



South Cambridgeshire Local Development Framework Biodiversity Supplementary Planning Document

Sustainability Appraisal / Strategic Environmental Assessment Adoption Statement

Introduction

South Cambridgeshire District Council adopted the Local Development Framework (LDF) Biodiversity Supplementary Planning Document (SPD) on 2 July 2009.

This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4), which require a statement to be produced on adoption of a plan or programme, to detail:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed through public consultation have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with;
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Planning Policy Statement 12 widens these considerations from environmental, to broader sustainability issues, so that this statement provides information on the wider sustainability appraisal process.

This statement examines each of these points in turn.

1. How sustainability considerations have been integrated into the plan

The LDF aims to improve the overall quality of life for residents of South Cambridgeshire in a way, which will also benefit future generations. Taking a sustainable approach to economic, social and environmental issues is at the heart of the plan and will be closely related to the national strategy for sustainable development, which has four objectives:

- Social progress which recognises the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

Policy Context

The national context is set out in Planning Policy Statements (the replacement to Planning Policy Guidance Notes), Circulars and other advice from Government. Whilst some of those national policies require local interpretation, a great number do not.

The regional context is set out in the East of England Plan that was published by the Secretary of State in May 2008. It continues the strategy that was set out in the Regional Planning Guidance for East Anglia (RPG6). It aims to focus a higher proportion of Cambridgeshire's growth into the Cambridge Sub-Region and proposes a sequential approach to the planning of development, with much of the development concentrated into and on the edge of Cambridge (subject to a review of the Cambridge Green Belt), including development in South Cambridgeshire, and into a new town beyond the outer boundary of the Green Belt.

The East of England Plan 2008 replaced the Cambridgeshire and Peterborough Structure Plan when it was published in its final form by the Secretary of State in May. A number of Structure Plan policies were 'saved' after September 2007 and remain valid until they will be superseded by policies in LDFs as these plans are adopted across the County.

Biodiversity SPD Policy Approach

The SPD expands on district-wide policies (NE/5, NE/6 & NE/7) in the Development Control Policies Development Plan Document (DPD), adopted in July 2007. These policies seek to ensure that biodiversity is adequately protected and enhanced throughout the development process, and this SPD provides additional details on how they will be implemented.

The SPD builds on national policy in Planning Policy Statement (PPS) 1: Delivering Sustainable Development and PPS9: Biodiversity and Geological Conservation.

These statements promote sustainable, well-designed development. In addition, they seek to ensure that biodiversity and appropriate landscaping are fully integrated to new developments in order to create accessible green spaces for wildlife and people, to contribute to a high quality natural and built environment, and to contribute to a better quality of life.

Specific objectives for the Biodiversity SPD are as follows –

- Assist applicants' understanding of the role of biodiversity within the wider environment and how biodiversity features should be incorporated within development proposals as part of a high quality design.
- Assist applicants to gain planning permission quickly by informing them of the level of information required to accompany planning applications.
- Explain terminology associated with biodiversity conservation.
- Ensure that development works are undertaken in an appropriate manner to avoid harm to biodiversity.

2. How the Sustainability Appraisal had been taken into account

The Sustainability Appraisal has contributed to plan development by providing an independent assessment of the sustainability of the Council's proposed options and policies as they were developed. It demonstrates that sustainability considerations have been incorporated into the development of the LDF and subsequently that of the SPD from an early stage, and provides a formal statement and audit trail of the assessment.

The Sustainability Report is a key output of the plan preparation process. It reflected and supported the draft plan on which formal public consultation and participation was carried out.

The SPD is adding detail to policies to assist the implementation of adopted Development Plan Document policies and therefore the process had begun with the preparation of a Sustainability Report for this DPD. The policies in this DPD were therefore subject to sustainability appraisal. The main role of this appraisal was to examine whether the SPD results in any differences in these effects, and add detail where appropriate.

