

Daventry District Council

Biodiversity

Supplementary Planning Document

Statement of Consultation

Adopted May 2017

Introduction

This report sets out the consultation undertaken on the Biodiversity Supplementary Planning Document (SPD). This report is required by regulation 12 of the Town and Country Planning (Local Development) (England) Regulations 2012.

At its meeting on 24th November 2016 the Council's Strategy Group resolved that consultation could take place on the VDS.

Consultation

Consultation commenced on 28th November 2016. Developers, landowners, agents and statutory consultees were notified.

Publicity

The draft SPD could be accessed from the Planning Policy and Consultation pages of the Daventry District Council Website.

Copies were available in all district libraries as well as the Council Offices at Lodge Road, Daventry.

A Consultation Notice was also placed on the website, all district libraries and in the Council Offices, a copy of which is included at Appendix A.

Consultation Period

Consultation took place with organisations referenced above and local residents on the document for a period of 6 weeks until 5.00pm on the 23rd January 2017.

Comments received.

13 responses were received. These are set out in appendix B.

Consideration of Responses

The Council carefully considered all of the comments received. A number of changes were made to the document as a result of these responses. These changes are set out in appendix B.

The representations were reported to the Council's Strategy Group on 13th April 2017 followed by Full Council on 17th May 2017 when the document was adopted.

Appendix A

Biodiversity Supplementary Planning Document for Northamptonshire

Town and Country Planning (Local Planning) (England) Regulations 2012

Regulation 12, 13 and 35 – Consultation Statement regarding Supplementary Planning Document

Daventry District Council is consulting on a Biodiversity Supplementary Planning Document for Northamptonshire. The document will, when adopted, provide information and guidance on how biodiversity should be considered in the planning process and will supplement the saved policies from the Daventry District Local Plan and the West Northamptonshire Joint Core Strategy.

The Council hereby welcomes comments from any interested party on the document. The document will be available during the consultation period for inspection at Daventry District Council, Lodge Road, Daventry and the libraries at Brixworth, Daventry, Long Buckby, Moulton and Woodford Halse during normal opening hours.

A copy will also be available on the Council's website:

<https://www.daventrydc.gov.uk/living/planning-policy/spg-and-spds/biodiversity-supplementary-planning-document/>

The consultation commences on 28th November 2016 and closes at 5pm on 23rd January 2017.

Comments in writing should be forwarded to Jane Parry, Senior Policy Officer (Planning), Daventry District Council, Lodge Road, Daventry, Northamptonshire, NN11 4FP or e-mail planningpolicy@daventrydc.gov.uk by **5pm on Monday 23rd January 2017** at the latest.

Comments cannot be accepted after this time.

Jane Parry
Senior Policy Officer (Planning)

Appendix B Schedule of Comments, Agreed Responses and Actions

Under 'Suggested Action', new text is shown as ***bold italics***; deleted text is shown as ~~strike through~~.

Respondent	Comment	Suggested response	Suggested Action
Richard Pill, English Regional Transport Association	<p>Daventry needs re-railing. That would cut congestion, emissions like little else and enable new growth to give to rail market share easing pressure for a roads only solution, land use take on parking proliferation, out of town proliferation – all impacts wildlife negatively.</p> <p>I would suggest you convene a meeting of all Councils of all tiers between Leicester and Aylesbury and commit to route protection including realignment trajectories at Brackley and commission a jointly paid study to make the case for reopening the Great Central Railway with loops to serve Daventry and Buckingham respectively. It would create much needed end to end capacity between East Midlands and London/M25, West Coast (esp. if a link with West Coast was done), M1 and Midland Main Line as well as cater for growth of freight by rail. This country needs to reduce its reliance on oil and fossil fuels and this in your own back yard is what you could be bulk leading on. Everything else is laudable intrinsically, none-the-less tinkers at the edges.</p>	Any decision to re-introduce the railway network to Daventry is beyond the scope of the Biodiversity SPD.	No change.

	<p>We stand ready to support, be instrumental and work with you in tabling these propositions please.</p>		
<p>Northamptonshire Bat Group</p>	<p>Below are a few suggested amendments and additions. All relate to the appendices of the document, p17 Chart 2a. (the following are taken from p13 BCT Bat Surveys Good Practice Guidelines 2015).</p> <p>Presently it specifies clay-tiled roof – for bats. Add slate to this.</p> <p>For bats add to the present structures section:</p> <ul style="list-style-type: none"> • Agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams; • Pre-1960 detached buildings and structures within 200m of woodland and/or water; • Pre-1914 buildings within 400m of woodland and/or water; • Pre-1914 buildings with gable ends or slate roofs, regardless of location; • Located within, or immediately adjacent to woodland and/or immediately adjacent to water 	<p>The suggestion of slate in respect of bats is a reasonable one.</p> <p>The suggested additions for ‘present structures’ reflect a more complex template than that used in the existing SPD. They are useful additions and it would be appropriate to include them in the SPD as follows. The point about agricultural buildings could be addressed by referring to all agricultural buildings of traditional construction and/or with exposed beams. The points about woodland, water and pre-1914 buildings with gable ends or slate roofs could also be included.</p>	<p>Add slate roofs to the list in section 2A of Appendix 1 (page 17) as follows:</p> <ul style="list-style-type: none"> • Slate or clay-tiled pitch roofs <p>Incorporate additional ‘existing buildings /structures’ into table in Section 2A of Appendix 1 as follows:</p> <ul style="list-style-type: none"> • Large Agricultural buildings, particularly but not exclusively those of traditional brick or stone construction and/or with exposed wooden beams • Pre-1914 buildings

