



Warwickshire

Wildlife and Planning Guidance: Neighbourhood 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.

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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plan documents adopted by local planning authorities, including any 'saved' policies from plans that are otherwise no longer current, and those development plan documents that deal specifically with minerals and waste.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. Neighbourhood Plans:

The Localism Act 2011 introduced statutory Neighbourhood Planning in England which enables communities to draw up a Neighbourhood Plan for their area as part of a suite of new community rights.

In essence, it is designed to enable local people and communities to be able to influence how development will occur locally. It has the potential to give communities a bigger say over the type, location, size, pace and design of development coming forward. These plans will give opportunities to:

- choose where you want new homes, shops, offices and open space to be located
- have your say on what new buildings and the spaces around them should look like
- Identify existing /new wildlife areas, hedgerows and wildlife corridors linking them
- grant planning permission for the new buildings you want to see go ahead.



Tom Marshall

This statutory status gives Neighbourhood Plans far more weight than some other local planning documents, such as parish plans, community plans and village design statements.

- **Neighbourhood plans** may not propose less development than the local plan but they can propose more homes or businesses or alternative sites or higher design standards for buildings and the public realm.
- There is a formal process for neighbourhood planning set out in the neighbourhood planning regulations.

<http://www.legislation.gov.uk/uksi/2012/637/contents/made>

- Local planning authorities are under a duty to support and obliged by law to help people draw up their neighbourhood plans.
- Developers, parish and town councils, landowners and local businesses are also getting involved in neighbourhood planning. Local businesses may also work alongside local residents, local government and others with an interest in the neighbourhood's future development and growth.

Neighbourhood Plans are a particularly important tool to help protect local wildlife as when complete, (following examination, referendum and adoption by the local authority), they will form part of the statutory development plan for your area.

Groups pursuing neighbourhood planning can use any combination of the following tools to achieve their vision and objectives:

Neighbourhood Development Plans

These usually set out a vision for an area or site and provide planning policies for the use and development of land. Though some may be similar to a Local Plan they will be about neighbourhood rather than district-wide issues.

Neighbourhood Development Orders

These grant planning permission for specified forms developments agreed by the neighbourhood. They could be used, for example, for certain types of household extensions, shop fronts, or 'green energy' proposals. Where one is in place there would be no need for an applicant to apply to the local authority for planning permission.

Community Right to Build Orders

These are similar to a neighbourhood development orders though smaller in scale. Appropriately constituted community groups can grant planning permission for new buildings they want to see go ahead, without the need to apply to the local authority for permission once a community right to build order is in place.

Get Involved...

You can play an active role by seeking the creation of new wildlife habitat in your Neighbourhood Plan, if one is being written.

4. Writing a Neighbourhood Plan:

There is considerable flexibility over how a plan is structured and written.

Careful consideration should be made of how the plan will be delivered and this will require constructive dialogue with key stakeholders, such as development managers in the local authority, public agencies, landowners and developers.

The following are suggestions for possible content of the plan:



Amy Lewis

Vision and Aims

The Neighbourhood Plan can set out the community's overall vision for the area and should include overall aims for its future development and growth.

These can relate to a wide range of planning and regeneration matters – as well as environmental or local wildlife issues. The vision and aims of the plan can then be translated into detailed policies, guidance and proposals.

Evidence Base

Planning policy and proposals in Neighbourhood Plans need to be based on robust information, thorough understanding and analysis of the local area if they are to be relevant, realistic, reasoned and to address local issues, including wildlife issues, effectively.

To keep Neighbourhood Plans concise, focused and clear, you should consider creating a background document, listing the sources of evidence, summarising any new evidence and describing the outcomes of the community engagement programme at different stages in the plan process.

A review of existing evidence should be undertaken. Consider arranging new surveys by either consultants or suitably qualified (CIEEM) members of your community.

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.

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>

5. Planning Policy:

A Neighbourhood Plan, once made, will form part of the statutory local development plan for the area and its policies will be used to determine development proposals in the neighbourhood. Planning applications will be determined in accordance with the Neighbourhood Plan's policies unless material considerations indicate otherwise.

Site Allocations

The Neighbourhood Plan may identify key sites for specific kinds of development, such as housing, retail, employment or mixed use.

Clearly identify wildlife corridors areas of habitat, trees and hedgerows that are valuable for wildlife and include areas where positive improvements to habitats would be desirable.

Community Proposals

Regeneration or enhancement proposals relating to the use and development of land could be included in the plan.

Consider improving key public spaces and pedestrian links for wildlife or allocate sites for new community facilities, such as a community wildlife areas.

The policies in the plan could be supplemented, if necessary, by explanatory text or illustrations to help with their interpretation.

The Neighbourhood Plan 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.

The NPPF is available to download from the Communities and Local Government (CLG) website:

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



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.

6. References:

Planning Aid England, part of the Royal Town Planning Institute, provides resources for communities involved in neighbourhood planning.
[Ourneighbourhoodplanning.org.uk](http://ourneighbourhoodplanning.org.uk)

- Forums for general discussion and information exchange around neighbourhood planning.
- Networking groups for local communities developing neighbourhood plans. Each has their own forum, document library, and member list, and can be public or 'member only'.
- A resource library with useful documents, case studies, videos and links about neighbourhood planning.
- Events listing with details of neighbourhood planning events throughout England

A new **online map** of neighbourhood planning activity can be found at
<http://neighbourhoodplanner.org.uk>

The map shows **Neighbourhood Planning Areas (NPAs)** in development, that have either gone through the process of adoption and come into force, progressed to draft plans ready for consultation or areas where communities have just taken the first formal steps towards producing a neighbourhood development plan.

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/>



Andrew Mason

7. Useful Contacts:

There are several sources of advice and support for communities who are interested in doing neighbourhood planning.

Planning Advisory Service (PAS) website, provide a lot more detail on the key steps.

<http://www.pas.gov.uk/neighbourhood-planning>

Find more information at the My Community Rights website, run by **Locality**.

<http://mycommunityrights.org.uk/neighbourhood-planning/>

Supporting Communities in Neighbourhood Planning programme:

(From May 2013 the government has been running a £9.5 million, 2-year programme to support communities to progress their Neighbourhood Development Plans and associated Neighbourhood Development Orders. The programme offers hands-on, practical support and grants of up to £7,000 per neighbourhood area.

A consortium led by Locality, and the Royal Town Planning Institute (RTPI), have just been awarded a contract by the Department for Communities and Local Government (DCLG) to provide the **Neighbourhood Planning and the Community Right to Build Support** Programme which runs from April 2015 - March 2016, with an option to extend for a further 2 years.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/141999/Supporting_Communities_in_Neighbourhood_Planning_2013-15_FINAL.pdf

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>