

ENVIRONMENT AND SUSTAINABILITY (STRATEGIC CHALLENGES)

Habitats and biodiversity
Climate change



Oadby and Wigston
Borough Council
Leicestershire

Habitats and Biodiversity

What the government says:

- 4.1 The NPPF states that *'planning policies and decisions should contribute to and enhance the natural and local environment'*. It also states that in order *'to protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity'*.
- 4.2 National planning practice guidance calls for local authorities to work collaboratively with key partners to deliver strategic approaches to protecting and improving the natural environment based upon local priorities, seeking to conserve and enhance biodiversity and geodiversity. The Government published a 25 Year Environment Plan in 2018, which sets out actions and objectives aiming to deliver cleaner air and water in our cities and rural landscapes, as well as to protect threatened species and to provide richer wildlife habitats.
- 4.3 National planning practice guidance also states that *'locally designated 'Local Wildlife Sites' and 'Local Geological Sites' are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. They can be in rural, urban or coastal locations, can vary considerably in size, and may comprise a number of separate sites. National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. Local planning authorities can take a lead in establishing and maintaining partnerships and systems to identify, manage, enhance and safeguard local sites. The positive engagement and co-operation of land owners and their representative bodies can contribute significantly to the success of these partnerships'*.
- 4.4 Further, NPPF suggests that planning policies should protect and enhance biodiversity and geodiversity and be positive in identifying, pursuing and securing measurable net gains for biodiversity.

What the Council says:

- 4.5 The Borough area has a number of nationally and locally designated sites including Regionally Important Geological Sites (RIGS), Sites of Special Scientific Interest (SSSI) and other valuable wildlife sites. These areas are invaluable to the Borough and will be protected from development.
- 4.6 Any development proposals that have a significant negative impact on important areas or result in significant habitat loss within the Borough will not be permitted for development. If a development proposal has a less significant impact that can be mitigated through appropriate mitigation measures, for example habitat re-creation, the proposal will not be refused from the outset and discussion will take place between the applicant, the Council the County Council, the Woodland Trust, the Environment Agency and Natural England.
- 4.7 Local Wildlife Sites (LWS), Candidate Local Wildlife Sites (cLWS) and Potential Local Wildlife Sites (pLWS) are non-statutory designated sites that occur within the Borough which have been designated due to the significance of the species and habitats present.



- 4.8 The Council is aware that Local Plans, and particularly those containing strategic policies, can be used to set out a suitable approach to both biodiversity and wider environmental net gain, how it will be achieved, and which areas present the best opportunities to deliver gains.
- 4.9 Such areas could include those identified in: natural capital plans; local biodiversity opportunity or ecological network maps; local green infrastructure strategies; strategic flood risk assessments; water cycle studies; air quality management plans; river basin management plans; and strategic protected species licensing areas. The Council will also consider local sites including where communities could benefit from improved access to nature.
- 4.10 The Council has current planning policy set out in the Local Plan relating to the Biodiversity and Geodiversity (Policy 37) that takes account of the recommendations as set out in the Council's Extended Phase One Habitat Survey (2017) as well as the relevant national policies at the time of publication.
- 4.11 In terms of moving forward, the Council is proposing to roll forward the current planning policy (relevant parts of Policy 37 – Biodiversity and Geodiversity) set out in the Local Plan, as it has been effective in managing growth within the Borough over the past few years. However, the policy approach will need to be updated to take into account relevant amendments to national Policy objectives, as well as the greater emphasis now placed on biodiversity net gain.
- 4.12 The Council is committed to achieving genuine and demonstrable biodiversity net gain through new development.

Potential options:

- Continue with the existing policy approach set out within the current Local Plan, taking account of up-to-date national planning policy and guidance.
- Only apply the policy principles and guidance set at a national level through the National Planning Policy Framework and the National Planning Practice Guidance.

Questions:

- Should the Council 'roll forward' the current policy approach set out in Local Plan (relevant parts of) Policy 37 – Biodiversity and Geodiversity, ensuring that it is up to date with current national planning policy and guidance?
- In what ways do you consider that the Council could ensure genuine and demonstrable biodiversity net gains on all new development sites?
- Should the Council be making use of Natural England's Biodiversity Metric, or are there more appropriate ways of calculating biodiversity net gain?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.

Climate change

What the government says:

- 4.13 The Government's Climate Change Act (2008) contains the world's first legally binding National commitment to cut greenhouse gas emissions. It was passed by an overwhelming majority (463 to 3). The headline target was originally an overall cut in emissions of at least 80% by 2050, relative to 1990. However, in 2019 this was amended with a target of achieving net zero emissions (100%) by 2050.
- 4.14 In its bid to achieve sustainable development, in the context of sustaining the environment, the NPPF states that the planning system must *'protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'*.
- 4.15 In terms of Plan making, the NPPF goes on to state that *'all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects'*.

What the Council says:

- 4.16 The Council, together with all public and private sector agencies, has a responsibility to plan for and implement a strategic approach that will:
- Ensure new developments adapt to, and mitigate for, the potential impact of climate change upon the natural and built environment;
 - Increase the energy efficiency of all new developments and major refurbishment, by respecting nationally prescribed sustainable standards, thus reducing carbon emissions; and,
 - Proactively seek to utilise more renewable and low carbon energy solutions within the Borough.
- 4.17 Planning has an important part to play in mitigating the negative effects of, and adapting to, climate change. The Council's Local Plan will seek to give a strong policy steer, setting out what measures can be realistically taken at a local level. This will need to support the national transition to a low / zero carbon future and contribute to reductions in greenhouse gas emissions.
- 4.18 The Council has a current Policy in the Local Plan relating to Climate Change, Flood Risk and Renewable Low Carbon Energy (Policy 38) that requires all development proposals to make use of sustainable resources and reduce their impact upon climate change by meeting high standards of sustainable design and construction. In addition, for all major developments, applications must be accompanied by a Sustainability / Energy Statement, demonstrating how harmful emissions will be addressed and minimised.
- 4.19 Since its adoption, the Policy has been effective in managing growth and the approach to tackling climate change within the Borough over the past few years. However, the Policy will need to be updated to take into account relevant amendments to national Policy objectives.

Potential options:

- Continue with the existing or similar Policy approach, as set out within the current Local Plan, ensuring that it is up-to-date with current national planning policy and guidance.
- Consider setting a requirement for sites (of a certain size) to provide a percentage of their energy requirements through onsite renewable / low carbon energy generation sources.
- Only apply the policy principles and guidance set at a national level through the National Planning Policy Framework and the National Planning Practice Guidance.

Questions:

- Should the Council 'roll forward' the current policy approach set out in Local Plan (relevant parts of) Policy 38 – Climate Change, Flood Risk and Renewable Low Carbon Energy, ensuring that it is up to date with current national planning policy and guidance?
- Should the Council draft a new Policy to address Climate Change and to take account of up to date national planning policy and guidance?
- Should the Council remove the Policy approach and only apply the Policy principles and guidance set at a national level through the National Planning Policy Framework and the National Planning Practice Guidance?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.