It was decided not to do an addendum to the LDF Scoping Report as it already provides sufficient detail to cover the Biodiversity SPD. The scoping information in the LDF Scoping Report relevant to the SPD formed the basis of the assessment in the SA Report.

The issues identified in the LDF Scoping Report were used to define a set of objectives, decision-making criteria and relevant baseline indicators, which collectively comprise the SA Framework.

Central to the Sustainability Appraisal process is the testing of the objectives of the SPD guidance against a Sustainability Appraisal Framework. The SPD objectives outline the purpose of the SPD and its aims. It is important that the overall SPD objectives are consistent with the concept of sustainable development. These were assessed and it was found that the objectives of the SPD were compatible with the Sustainability Appraisal objectives.

It was found that the SPD made no differences to the effects of the appraised adopted policies and so no changes were necessary to the SPD as a result of being appraised.

3. How consultation taken into account (draft plan and the Environmental Report)

In this statement the Council is required to detail how opinions expressed in response to consultation have been taken into account.

Key Environmental Bodies

The Strategic Environmental Assessment Directive requires that authorities referred to in Article 6(3) shall be consulted when deciding on the scope and level of detail of the information, which must be included in the Environmental Report. In England, the key bodies are the Environment Agency, English Heritage and Natural England.

Consultation on a draft of the LDF Sustainability Appraisal Scoping Report with these key bodies was carried out in June 2004. The consultation enabled these bodies to comment on the appropriateness of the objectives, indicators, baseline assessment and issues / problems. A report on the outcome of these consultations is included in Appendix 7 of the Scoping Report. The consultation resulted in a number of changes to the Scoping Report, including changes to the sustainability objectives and questions, new issues for the area being identified, new plans and strategies being analysed in the report, and revised and new monitoring indicators.

Public Participation

The Strategic Environmental Assessment Directive requires early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme or its submission to the legislative procedure.

The Council consulted the public on the SPD and its Sustainability Appraisal. Full details can be found in the Statement of Consultation – Regulation 18(4)(b), available to view on the Council's website. This outlines the main issues raised in the

representations received and how they have been addressed in the SPD, which is to be adopted.

Consultation under Regulation 17

The public consultation on the draft SPD and Sustainability Appraisal Report was carried out over a 6-week period, which was in accordance with Regulation 17 of the Town and Country Planning (Local Development)(England) Regulations 2004 as amended.

There were in total 116 representations received. 5 were in support and 111 objecting. No representations were received on the Sustainability Appraisal.

The main issues raised include:

- Suggested text be amended slightly to reflect rather than repeat the requirements of PPS9
- Seeking clarification of the differences between the SPD and Biodiversity Strategy and their relationship as council documents
- Suggested clearer links to further information relating to protected species
- Suggested refinement of when Priority Species Survey and Assessment is required for clarity
- Suggested amendments to Tables 1 & 2
- Suggested refinement of the development guidelines
- Suggested refinement of the set of Biodiversity Issues, particularly:
 - Biodiversity Issue 3 (mitigation and compensation)
 - How biodiversity gain is to be achieved
 - Ensuring that the expectation placed upon applicants is not unreasonable
 - Clarification of Priority Species, Priority Habitats and Protected Species issues
 - Ensuring that Biodiversity Issues are not confused with, or repeat, policy
- Suggested refinement of the text relating to the registration process
- Suggested refinement of the “triggers” for Site Assessment and Survey
- Need for more focus on biodiversity benefits of SUDS
- Need to bring forward the Countryside Enhancement Area and Wildlife Corridor map from the Biodiversity Strategy

The consultation resulted in a number of changes to the SPD. These are listed in Appendix A.

4. Reasons for choosing the document as adopted in light of other reasonable alternatives.

The Environmental Assessment of Plans and Programmes Regulations 2004 (12) (2) requires environmental reports to examine reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.

This statement is required to set out the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with.

PPS12 makes clear that full regard should be had to the chain of conformity to avoid duplication of assessment.

