

Screening Assessment of Whaley Bridge Draft Neighbourhood Plan - Habitats Regulations Assessment Final Report



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1 Introduction

1.1 Whaley Bridge Town Council has prepared a draft Neighbourhood Plan that sets out proposals for the future of the Parish that reflect the needs and wishes of the community. In preparing a draft Plan, Whaley Bridge Town Council has carried out comprehensive community consultation, helping to identify key priorities for the Neighbourhood Plan to address. Consideration of feedback from community consultation has informed the preparation of a number of planning policies and proposals set out in the draft Plan.

1.2 Following determination as to whether Habitats Regulations Assessment of the draft Plan is required, the Neighbourhood Plan will be subject to a period of "pre-submission" public consultation. Following this consultation, the Town Council will prepare to submit the draft Neighbourhood Plan to the Borough Council in order that it might proceed to independent Examination and subsequent Referendum.

1.3 Only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be "made" (adopted). The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.

1.4 The Borough Council will need to be satisfied that the basic conditions have been met. A Neighbourhood Plan or Order must:

- have regard to national policy and guidance;
- have special regard to listed buildings (this applies only to Orders);
- have special regard to conservation areas (this also applies only to Orders);
- contribute to sustainable development;
- be in general conformity with strategic policies in the development plan;
- not breach EU obligations.
- comply with other prescribed matters.⁽ⁱ⁾

1.5 Whaley Bridge Town Council will be required to prepare a Basic Conditions Statement alongside the submitted Plan, in order to demonstrate how the Neighbourhood Plan meets the basic conditions set out above.

i Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribe 2 basic conditions in addition to those set out in the primary legislation. These are (1) that the making of a Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and (2) having regard to all material considerations, it is appropriate that a Neighbourhood Development Order is made where the development described in an Order is Environmental Impact Assessment development.

2 Legislative Background

2.1 The designation, protection and restoration of European wildlife sites is contained in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations'. The most recent amendments (the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019¹) take account of the UK's departure from the EU. The Regulations ensure that the habitat and species protection and standards derived from EU law will continue to apply after Brexit. Amendments to the Habitats Regulations are largely minor changes that ensure the regulations continue to have the same effect as after the transition period.

2.2 European sites form part of a 'national network' of sites that are afforded the highest degree of protection in domestic policy and law. They comprise Special Protection Areas (SPA), Special Areas of Conservation (SAC) and "Ramsar sites", designated under the Ramsar Convention 1971, which are treated by UK Government policy as if they were European sites in terms of the protection and management afforded to them. The designations made under the European Directives still apply and the term, 'European site' remains in use.

2.3 The Regulations require local authorities to assess the impact of their local plan and Neighbourhood Plans on the internationally important sites for biodiversity in and around their administrative areas by undertaking a Habitats Regulations Assessment (HRA). The purpose of an HRA is to assess the significance of potential impacts of a plan on relevant European sites. The assessment should determine whether the plan would adversely affect the integrity of the site in terms of its nature conservation objectives. Where negative effects are identified, other options should be examined to avoid any potential for damaging effects. The first stage of the HRA is to screen the plan to identify if there is a risk that the plan may have a "likely significant effect" on a European site either alone or in combination with other plans or projects and this is the purpose of this report.

3 Methodology

3.1 An outline of the overall HRA process in accordance with current guidance⁽ⁱⁱ⁾ is set out below.

Stage 1: Screening for likely significant effects

- Identify European sites that should be considered in the assessment.
- Gather information about the European sites.
- Discretionary consultation with statutory nature conservation body (Natural England for England) on the list of European sites, method and scope of screening.
- Screen the plan for likely significant effects (LSEs) on a European site, including the potential for effects in combination with other plans or programmes.
- Consider potential for the application of mitigation measures, in order to avoid potential effects.
- Re-screen the plan after mitigation measures applied; and
- Prepare a draft record of the HRA (Screening Report).

3.2 If, on the basis of objective information, it can be determined that there will be no significant effects on any European sites, then the HRA process may stop here.

3.3 If significant effects cannot be ruled out (applying the precautionary principle), then the effect must be reported as likely, and the HRA must progress to Stage 2: Appropriate Assessment (AA).

