STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING REPORT

DANBURY NEIGHBOURHOOD PLAN

Chelmsford City Council 6 February 2019

1 Introduction

- 1.1 This screening report was conducted to determine whether or not the Danbury Neighbourhood Plan requires a full Strategic Environmental Assessment (SEA). The SEA requirements are in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.
- 1.2 The purpose of the Danbury Neighbourhood Plan is to provide planning policies to guide development in the designated Danbury Neighbourhood Plan area (Appendix 1).
- 1.3 SEA screening is often carried out once a Neighbourhood Plan has been drafted. However, Chelmsford City Council's (CCC) Pre-Submission Local Plan includes an allocation for around 100 houses at Danbury, with the site selection to be made through the Danbury Neighbourhood Plan (Strategic Growth Site 14 – Danbury). CCC carried out this initial screening at an early stage to aid site selection.
- 1.4 In some circumstances, a Neighbourhood Plan can have significant environmental effects. One of the basic conditions that will be tested by the independent examiner is whether the making of the Plan is compatible with European Union Obligations.
- 1.5 CCC has the responsibility to ensure that the SEA requirements have been met, and agreed to provide Danbury Parish Council, as the qualifying body preparing the Neighbourhood Plan, with an SEA screening opinion.
- 1.6 To do this, CCC has:
 - a) Taken into account the criteria specified in Schedule 1 of the European Directive; and
 - b) Consulted the consultation bodies.
- 1.7 The consultation bodies are defined in section 4 of the SEA Regulations. As the responsible authority, CCC has sought the opinions of the statutory consultation bodies Historic England, the Environment Agency and Natural England.
- 1.8 Section 2 outlines the legislative background that requires the use of this screening exercise. Section 3 sets out the statutory criteria against which the screening assessment is made. Section 4 provides a screening assessment of the likely significant effects of the Danbury Neighbourhood Plan and the need for a full SEA.

2 Legislative background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive <u>2001/42/EC</u> 'on the assessment of the effects of certain plans and programmes on the Environment'. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.
- 2.2 The SEA Regulations include a definition of 'plans and programmes' to which the regulations apply, and which programmes are required by legislative, regulatory or administrative provisions.

2.3 Production of a Neighbourhood Development Plan is not required by legislative, regulatory or administrative provisions. It is an optional process under the provision of the Town and Country Planning Act 1990 (subsequently amended by the Localism Act 2011). However, once a Neighbourhood Plan is 'made' it becomes part of the statutory development plan for the area to which it applies. As such, it therefore forms part of a plan that is required by legislative provisions, i.e. the Chelmsford Local Plan.

3 Criteria for assessing the effects of the Neighbourhood Plan

- 3.1 The criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below:
 - 1. The characteristics of plans and programmes, having regard, in particular, to:
 - The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.
 - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.
 - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.
 - Environmental problems relevant to the plan or programme.
 - The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- The probability, duration, frequency and reversibility of the effects.
- The cumulative nature of the effects.
- The trans boundary nature of the effects.
- The risks to human health or the environment (e.g. due to accidents).
- The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected), the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage;
 - exceeded environmental quality standards or limit values;
 - intensive land-use; and
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

4 Assessment

4.1 The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

Figure 2 – Application of the SEA Directive to plans and programmes				
This diagram is intended as a guide to the criteria for application of the Directive to plans and programmes (PPs). It has no legal status.				
 Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a)) 		No to	both criteria	
	Yes to either criterion	-		
 Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a)) 		No		
	Yes		``	
 Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a)) 		No to either criterion	 Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b)) 	
	Yes to both criteria	Yes	No 6. Does the PP set the	
 Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3) 		Yes to either	framework for future development consent of projects (not just projects in Annexes to the EIA	
	No to both criteria	criterion	Directive)? (Art. 3.4)	
 Is the PP's sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9) 		Yes	8. Is it likely to have a significant effect on the environment? (Art. 3.5)*	
	No to all criteria	Yes t	to any criterion	
DIRECTIVE REQUIRES SEA			DIRECTIVE DOES NOT REQUIRE SEA	
*The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environmental effects. These determinations may be made on a case by case basis and/or by specifying types of plan or programme.				

