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Localism and Biodiversity



The aim



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“ To create a climate that empowers local people and communities, building a big society that will ‘take power away from politicians’ and give it to people”

The Localism Bill – In General



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- It's a big Bill, with many topics, (lots of it non-planning or biodiversity related)
- There's a lot to get our heads around. There is also going to be less guidance - “it's up to you”
- The Bill covers a range of difficult development issues:
 - Increasing rates of house building
 - Improving participation
 - Rebalancing the economy
 - Supporting economic growth

Key planning changes (1)



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- **abolition of Regional Spatial Strategies and a new duty to cooperate**
- **neighbourhood planning (plans and orders)**
- **requirement on developers to undertake pre application discussions**

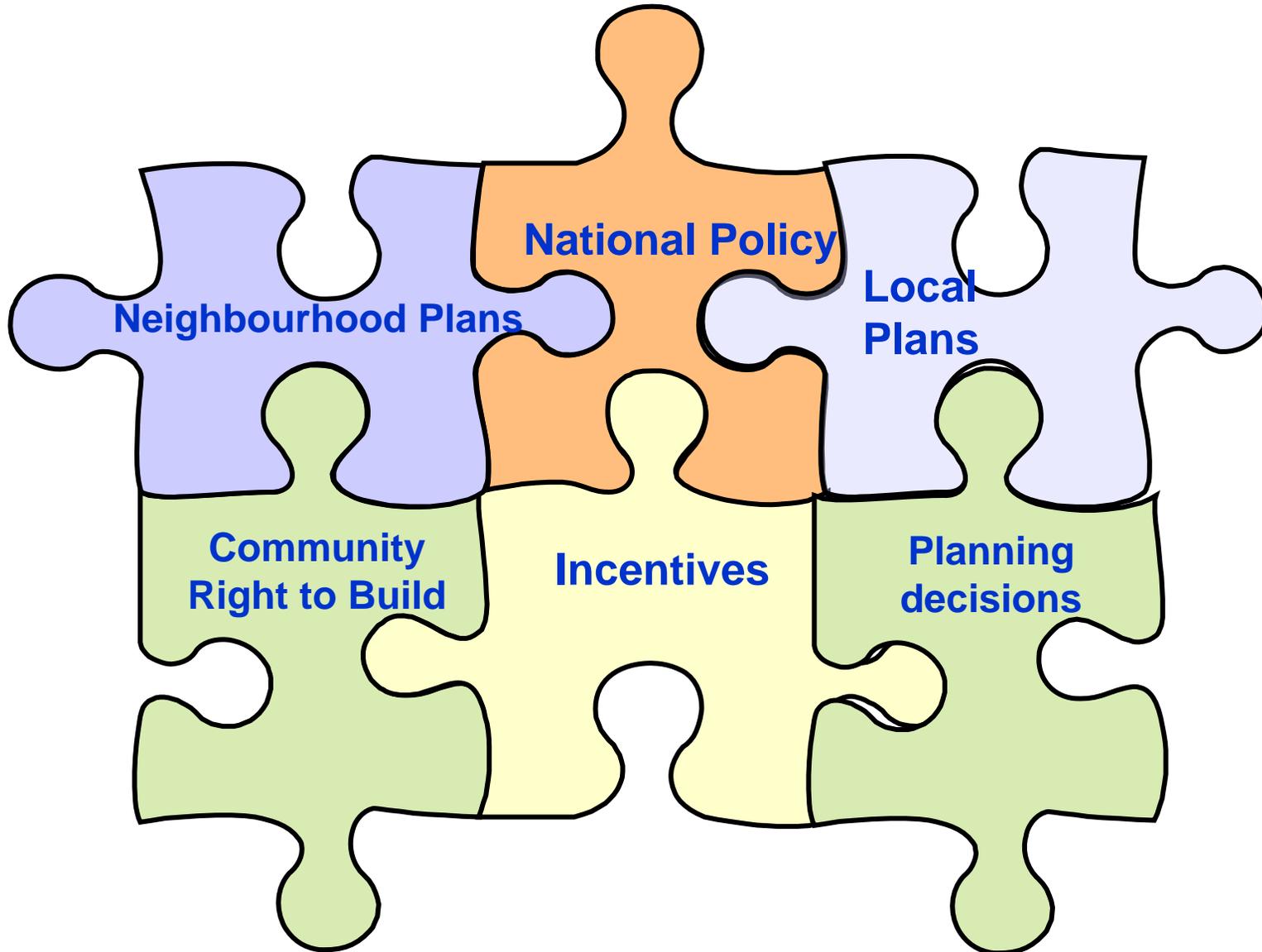
Key planning changes (2)



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- **Incentives;** New Homes Bonus and Community Infrastructure Levy (CIL) and Reduction in scope of **S106s**
- Development Plans and **non-binding Inspectorate recommendation**
- **National Planning Policy Framework**

The Planning Reform Agenda



What about Biodiversity?