Stage 2: Appropriate Assessment

- Undertake an appropriate assessment in view of the conservation objectives of the European site(s).
- Apply mitigation measures until there is no adverse effect on site integrity.
- Consult Natural England (and other stakeholders and the public if appropriate) on the HRA.
- Screen any amendments for likelihood of significant effects and carry out appropriate assessment if required.
- Re-consult Natural England if necessary on amendments; and
- Complete and publish final HRA Report.

ii Habitats Regulations Appraisal of Plans: Guidance for plan-making bodies in Scotland v2.0 (David Tyldesley and Associates; August 2012). Note although this guidance was originally prepared for Scottish Natural Heritage it is recognised as an authoritative source of guidance throughout the UK; and European Commission: 'Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC' (European Communities, 2002)

3 Methodology

3.4 Should the situation arise where there were no alternative solutions and adverse impacts remain, then the plan could only proceed if it meets the test of Imperative Reasons of Overriding Public Interest (IROPI test), and all necessary compensatory measures are secured. However, it should be noted that the guidance states that this should only be undertaken in exceptional circumstances.

3.5 The HRA process is iterative and should be re-visited as policies develop, in response to consultation, and as more information becomes available.

HRA of the adopted High Peak Local Plan

3.6 The High Peak Local Plan was subject to habitat regulations assessment as part of the local plan preparation process. The HRA was prepared by Environ considered the information contained in Peak District Core Strategy Habitats Regulations Assessment Screening Report (April 2009) and ENVIRON Derbyshire Dales and High Peak Joint Core Strategy Draft HRA Report May 2010. The HRA findings can be found [here](#) on the Councils website

3.7 The HRA assessed options and policies for potential adverse effects on the integrity of the following European designated sites, which were agreed with Natural England;

- The South Pennine Moors Phase 2 SPA;
- Peak District Moors (South Pennine Moors Phase 1) SPA and the South Pennine Moors SAC; and
- Peak District Dales SAC.

3.8 There were three HRA reports published during the preparation of the Local Plan. The final report concluded that the High Peak Local Plan would not result in adverse effects on European designated sites, both alone and in combination with other plans.

3.9 **High Peak Local Plan Preferred Options HRA report February 2013** was published for public consultation alongside the Preferred Options version of the Local Plan. The report concluded that one or more potential 'likely significant effects' (LSEs) could occur as a result of the Local Plan on the following European sites Peak District Moors (South Pennine Moors Phase 1) SPA and the South Pennine Moors SAC and Peak District Dales SAC. These potential LSEs were progressed to the 'appropriate assessment' (AA) stage of the HRA process. Initial AA work, included in the Draft HRA Report, concluded that the Local Plan did not result in adverse effects on the South Pennine Moors Phase 2 SPA, so that European site was not considered further.

3.10 The edits to the High Peak Local Plan between the Preferred Options and Revised Preferred Options versions were re-screened in January 2014. Where it was concluded that an edit to the Local Plan had a material impact on the conclusions of the HRA screening, the change was taken into account in the AA of the appropriate issue.

3.11 The Revised Preferred Options version of the Local Plan was then subject to the next stage of HRA, Appropriate Assessment (AA) which was carried out in the March 2014 HRA.

3.12 **High Peak Local Plan Revised Preferred Options draft Habitats Regulations Assessment Draft version March 2014** report presented the interim findings of the Habitats Regulations Assessment (HRA) of the Revised Preferred Options version of the High Peak Local

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Plan. It rescreened the Plan and carried out appropriate assessment. It considered that adverse effects could not be ruled out on the following European sites and suggested a variety of mitigation measures. The key effects are detailed below.

Peak District Moors (South Pennine Moors Phase 1) SPA

- Possible urban effects from development close to the site;
- Possible air quality effects from operation of employment development close to the site; and
- Possible effects of wind turbine development on designated birds.

South Pennine Moors SAC

- Possible urban effects from development close to the site; and
- Possible air quality effects from operation of employment development close to the site.