Source: A Practical Guide to the Strategic Environmental Assessment Directive (2005)

4.2 The following assessment applies the questions from the diagram. The answers determine whether the Neighbourhood Plan will require a full Strategic Environmental Assessment.

Question	Response
1) Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes. The preparation and adoption of the Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The Neighbourhood Plan is being prepared by Danbury Parish Council as the qualifying body and, subject to successful completion of the relevant processes as set out in the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012, will be made by Chelmsford City Council as the local planning authority to become part of the statutory Local Plan for that part of the Council's area.
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes. A Neighbourhood Development Plan is not required by legislative, regulatory or administrative provisions; but it is an optional process under the Town and Country Planning Act 1990 (amended by the Localism Act 2011). However, once a Neighbourhood Plan is made it becomes part of the statutory development plan for the area to which it applies. As such it forms part of a plan that is required by legislative provisions.
3) Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes. The Neighbourhood Plan is prepared for town and country planning and land use. The Neighbourhood Plan contains policies to determine the use of land at the local (parish) level (Art3 (3)). It implements strategic policies in the Chelmsford Local Plan as they relate to the Danbury Neighbourhood Plan Area, as part of the Local Plan allocation called Strategic Growth Site 14 – Danbury.
4) Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	No. The allocation of around 100 homes in Danbury may contribute to recreational disturbance impacts on the Essex Estuaries Special Area of Conservation (SAC). However, the strategic allocation has been tested through the Pre-Submission Local Plan Habitats Regulations Assessment (Submission Document SD 006). This has concluded that although within the 'zone of influence', there is a low risk of 'in combination' effects on regional visitor pressure issues. In addition, where appropriate,

5) Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which will be completed by the time the Local Plan is adopted. Yes. The Neighbourhood Plan will allocate sites for the development of new housing within the Neighbourhood Plan area.
6) Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3(4))	Yes. The Neighbourhood Plan will be used for the determination of planning applications including new housing sites.
7) Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	No, not applicable.
8) Is it likely to have a significant effect on the environment? (Art. 3(5))	Yes. The Danbury Neighbourhood Plan seeks to identify land to accommodate the Local Plan allocation of around 100 homes. These potential effects depend on the locations selected for development, but it is likely that these will on greenfield sites, adjacent to the Danbury defined settlement boundary. Many of these potential sites are close to the Sites of Special Scientific Interest (SSSIs) (Blake's Wood and Lingwood Common, Woodham Walter Common, Danbury Common). Screening may be necessary, as one of a number of criteria to aid site selection.

5 Consultation

- 5.1 CCC consulted the consultation bodies (see 1.7) in September/October 2018. The consultation responses are attached to this report (Appendix 2), and all support CCC's opinion that a full Strategic Environmental Assessment will be necessary to guide allocation of site/s making up Strategic Growth Site 14 Danbury.
- 5.2 In summary:
 - Environment Agency there are a number of significant environmental constraints within the Danbury parish boundary that will need to be assessed;
 - Historic England there are a range of designated heritage assets in the plan are, including a number of very high significance, with the potential for significant effects (both positive and negative);
 - Natural England there are SSSIs within Danbury parish, and the plan should also take account of the emerging Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS).