The alternative to having an SPD was to have no SPD at all and to carry out "Business As Usual" implementing the adopted Development Control Policies DPD without published detailed guidance. This was considered in the Sustainability Report. The Biodiversity SPD, once adopted will provide further guidance on the implementation of the Council's adopted Biodiversity policy and Biodiversity Strategy. As such, it is considered more likely to result in Biodiversity being protected and enhanced than existing policy alone. Omitting the SPD would provide much less certainty

5. Monitoring

The Environmental Assessment of Plans and Programmes Regulations 2004 requires authorities to set out the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Details of the monitoring measures envisaged are summarised in Appendix 7 of the Final LDF Sustainability Report.

The indicators created in the Sustainability Appraisal Scoping Report, will continue to be monitored annually. They have been utilised as 'significant effect indicators', to be collated in the LDF Annual Monitoring Report. This report includes an analysis of the implications of the results, and should a need arise a review of LDF documents could be triggered by this information.

The South Cambridgeshire Annual Monitoring Report is available to view on the Council's website.

Appendix 1: Extract From 'Statement of Consultation (REGULATION 18(4)(b) STATEMENT)'

Sustainability Appraisal Scoping Report

Statutory Bodies Consultation on Draft South Cambridgeshire LDF Sustainability Appraisal Scoping Report

- Consultation with statutory bodies took place in June 2004
- Key agencies that have environmental, social or economic responsibilities (the Environment Agency, English Heritage and Natural England).
- The consultation resulted in a number of changes to the LDF Scoping Report, including changes to the sustainability objectives and questions, new issues for the area being identified, new plans and strategies being analysed in the report, and revised and new monitoring indicators.

Draft Final Sustainability Reports

The Draft Final Sustainability Report meets the requirements for sustainability appraisal and strategic environmental assessment.

It was published for public participation alongside the draft SPD.

Appendix A – Amendments made to SPD as a result of the public consultation.

Biodiversity Supplementary Planning Document

- Paragraph 1.5
Amend first sentence to read, "Biodiversity is a term used to describe the richness of the living environment around us it incorporates all species and habitats, both rare and common, and strives to ensure the protection of genetic diversity."
- Paragraph 1.6, part 5
Amend to read, "The encouragement to support development schemes that conserve or enhance local biodiversity."
- Paragraph 1.8
Amend so that it reads "The Biodiversity Strategy is due for review and will continue to act as a guiding document for SCDC's general approach to biodiversity conservation across its range of functions. The Strategy will act in parallel to the SPD."
- Paragraph 1.12
Amend so that it reads, "The supporting text of the Development Control Policies Policy NE/6 states that further guidance on Priority Species and Habitats, sites and the achievement of biodiversity targets shall be set in the Biodiversity Strategy. The Biodiversity Strategy was produced in 2006 and adopted as Council policy. It provided guidance in the interim period to the production of this Biodiversity SPD. This SPD now incorporates those matters from the Biodiversity Strategy that relate to the planning process and provides guidance to support the policies in the LDF. The Biodiversity Strategy will subsequently be reviewed to provide a wider strategy for the conservation of the district's biodiversity, and will be adopted as Council policy."
- Paragraph 2.2
Replace web link www.cambridgeshire.gov.uk/sub/cntryside/biodiv to www.cambridgeshire.gov.uk/biodiversitypartnership
- After Paragraph 2
Insert a new paragraph, "Biodiversity conservation is intrinsically linked with climate change. Many species rely on the seasonal patterns of our stable climate. As weather patterns subtly change or storm events become more frequent then certain species may experience stresses on their populations. Where species cannot move in order to adjust to rainfall patterns or periods of extreme temperature then they may suffer local extinctions. Habitat fragmentation is a real threat to biodiversity. In order to address this pressure large-scale habitat creation may become increasingly important. At the local level, the choice of traditional planting may need to be re-considered in order to deliver new habitats for the future."

