements of the European Directive on strategic environmental assessment.

Environmental Assessment may also be required under the Habitat Regulations where there is likely significant effect on a European wildlife site.

The Core Strategy contains the long term overall vision, strategic policies and objectives for the area and a detailed delivery strategy. Policies should be clear and concise.

The Core Strategy allocates strategic sites that are considered central to achievement of the strategy for example sites for major extensions to urban areas.

Strategic policies are a key part of the Local Plan:

- Broad locations and specific site allocations for different purposes
- Land use designations, including protected habitats
- Criteria based policies that developments needs to take into account.

Policy formulation should involve the **Local Nature Partnerships** and include an assessment of existing and potential components of ecological networks.

The Proposals or Policies Map, should graphically illustrate the Local Plan Policies on an ordnance survey map base.

It shows land-use designations which indicate how policies are applied on the ground and where there are allocations of land for development. It should also identify areas of protection such as nationally protected wildlife sites and Green Belt land.

The Statement of Community Involvement identifies when and how you can get involved in planning matters.

The Monitoring Report gives an update on what stage the Local Plan has reached in its preparation or the extent that the policies and proposals set out in the adopted local planning documents are being achieved .

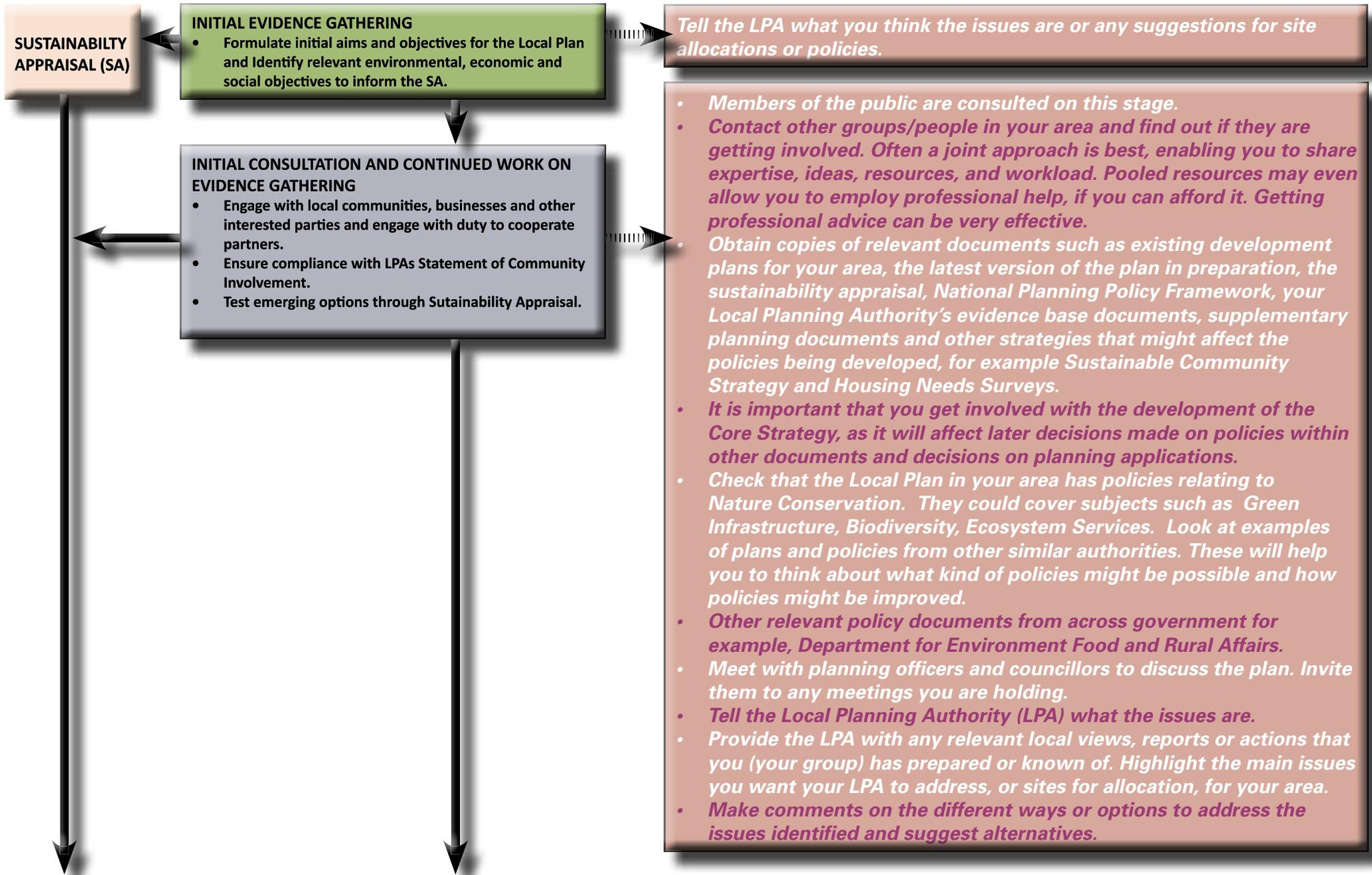
Other local planning documents may be produced if your local planning authority feels specific issues or areas are not adequately covered in the Core Strategy.