6 Conclusion

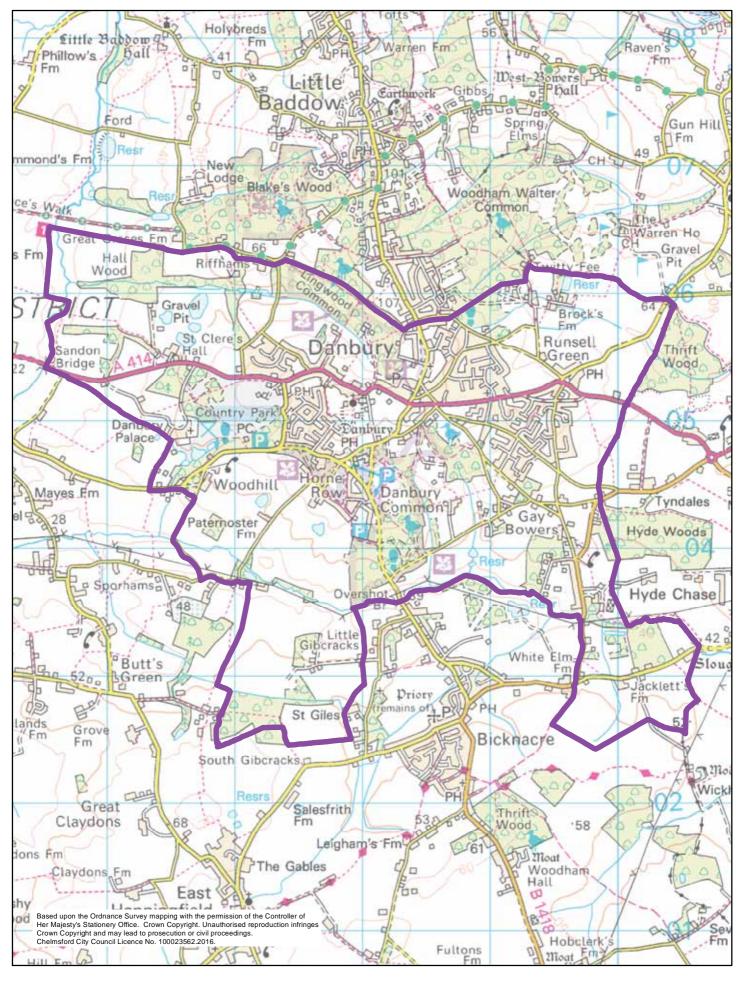
6.1 As a result of the draft assessment in Section 4, and the responses from the consultation bodies, Chelmsford City Council has concluded that there may be significant environmental effects arising directly from the decisions taken through the Danbury Neighbourhood Plan. An SEA should be undertaken to determine the likely scale and significance of environmental impacts, to support and inform future decision making on the Neighbourhood Plan.

This statement will be published on Chelmsford City Council's website: www.chelmsford.gov.uk/communityplans

Chelmsford City Council 6 February 2019

DANBURY PARISH BOUNDARY

Appendix 1



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Directorate for Sustainable Communities Civic Centre, Duke Street, Chelmsford, CM1 1JE Tel: 01245 606606 Fax: 01245 606642 Web: www.chelmsford.gov.uk





Ms Jenny Robinson Chelmsford City Council Civic Centre Duke Street Chelmsford Essex CM1 1JE Our ref: AE/2018/123241/01-L01 Your ref: DanburyNPSEA

Date: 05 October 2018

Dear Ms Robinson

DANBURY NEIGHBOURHOOD PLAN SEA DRAFT SCREENING REPORT

PLANNING AND BUILDING CONTROL, CIVIC CENTRE, DUKE STREET, CHELMSFORD, ESSEX, CM1 1JE

Thank you for your consultation dated 05 September 2018. We have inspected the Strategic Environmental Assessment Draft Screening Report for the Danbury Neighbourhood Plan, as submitted, and agree with the conclusions detailed in the report.

Our considerations at this stage reflect that, whilst within the Chelmsford City Council Local Plan there is an allocation for 100 houses to be built within the parish called Strategic Growth Site 9 – Danbury, the details to where the individual sites that will contribute to achieving this allocation target are yet to be determined. The Neighbourhood plan will seek to allocate the sites for development.

Our mapping data shows that there are a significant number of environmental constraints that can be found within the Danbury Parish boundary. It is therefore important that a full SEA is undertaken to assess the constraints in preparation for when determining suitable locations for development and the overall plan.

We trust that this advice is useful.

Yours sincerely

Environment Agency Iceni House Cobham Road, Ipswich, IP3 9JD. Customer services line: 03708 506 506 www.gov.uk/environment-agency Cont/d..