- Paragraph 3.5
Replace "adhere" with "have regard".
- After paragraph 3.5
Amend Guideline 5 so that it reads, "Where an impact is unavoidable and mitigation alone cannot adequately protect a species or habitat then the provision of compensatory habitat will be expected whilst being proportional to the development scheme".
- After Paragraph 3.5
Include additional text in Guideline 1 text box, "Desk based data searches may also be made through the Biological Records Centre."
- Paragraph 3.12
The first paragraph is proposed to read as such, "Applications that do not contain the necessary level of biodiversity information may not be validated by the District Council, and may be returned to the applicant undetermined or further information will be requested."
- Table 1
The second bullet point of Table1 should be amended to read "all buildings with weather boarding and/or hanging tiles regardless of location."

In Table 1, in the with the box "proposed tree work" include a new bullet point of, "trees with substantial ivy cover" with bullet point against bats and breeding birds. The box detailing aquatic habitats should be amended to include "ditches" so that it reads, "Proposals affecting or within 25m* of rivers, streams, ditches lakes, or other aquatic habitats such as reed beds or fen". The box detailing derelict habitats should be amended to read, "Proposals affecting 'derelict' land (brownfield sites), allotments and railway land especially where piles of dumped materials are to be moved".

- Paragraphs 3.7 and 3.16
Amend forth lines, to read, "The survey should be undertaken and prepared by competent persons with suitable qualifications and experience (such as a member of the Institute of Ecology and Environmental Management) and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines or methods where available."
- Table 2
Under "regionally and locally designated sites" insert, "Protected Road Verges (PRV)". Amend paragraph 3.68 for consistency, "Protected Roadside Verge" to become "Protected Road Verge". Under "Priority Habitats" insert "Traditional orchards"

Table 2; insert "Wetlands of International Importance (Ramsar site)"

- Paragraph 3.25
The text box at paragraph 3.25, last sentence, should be have the words "a net" deleted so that it reads "Contribute to biodiversity gain as a means to achieve sustainable development."

In text box at paragraph 3.25 of "The District Council will require development to.." change to Development should..."

- Paragraph 3.27
Insert additional text at the end of paragraph 3.27, "It should be noted that it is an offence to spread, or cause to grow, certain plant species listed on Schedule 9 of the Wildlife and Countryside Act, 1981."

- Paragraph 3.29
At paragraph 3.29 a first sentence amendment is proposed, "The creation and enhancement of habitats adjacent to existing biodiversity rich areas to complement and provide a buffer for biodiversity will be sought."

- Paragraph 3.30
Proposed addition to picture annotation at the end of the sentence include "together with the integration of bird boxes".

At paragraph 3.30 included with additional text of paragraph, "This may result through the careful integration of a Sustainable Urban Drainage System (SUDS) within the site"

- Paragraph 3.34
Amend text by adding, "where appropriate" and deleting "normally" so that paragraph 3.34 reads, "Applicants, where appropriate, will be required to plant native species hedges to define boundaries in open countryside as opposed to the erection of fences that may hinder the natural movement of animals."

- Paragraph 3.44
Addition of "Protected Road Verge" to paragraph 3.44

- Paragraph 3.62
Add an additional second sentence of, "The map of the Countryside Enhancement Areas is presented over the page as Map 2." Additional text after paragraph 3.63, "Page left blank intentionally - Insert Map 2 "Countryside Enhancement Areas and Wildlife Corridors".

- Paragraph 3.45
To be re-worded as such: "Open space targets - The policy requirements of the adopted DCP DPD policy SF/11 "open space standards" will always be the primary driver for open space provision. However, in order to encourage further access to biodiversity areas through development Natural England's Accessible Natural Green Space Target (ANGST) will be aspired to. The provision of new LNRs is one such mechanism to achieve the target and deliver necessary quality open space for experiencing biodiversity. The ANGST criteria as set out

in "Assessing needs and opportunities: a companion guide to PPG17" require the following:"

- Paragraph 3.45
Change at paragraph 3.45 and elsewhere within the document of "English Nature" to "Natural England".
- After Paragraph 3.49
Re-write the text box after paragraph 3.49 so that it is: "Where development results in significant harm to a Biodiversity Site or a Priority Species (or Habitat) appropriate planning conditions or obligations will be required to adequately mitigate and / or compensate for the harm."