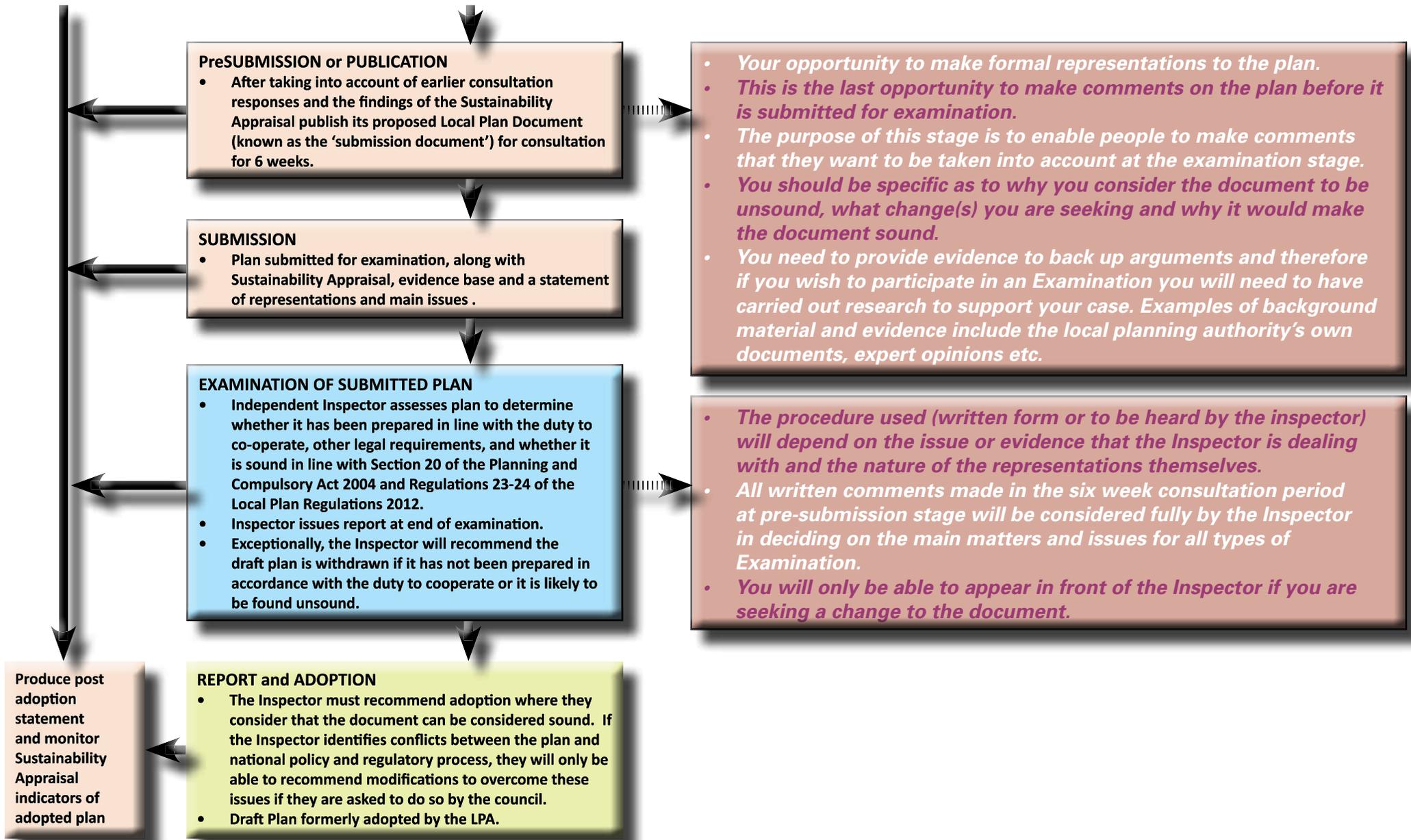
For example an **Area Action Plan** could be produced, this is a plan which is specific to a geographical area that is in need of significant change, or conservation (for example major regeneration).