Mr Ed Abigail Planning Advisor

Direct dial 0203 0254209 Direct e-mail Ed.Abigail@environment-agency.gov.uk



EAST OF ENGLAND OFFICE

Ms Jenny Robinson Chelmsford City Council Chelmsford Essex Direct Dial: 01223 582746

Our ref: PL00481090 5 October 2018

Dear Ms Robinson

RE: Danbury Neighbourhood Plan SEA Screening

Thank you for your email of 05 September 2018 regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Danbury Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied with the Screening Opinion.

The supporting information (screening report and draft neighbourhood plan) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets, including a number of very high significance. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic landscape. The documentation indicates that the Danbury Neighbourhood Plan is required by the local planning authority to allocate a number of sites to provide c.100 residential units over the plan period. The information provided with the Screening Report indicates that the location of the development sites has yet to be determined, and it is therefore difficult to assess with clarity whether there will be significant effects on the historic environment. However, 100 residential units incorporated into a settlement of Danbury's composition, size and form does have the potential to have significant effects, depending on the location of development.

Given the potential for significant effects (both positive and negative) upon the historic environment, and the uncertainty, Historic England hence concurs with the Council's view that a Strategic Environmental Assessment will be most likely be required.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU Telephone 01223 582749 HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



EAST OF ENGLAND OFFICE

(HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

We should like to stress that this opinion is based on the information provided by you with your correspondence dated 05 September 2018. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SA/SEA, these would have an adverse effect upon the environment.

Yours sincerely,

Edward James Historic Places Advisor, East of England Edward.James@HistoricEngland.org.uk

CC:



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Telephone 01223 582749 HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

Date: 26 October 2018 Our ref: 257690 Your ref: N/A



Jenny Robinson Senior Planning Officer (Planning and Housing Policy) Directorate For Sustainable Communities Chelmsford City Council 01245 606265 BY EMAIL ONLY

Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ

T 0300 060 3900

Dear Ms Robinson,

Danbury Neighbourhood Plan Draft SEA Screening

Thank you for your consultation on the above dated 05 September 2018

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Neighbourhood Plan

The Danbury neighbourhood plan follows previous consultation with Natural England on the Chelmsford Local Plan. At this time Natural England advised that the emerging strategic solution, the Essex Coast Recreational Avoidance and Mitigation Strategy (Essex RAMS) is a key consideration in the context of the Habitats Regulation Assessment. The Essex RAMS seeks to mitigate the recreational impacts as a result of new development within the Zones of Influence (Zol). We would direct you to our recent letter to your Local Planning Authority, reference 244199 (dated 16 August 2018) for further guidance on the Essex RAMS in the interim period.

The Danbury Parish falls in its entirety within one or more of the Zones of Influence (Zol). There is therefore **residential development within the parish area which will be subject to the requirements of this strategic solution**. This will be in accordance with the RAMS supplementary planning document once adopted.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at:

http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-andsustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans

Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2017), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is

whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

Natural England is not aware of a Habitats Regulations Assessment (HRA) with the current consultation. This assessment is required to provide further substantive comments on the relevant matters; hence we look forward to being consulted on these in due course. However, please see our comments below in relation to the recent judgment from the Court of Justice of the European Union (Case C-323/17 People Over Wind v Coillte Teoranta) which will have implications for this neighbourhood plan. Without wishing to prejudge the findings of a HRA screening assessment it is our view that it will be unlikely that a conclusion of no likely significant effect would be able to be reached without the neighbourhood plan identifying mitigation measures (e.g. the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)) at the screening stage of the HRA. The judgment concluded that it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of a plan or project on a European site. This will be particularly important if a neighbourhood plan is to progress **before** a local plan has been adopted and/or the neighbourhood plan proposes development which has not be assessed and/or included in the Habitats Regulations Assessment for the local plan.Natural England notes that the relevant Local Plan is due for examination commencing on 20th November 2018. This is roughly 12 months before the Danbury Neighbourhood plan is expected to be submitted to examination.