Insert new paragraph at 3.50, "Mitigation consists of measures taken to avoid or reduce negative impacts on species or habitats. Measures may include: locating a development and its working areas and access routes away from areas of high ecological interest, fencing-off sensitive areas during a construction period, or timing works to avoid sensitive periods. Measures may be employed to protect a habitat from the operational impacts of a development such as a reedbed designed and constructed to prevent silt and road run-off from entering a watercourse."

Deleted former 3.50, "Avoiding net loss - The protection of habitats and species, and the avoidance of biodiversity loss is a key objective of PPS9 and the South Cambridgeshire LDF. Avoidance of adverse impact will therefore always be the preferred approach to biodiversity conservation and issue B1 should always be considered. In exceptional circumstances, where the benefits of a proposal are demonstrated to clearly outweigh the importance of biodiversity conservation, conditions will be imposed and obligations negotiated with the aim of securing compensatory habitat creation to prevent any net loss."

Insert new paragraph at 3.51 to read, "Compensation is the process of providing species or habitats benefits specifically to make up for the loss of, or permanent damage to, biodiversity through the provision of replacement areas. Any replacement area should be similar to or, with appropriate management, have the ability to reproduce the ecological functions and conditions of the resource that has been lost or damaged."

Insert new paragraph at 3.52 to read, " Compensation shall be considered as the last resort, with priority always given to protection in entirety followed by appropriate mitigation. Where the benefits of a proposal are demonstrated to clearly outweigh the importance of biodiversity conservation, conditions will be imposed and obligations negotiated with the aim of securing compensatory habitat creation to prevent biodiversity loss."

Delete numbered points after 3.52 to remove,

1. Facilitate the survival of the species' population.
2. Reduce disturbance to a minimum.
3. Provide adequate compensatory habitat in order to sustain and enhance the

current level of a population.

Insert new paragraph at 3.53 to read, "Mitigation schemes may require advance surveys in order to assess species' numbers and habitat quality. This work may only be possible at certain times of the year due to the seasonal nature of species and habitats."

Insert new paragraph at 3.54 to read, "Some forms of mitigation may be relatively simple such as avoiding the bird breeding season whilst undertaking vegetation clearance. Other requirements such as those associated with avoiding harm to bats during building works at a known bat roost may be more complex. Such works may require the input of a licensed ecologist to oversee the work.

Insert new paragraph at 3.55 to read, "Some compensatory measures can be relatively inexpensive in the scheme of a development, such as the provision of new swift nest sites. Other measures may require the construction of entirely new features, such as a bat roost building and may require planning consent in their own right."

Delete former paragraph 3.53, "It should be noted that the translocation of species and habitats shall only be allowed as a measure of last resort."

Retain former paragraph 3.54 and re-number it as 3.57, "The SCDC Biodiversity Strategy provides further information on methods of mitigation in section 4.4 tables 10 and 11."

- Paragraph 3.62
Add an additional second sentence of, "The map of the Countryside Enhancement Areas is presented over the page as Map 2." And insert "Map 2 Countryside Enhancement Areas and Wildlife Corridors" (brought forward from the Biodiversity Strategy).
- Paragraph 3.66
Additional text, "Wildlife Corridors are presented on Map 2 (after 3.63)".
- Paragraph 3.56
Amend text to include additional text so that it reads, "Securing biodiversity gain - Planning obligations are an important tool in securing mitigation and compensation for losses of biodiversity caused through development, and also for securing biodiversity enhancements. In seeking biodiversity gain priority will be given to actions that help achieve Biodiversity Action Plan targets. In particular, enhancements to create appropriate access to Biodiversity Sites will be sought, especially those where landowners or organisations undertake, or increase opportunities for, environmental education; or provide areas where people engage with and experience biodiversity and thus contribute to people's quality of life. Planning obligations relating to the creation of new wildlife habitats will usually include a provision for the ongoing management of new sites for at least ten years."