Supplementary Planning Documents (SPD/SPG), could be produced that may cover a range of issues, thematic or site specific, and provide further detail of policies and proposals in a 'parent' Local Plan document, e.g. on Affordable Housing or a large redevelopment area.

5. Local Plan Process:

Get Involved...





6. Planning Policy:

Local Plans should be consistent with the principles and policies set out the National Planning Policy Framework (NPPF)

The **National Planning Policy Framework (NPPF)** sets out how the Government are planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

The NPPF identifies environmental and biodiversity issues under the heading **Conserving and Enhancing the Natural Environment**.

It sets out the Government's planning policies for the protection and conservation of wildlife in the UK and details the key national principles to be accounted for in planning at regional and local levels. Planning Authorities must have regard to the national policies included in the NPPF when making decisions in both strategic planning and planning applications.



*Get Involved...
The NPPF is available to be download from the Communities and Local Government (CLG) website:*

<http://www.gov.uk/government/publications/national-planning-policy-framework>

The NPPF states that

"The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

Planning Practice Guidance was launched on 6 March 2014 by the Department for Communities and Local Government (DCLG) launched this web-based resource.

There is a section on the **Natural Environment** which explains key issues in implementing policy to protect biodiversity, ecosystems and green infrastructure.

<http://planningguidance.planningportal.gov.uk>

The NPPF is supported by:

Circular 06/2005: biodiversity and geographical conservation - statutory obligations and their impact within the planning system, provides administrative guidance on application of the law in England relating to planning and nature conservation.

<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Planning for Biodiversity and Geological Conservation: A Guide to Good Practice

<http://www.communities.gov.uk/publications/planningandbuilding/planningbiodiversity>

Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) and was archived on 7 March 2014 and replaced by the new Planning Practice Guidance.

7. References:

Planning Practice Guidance (online) available at
<http://planningguidance.planningportal.gov.uk/>

National Planning Policy Framework (online) available at
<http://www.gov.uk/government/publications/national-planning-policy-framework>

Natural England – Hedgerow Regulations (online) available at
<http://www.gov.uk/countryside-hedgerows-regulation-and-management>

Natural England – Designations (online) available at
<http://www.gov.uk/protected-or-designated-areas>

Natural England – Protected Species (online) available at
<http://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Natural England – Priority Habitats and Species (Online) available at
<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

CIEEM (Online) available at <http://www.cieem.net/>



8. Useful Contacts:

Warwickshire Wildlife Trust – For planning and wildlife queries in Warwickshire, Coventry and Solihull
enquiries@wkw.org.uk 024 7630 2912

Ecological Services, Warwickshire County Council – For Wildlife and planning queries in Stratford, Warwick, Rugby and Coventry
planningecology@warwickshire.gov.uk 01926 418060

Warwickshire Biological Records Centre – For records of protected species and non-statutory Wildlife sites in Warwickshire, Coventry and Solihull
wbrc@warwickshire.gov.uk 01926 418060

Habitat Biodiversity Audit.
hba@warwickshire.gov.uk 01926 412197

Natural England - For queries regarding planning and protected species or applications affecting Sites of Special Scientific Interest
enquiries@naturalengland.org.uk 0845 600 3078

For further information on Wildlife and the planning system – please refer to **Natural England’s Standing Advice**
<http://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>