Peak District Dales SAC

- Possible urban effects from development close to the site;
- Possible air quality effects from operation of employment development close to the site; and
- Possible water quality effects on phosphate levels in the River Wye from housing development in Buxton

3.13 High Peak Local Plan Addendum to Submission version HRA report August 2014

screened the submission version Local Plan with the minor modifications suggested to the Inspector (the revisions to the Plan took account of the issues previously highlighted in the HRA) and concluded High Peak Local Plan would not result in adverse effects on European designated sites, both alone and in combination with other plans.

3.14 Policy EQ5 Biodiversity states any proposal that has an adverse effect on the integrity of a European site will not be given planning permission and requires that any proposals which could potentially result in adverse effects on European sites are assessed and mitigation is put in place to avoid adverse effects occurring. The supporting text to policy EQ5 Biodiversity was amended in line with Natural England's comments to recognise the HRA findings that that identified the potential for adverse effects from development on the integrity of the Peak District Moors (South Pennine Moors Phase 1) SPA, the South Pennine Moors SAC, and the Peak District Dales SAC. These effects could be the result of increased emissions to air from expected traffic increases, presence of dogs, pet predation, fire setting, or disturbance of grazing animals used for site management. It further states that where development is capable of affecting a European site it will be considered on a case by case basis as to whether a project specific Habitats Regulations Assessment (HRA) is required. This requirement is likely to vary, according to the size of development site, the "in-combination" effects and its distance from the SPA and or SAC.

3.15 The HRA Report includes guidance on the approach to be taken by the Council when assessing those planning applications that could have an Likely Significant Effect on a European site in view of the implications of the designated site's conservation objectives, the key points of the HRA in annex E of the report which are summarised below.

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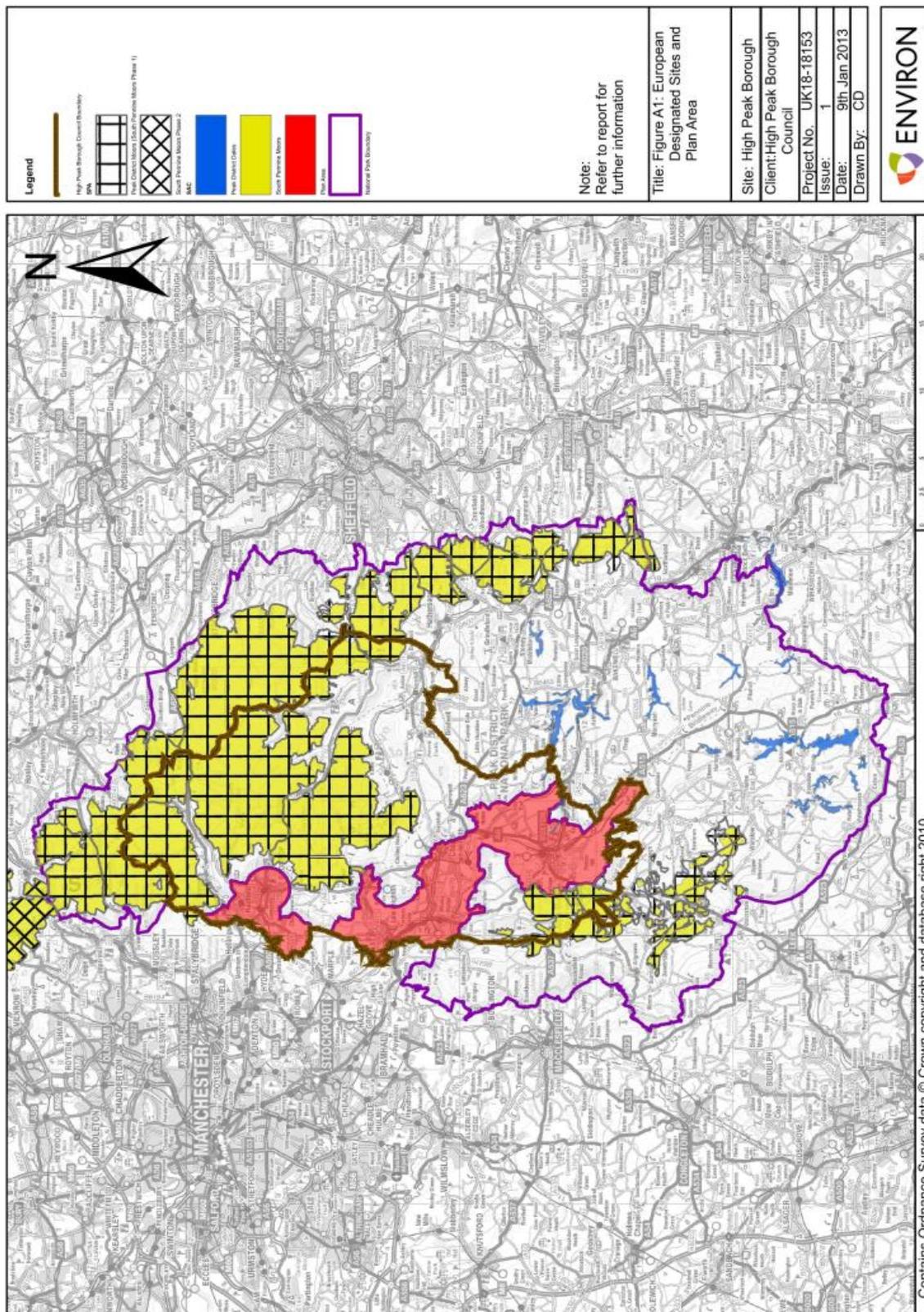
3.16 Residential Development The HRA of the High Peak Local Plan identified the potential for adverse effects on the Peak District Moors (South Pennine Moors Phase 1) SPA, the South Pennine Moors SAC and the Peak District Dales SAC from residential development which may be proposed within the vicinities of these sites. Such adverse effects could be the result of pet predation, fire setting, trampling of vegetation, disturbance of birds, eutrophication from dog walking and disturbance of grazing animals used for site management. The submission HRA Report (March 2014) discusses the currently available information about the potential for such effects to occur and this could be used to identify applications which could have a LSE on a European site in view of the implications of the designated site's conservation objectives.