We would also take this opportunity to advise you that any windfall applications which would be in excess of what has been assessed in the Neighbourhood Plan Habitats Regulation Assessment (HRA), would need to be subject to their own, project level HRA.

Natural England also notes that the allocated housing for Danbury parish is 100 homes. Natural England cannot comment on housing allocations where the location has not been determined. Please refer to our previous advice given in response to the Chelmsford Local Plan dated 11th May 2017 (Our ref: 209715), in determining the location of the proposed development(s). Please see in particular the advice given in regard to Sites of Special Scientific Interest (SSSI's) within Danbury Parish which can be found on pages 7-10 of our response.

Other matters

A recent judgment from the Court of Justice of the European Union (<u>Case C-323/17 People Over Wind</u> <u>v Coillte Teoranta</u>) has provided authoritative interpretation relating to the use of mitigation measures at the screening stage of a HRA, when deciding whether an appropriate assessment of a plan or project is required. The court concluded that measures intended to avoid or reduce the harmful effects of a plan or project on a European Site can only be considered as part of the appropriate assessment stage of HRA, and not at the preceding screening stage. This means that it s no longer appropriate eto rely on these measures when deciding whether a plan or project is likely to have significant effect on a European site(s).

Natural England is currently considering the particular implications of the judgment for neighbourhood planning and the basic condition that the making of the neighbourhood plan is not likely to have a significant effect on a European site (paragraph 1, Schedule 2 of the Neighbourhood Planning (General) Regulations 2012).

In the interim, we advise that Local Planning Authorities, as competent authority for neighbourhood plans, should consider this judgement before relying on measures intended to avoid or reduce the harmful effects of the plan to screen our neighbourhood plans under the Conservation of Habitats and Species Regulations 2017. Local Authorities may wish to take their own legal advice on the implications of the judgment, particularly with respect to the Essex RAMS strategic solution.

For clarification of any points in this letter, please contact Tom Borges on 02080 266 582 or

tom.borges@naturalengland.org.uk. For any further consultations on your plan, please contact: <u>consultations@naturalengland.org.uk</u>.

Yours sincerely

Tom Borges, Sustainable Development Advisor Essex Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The <u>Magic</u>¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification**, **Ancient Woodland**, **Areas of Outstanding Natural Beauty**, **Local Nature Reserves**, **National Parks** (England), **National Trails**, **Priority Habitat Inventory**, **public rights of way (on the Ordnance Survey base map)** and **Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available <u>here</u>².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found <u>here³</u>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found <u>here</u>⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the <u>Magic⁵</u> website and also from the <u>LandIS website⁶</u>, which contains more information about obtaining soil data.

Natural environment issues to consider

The <u>National Planning Policy Framework</u>⁷ sets out national planning policy on protecting and enhancing the natural environment. <u>Planning Practice Guidance</u>⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds,

¹ <u>http://magic.defra.gov.uk/</u>

² <u>http://www.nbn-nfbr.org.uk/nfbr.php</u>

³http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiv ersity/protectandmanage/habsandspeciesimportance.aspx

⁴ <u>https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making</u>

⁵ <u>http://magic.defra.gov.uk/</u>

⁶ <u>http://www.landis.org.uk/index.cfm</u>

⁷ <u>https://www.gov.uk/government/publications/national-planning-policy-framework--2</u>

⁸ http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/

woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed <u>here⁹</u>), such as Sites of Special Scientific Interest or <u>Ancient woodland</u>¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed <u>here11</u>) or protected species. To help you do this, Natural England has produced advice <u>here12</u> to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication <u>Agricultural Land Classification:</u> protecting the best and most versatile agricultural land¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

• Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.

⁹http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiv ersity/protectandmanage/habsandspeciesimportance.aspx

¹⁰ https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences

¹¹http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiv ersity/protectandmanage/habsandspeciesimportance.aspx

¹² https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals

¹³ <u>http://publications.naturalengland.org.uk/publication/35012</u>

- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see <u>Planning Practice Guidance on this</u>¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <u>http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/</u>