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In the whole report there is no reference to environment or biodiversity!

The Environmental Sector are working hard to change this and make amendments to certain sections:

- Climate Change
- Sustainable Development
- Strategic Planning
- Neighbourhood Planning

National Planning Policy Framework



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“Our natural environment is essential to our wellbeing, and it can be better looked after than it has been. Habitats that have been degraded can be restored. Species that have been isolated can be reconnected. Green belt land that has been depleted of diversity can be refilled by nature – and opened to people to experience it, to the benefit of body and soul.”

Greg Clerk MP

National Planning Policy Framework



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Defining Sustainable Development:

Planning for places (an environmental role) – use the planning system to protect and enhance our natural, built and historic environment, to use natural resources prudently and to mitigate and adapt to climate change, including moving to a low-carbon economy.

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National Planning Policy Framework



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The presumption in favour of sustainable development

“the golden thread running through both plan making and decision making”

Development likely to have a significant effect on sites protected under the Birds and Habitats Directive would not be sustainable under the terms of presumption in favour of sustainable development

National Planning Policy Framework



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Natural Environment

The planning system should aim to conserve and enhance the natural and local environment by:

- protecting **valued** landscapes
- **minimising** impacts on biodiversity and providing net gains in biodiversity, where possible; and
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land, air, water or noise pollution or land instability

What the NPPF doesn't replace



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- **NERC Act 2006**
s.40 of the Act states that local authorities have a Duty to have regard for the conservation of biodiversity in the exercise of **all** of their functions
- **Wildlife and Countryside Act 1981 (as amended)**
- **The conservation of Habitats and Species Regulations 2010**
- **CROW Act 2000**
- **Hedgerow Regulations 1997**
- **Badgers Act 1992**

Information / Sources still available (1)



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- Biodiversity Planning Toolkit
<http://www.biodiversityplanningtoolkit.com>
- PAS 2010 Planning to halt the loss of biodiversity.
Biodiversity Conservation Standards for the planning system in the United Kingdom. British Standards Institution (2006)
- Natural England – Standing Advice

Information / Sources still available (2)



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- All Suffolk Local Authorities have identified the submission of a biodiversity survey and report as a requirement for certain types of applications. In all instances the Suffolk County Council validation checklist has been the adopted approach.
- In Suffolk
 - Suffolk County Council
 - Suffolk Wildlife Trust;
 - Suffolk Biological Records Centre

Five Step Approach

'Planning for Biodiversity'



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Information

Is more information about the site's biological resource needed? Is more information about the development and its potential effects needed? Is the significance of the effects clear? Is there internal or external expertise that can help to inform the decision?

Avoidance

Have all adverse effects on wildlife species and habitats been avoided whenever possible?

Mitigation

Where adverse effects are unavoidable have they been or can they be minimized by the use of mitigation measures that can be guaranteed, for example, by conditions or planning obligations/agreements?

Compensation

Where, despite mitigation, there will be residual adverse effects that mitigation cannot reduce further, have there been or can they be compensated by measures that try at least to offset the harm? Can the compensatory measures be guaranteed by conditions or planning obligations/agreements?

Enhancements/New Benefits

Where there would be no significant harm to wildlife species or habitats, are there opportunities to provide new benefits for wildlife, for example, by habitat creation or enhancement and can these new benefits be guaranteed by conditions or planning obligations/agreements?

We need to ask ourselves what is important



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- What guidance/advice is required to retain protection and improvement of the natural environment as a core objective in the planning system.
- Guidance – Local Validation lists will not change as a result
- Policies in the Local Plan will not change
- Neighbourhood Plans need to incorporate this change – danger of communities not valuing the environmental benefit

Overall



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- To understand the new requirement – opportunity to learn together
- To get Local Plan in place.
- Think about the neighbourhoods and their issues – what is suitable for a neighbourhood plan
- What guidance do we need as Planners and who is the relevant expert
- Need for Planners and Ecologists to bring out the essential pieces of guidance that needs to be retained – updating the Biodiversity Planning Toolkit website
- Build on the community work going on already

This is a real opportunity to give local planning and biodiversity issues some proper thought and weight – educate the community!



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There is no choice!

We as Planners and/or Ecologists need to start amending the way work to fit into the new era for Planning

Lets make a start now – review, amend and implement



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Thank you

Discussion