3.17 Air Quality (employment development and traffic) The HRA has also identified potential air quality effects on the Peak District Dales, the Peak District Moors (South Pennine Moors Phase 1) SPA and the South Pennine Moors SAC from the operation of employment developments. Natural England has recommended the use of pollution footprint mapping to identify the likely pollution footprint of proposals. Any increase in traffic flows resulting from proposed development may lead to increases in atmospheric pollutants at levels which could cause adverse impacts upon the European designated sites in the area. Such development should therefore be subject to assessment under the Habitats Regulations. Where traffic increases acidity and/or nitrogen deposition by greater than 1% of the site's critical load, this is considered a likely significant effect and requires an Appropriate Assessment.

3.18 Wind Turbines Where a wind turbine development scheme, alone or in combination with other plans and projects, has the potential to have an impact on a European site, developers must carry out a project-level Habitats Regulations Assessment of the likely significant effect(s) of the scheme, in accordance with the Habitats Regulations. In order to gain planning permission, wind turbine developments must demonstrate that they will not have an adverse effect on the integrity of any European site.

3.19 The map below shows the European sites and the High Peak Local Plan area.

3 Methodology



Map 1 European designated sites and the High Peak plan area

3 Methodology

3.20 Most of the Neighbourhood Plan area falls within the boundary of the High Peak Local Plan however a small part is within the Peak District National Park. The Core Strategy was adopted in 2011 and the Development Management Policies document was adopted in 2019. Both documents were subject to Sustainability Appraisal and Habitats Regulations Assessment (HRA). The HRAs concluded the the plans would not lead to any adverse impacts on European sites.

3.21 There are no European sites within the neighbourhood plan area, the nearest sites the South Pennine Moors SAC and the Peak District Moors (South Pennine Moors Phase1) SPA are located to south of the area being approximately 340m distance at the closest point. The Whaley Bridge Neighbourhood Plan contains a number of polices designed to complement the policies in the High Peak Local Plan and Peak District LDF it does not propose any significant development or allocations for residential/ employment development. It is therefore considered the plan will not result in a likely significant effect on any of the European sites. The assessment of the policies is detailed in the next section.

4 Assessment

4.1 The table below presents a Habitat Regulations Assessment Screening for the policies of the draft Whaley Bridge Neighbourhood Plan.