- Paragraph 3.57
Addition of text so that the last sentence reads, "Instead assessments will be made on a case-by-case basis in the context of wider viability considerations, taking account of: "

Amend to read," Assessing contribution requirements - Unlike other service areas, contribution requirements for biodiversity features cannot be solely based on housing units or any other form of development."
- Paragraph 3.59
Amend to read, "The SCDC Development Control Policy DPD has identified a broad approach to countryside enhancement and presents it in Policy NE/5 Countryside Enhancement Areas. Similarly, the Cambridgeshire and Peterborough Biodiversity Partnership has also produced its 50 Year Vision Map (refer to the SCDC Biodiversity Strategy)."
- Paragraph 3.60
Amend "Wandlebury Ring" to "Wandlebury Country Park"
- Paragraph 3.61
Change "Coton Farming and Countryside Reserve" to "Coton Countryside Reserve".
- Paragraphs 3.55, 3.62 and 3.63
Replace "Green Vision" with "Green Infrastructure Strategy".
- Paragraph 3.64
Amend text, first sentence of text box, to read, "Development proposals will be expected to contribute to the enhancement of biodiversity. Where a contribution to off-site works is requested regard will be had to the identified network of Wildlife Corridors and green infrastructure projects for the district."
- Paragraph 3.63
After paragraph 3.63 insert Map 2 "Countryside Enhancement Areas and Wildlife Corridors"
- Paragraph 3.66
Delete paragraph.
- Paragraph 3.68
Amend text to read, "Background information is available from the County's Biodiversity Officer, but for detailed information on sites please contact Cambridgeshire and Peterborough Biological Records Centre. Information is also available at www.cambridgeshire.gov.uk/prv."
- Paragraph 3.69
Replace first sentence of text box with, 'Development should not result in the loss of ancient woodland or its deterioration as a result of a planning consent.'

The words "setting or character" should be replaced by "biodiversity value".

- Paragraph 3.79
Insert an additional paragraph; "SUDS can be particularly beneficial in higher density areas due to the dual land-use that they can offer. The natural features offered by grass swales, infiltration strips, reedbeds and ponds will provide habitats for amphibians, birds, mammals and insects whilst also contributing to landscape settings and possibly open space requirements. The Design Guide SPD will provide further details on SUDS."
- Paragraph 3.80
Insert additional paragraph, "The success of wildlife areas or SUDS will depend on their proper understanding and management. Where such features are created an applicant may be expected to provide a suitable management statement or management plan. The level of detail is likely to include:
 1. A description of the area including a map
 2. Species and habitat targets
 3. Management prescriptions
 4. Persons responsible for undertaking the management
 5. Means of reviewing the management plan
- Appendix 2
Include references to "Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (commonly known as the Habitats Directive)", "Council Directive 79/409/EEC on the Conservation of Wildlife Birds (commonly known as the Birds Directive)", "Wildlife and Countryside Act, 1981 (as amended) (WCA 1981)", and "Protection of Badgers Act 1992".
- Appendix 3
After useful web sites, include, "Cambridgeshire Green Vision: www.cambridgeshire.gov.uk/greenvision " and Cambridgeshire Horizons Green Infrastructure Strategy www.cambridgeshirehorizons.co.uk/search/results.aspx?siteSearch=Green%20Infrastructure%20Strategy

After useful websites add in, "Cambridgeshire and Peterborough Biological Records Centre www.cpbrc.org.uk"
- Glossary
Add, "Natural Area - Are identified by a combination of physical attributes such as geology, plant and animal species, land-use and culture. These attributes combine to give an area its distinctive biodiversity."