4 Assessment

Plan Policy	Detail of policy to be screened	Comment	In accordance with High Peak Local Plan?	Likely significant effect on European site
WB-G1: Town Centre and Economy	Policy seeks to promote town centre diversification and supports a range of uses in the town centre that are open to the public. Cultural, community facilities or recreational uses will only be supported outside the town centre where they cannot be accommodated in the town centre subject to criteria which includes no adverse impact on the open character of the countryside.	This policy will help to maintain the sustainability of the village centre and promote uses open to the public. It seeks to maintain existing cultural, community facilities or recreational uses within the town centre and to protect the countryside.	Yes	No significant effects
WB-G2 Community Facilities	Supports community facilities within the town centre and outside where they cannot be accommodated within the town centre. States outdoor spaces for community must be retained and includes details of specific sites.	Seeks to maintain existing community facilities. Will maintain recreational opportunities in the Neighbourhood Plan area and promote facilities in the town centre and will limit pressure on the rural areas.	Yes	No significant effects.
WB-G3 Residential Development	Policy sets out sustainable locations for residential development and supports residential development within Whaley Bridge settlement boundary and on brownfield sites or infill sites. It	Policy seeks to focus new residential development within the settlement boundaries, on allocated sites and on brownfield sites to protect rural parts of the Plan area.	Yes	No significant effects.

4 Assessment

Plan Policy	Detail of policy to be screened	Comment	In accordance with High Peak Local Plan?	Likely significant effect on European site
	<p>support accommodation for older people and those with limited mobility on suitable sites and self build and community led housing to meet identified needs. It provides details requirements regarding bin storage and cycle storage.</p>	<p>Promotes provision of facilities for recycling and cycle storage.</p>		
WB-H1: Heritage	<p>Policy provides support for heritage led regeneration , supports the reuse of historic buildings and provides design guidance and supports green interventions.</p>	<p>Policy promotes the reuse of buildings of historic value and helps to support the local economy and rural diversification through the reuse of heritage assets. Will support the efficient use of resources by re using existing buildings. Most historic buildings are located within the settlement boundaries.</p>	Yes	No significant effects.
WB-H2: Peak Forest Canal	<p>Relates to development regarding the use and setting of the Peak Forest Canal. Promotes the use of the canal towpath as a recreational route, sustainable walking route and wildlife corridor and seeks to ensure development does not harm the amenity, setting and accessibility of the canal or towpath.</p>	<p>Site specific policy relating to the Peak Forest. Seeks to promote and protect its function as a wildlife corridor and recreational route.</p>	Yes	No significant effects.

4 Assessment

Plan Policy	Detail of policy to be screened	Comment	In accordance with High Peak Local Plan?	Likely significant effect on European site
WB-H3: Transhipment Shed and Canal Basin	Policy relates to development around the transhipment shed and canal basin within the town. They are key heritage assets in the area and the policy seeks to ensure development takes account of their importance and to the area and value to the local community. Supports their continuing use and development for community uses and as a visitor centre, development should take account of the heritage significance of the site.	Site specific policy relating to the area building around the canal basin in the centre of Whaley Bridge. Supports the continuing recreational and community use of the area.	Yes	No significant effects.
WB-E1: Sustainable Design	Details design criteria seeks to ensure development complements the character of Whaley Bridge includes development should incorporate high quality green infrastructure and sustainable design to reduce carbon impact/footprint.	The policy will not lead to additional development it sets the criteria for appropriate design and promotes sustainable development.	Yes	No significant effects
WB-E2 –Minor Villages and Rural Settlements	Provides specific design criteria for a number of small mainly rural settlements.	The policy will not lead to additional development it sets the criteria for appropriate design in a number of small settlements.	Yes	No significant effects.

4 Assessment

Plan Policy	Detail of policy to be screened	Comment	In accordance with High Peak Local Plan?	Likely significant effect on European site
WB-E3: Natural Environment	Policy seeks to protect and enhance the rural landscape and biodiversity and ensure any negative impacts on the natural environment are minimised. Development must create biodiversity net gain.	This policy is intended to conserve and enhance the natural environment.	Yes	No significant effects
WB-E4: Rural Landscape and Character	Policy seeks to protect the rural landscape and character of the area.	This policy is intended to protect and enhance the rural environment.	Yes	No significant effects
WB-E5: Green Infrastructure	Policy seeks to protect and enhance green infrastructure.	Policy will ensure development does diminish existing green infrastructure and will provide for recreational opportunities within existing green routes and parks.	Yes	No significant effects.
WB-E6: Local Green Space	The Plan allocates a number of amenity open spaces with community value as Local Green Space	This policy is intended to conserve and enhance the natural environment.	Yes - allocations should meet NPPF criteria.	No significant effects.
WB-T1: Transport and Movement	Policy seeks to balance transport provision for pedestrians, cyclist and drivers. Seeks to reduce the reliance on the private car for travel	Policy will not lead to additional development -it relates to transport provision and promotes sustainable forms of transport to reduce the use of private vehicles.	Yes	No significant effects.

4 Assessment

Plan Policy	Detail of policy to be screened	Comment	In accordance with High Peak Local Plan?	Likely significant effect on European site
	and promotes sustainable transport. Seeks to alleviate traffic congestion and pollution.			
WB-T2:Paths	Specific policy relating to paths to ensure development does not harm cycle routes or footpaths and to preserve the Shallcross Incline and its setting.	Policy will not lead to additional development will protect existing walking and cycling routes complementing policy WB-T1 to reduce the use of private vehicles and traffic congestion	Yes	No significant effects.

Table 1 HRA Screening Assessment for Whaley Bridge Draft Neighbourhood Plan

5 Consultation

5.1 Prior to a determination being made this screening report has been sent to Natural England to seek their opinion.

5.2 Natural England agree with the conclusions of this report that the draft Whaley Bridge Neighbourhood Plan is not likely to cause a significant effect on any European site and therefore further work is not necessary.

6 Conclusions

6.1 As a result of the assessment set out in section 4 of this report, it is considered unlikely that any significant environmental effects will occur as a result of the implementation of policies and proposals set out in the draft Whaley Bridge Neighbourhood Plan. Natural England have been consulted on the report and agree with this conclusion.

HRA Stage 1 Screening Outcome

6.2 The draft Whaley Bridge Neighbourhood Plan does not require further HRA work to be undertaken.

7 Appendix

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Date: 31 March 2022
Our ref: 385345



High Peak Borough Council

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BY EMAIL ONLY

T 0300 060 3900

Dear Pippa Home

SEA/HRA screening assessments of Whaley Bridge draft Neighbourhood Plan

Thank you for your consultation on the above dated 25 February 2021

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.

Strategic Environmental Assessment - Screening

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 (as amended). 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 [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations

Habitats Regulations Assessment – screening and appropriate assessment requirements

Where a neighbourhood plan could potentially affect a '[habitats 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'). Where likely significant effects are identified, it will be necessary to undertake an appropriate assessment of the neighbourhood plan and, if needed, identify and secure appropriate mitigation measures to ensure the plan does not result in an adverse effect on the integrity of the habitats site.

In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012 (as amended), a neighbourhood plan cannot be made if it breaches the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Picture 1

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A screening exercise should be undertaken if there is any doubt about the possible effects of the plan on the habitats site(s). This will be particularly important if a neighbourhood plan is to progress **before** a local plan and/or the neighbourhood plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the local plan. Where mitigation is necessary to ensure no effects then this will need to be properly assessed via an appropriate assessment.

Natural England agrees with your conclusions and does not have any other specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Gregory Shaw
Lead Adviser – Sustainable Development
East Midlands Area Team

7 Appendix

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

Natural environment information sources

The [Magic¹](http://magic.defra.gov.uk/) 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 [here²](#).

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here³](#). 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 [here⁴](#).

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 [Magic⁵](http://magic.defra.gov.uk/) website and also from the [LandIS website⁶](http://www.landis.org.uk/index.cfm), which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework⁷](#) sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance⁸](#) 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.

¹ <http://magic.defra.gov.uk/>

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

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

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

⁵ <http://magic.defra.gov.uk/>

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

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

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

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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, 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 [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)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 [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² 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 [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

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.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

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

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

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

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

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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.
- 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 [Planning Practice Guidance on this](#) 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 <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/>

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