	<p>For bats add a new section:</p> <ul style="list-style-type: none"> Proposals for wind farm developments of multiple wind turbines and single wind turbines 	<p>Windfarms as a development type could also be added.</p>	<p>with gable ends or slate roofs</p> <p>Add proposals adjacent to woodland/water and windfarms into table in Section 2A of Appendix 1 as follows:</p> <p><i>Is there woodland or water within 200m of a pre-1960 building or within 400m of a pre-1914 building?</i></p> <p><i>Is the proposal located within, or immediately adjacent to woodland and/or immediately adjacent to water?</i></p> <p><i>Is the proposal for a windfarm development of single or multiple wind turbines?</i></p>
<p>Simon Barber English Regional Transport</p>	<p>I am a member of the English Regional Transport Association (ERTA), which is a voluntary membership-based, pro-public</p>	<p>The statement about 2000+ new dwellings in Welford is incorrect.</p>	<p>No change.</p>

<p>Association</p>	<p>transport improvement association with its main projects initially in the Bedfordshire and surrounding regional areas but its remit has since increased since several of its projects have a nation-wide positive benefit and impact. One of my fellow members, Richard Pill had e-mailed your Council on 25 November 2016 (14.25) in regard to its Planning Policy Documents which are now open for consultation, and apparently you had personally responded to his e-mail on 29 November 2016 (9.25).</p> <p>I am now also responding to your consultation in regard to these Planning Policy Documents, thereby following up Richard Pill's comments.</p> <p>Public transport links in your Council are poor, particularly affecting the surrounding villages like Welford. One of your documents highlights that village, which seems to suffer perennially from HGV vehicles presumably heading for Daventry International Rail freight Terminal, the West Midlands and roads such as the M1, A14, and A45. All these roads are heavily congested, and apparently the situation in Welford is aggravated whenever roads such as the M1 are closed, which frequently occurs. when major roads are closed. The 2000+ new dwellings</p>	<p>Planning permission has recently been approved for the use of Gatesby Tunnel as a vehicle testing and research facility (reference DA/2015/0808).</p> <p>Any decision to re-introduce the railway network to Daventry is beyond the scope of the Biodiversity SPD.</p>	
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	<p>proposed for Welford will also aggravate the village's traffic situation.</p> <p>ERTA advocates re-opening the Great Central Railway (GCR) route from Calvert Junction to Narborough where much of the old track bed survives. That route was robustly engineered and its day facilitated fast running, with the added benefit that it was constructed to a more generous continental loading gauge. The route passed through several villages that lie in your Council and Daventry itself is not connected to our railway network. Catesby Tunnel (on the GCR) lies in your Council, and that must be protected from any development, otherwise the remainder of the route is very unlikely to be viable. Some deviations from that original route may be required in places where the original route and/or stations are no longer likely to be available. A Parkway station could be built for Daventry and the Town Centre could be linked from that station by a Light Rapid Transit (which could use appropriate technology such as the Parry People Mover) facilitating links to and from the principal route, and could also serve other outlying districts and utilising other disused railway lines where the track bed survives. Re-opening the GCR would have</p>		
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	<p>connectivity benefits for several other towns within the locality.</p> <p>More importantly, re-opening would also increase freight-carrying capacity on the regional network, thereby relieving the West Coast Mainline and the M1. The former GCR could also serve as an alternative to HS2 and generally play a role in offering an alternative route to enhance rail capacity for passengers in the region, since the West Coast Mainline is now stretched to capacity. ERTA advocates that local authorities (including your Council) along the former GCR route co-operate and lobby to safeguard the former route and to investigate and advance its case for its re-opening.</p> <p>ERTA also advocates the re-opening of the Bedford – Northampton line, again much of the old track bed survives. Although this line lies outside your boundaries, re-opening would have an impact since it would enable freight trains from Daventry International Rail freight Terminal to access the East Coast ports; at present these services use the heavily congested West Coast Mainline and above all the terminal is expanding, thereby the West Coast Mainline and the</p>		
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	<p>M1 could eventually be permanently gridlocked.</p> <p>Finally, your Council also includes the Grand Union Canal and TWO important pedestrian footpaths serve Welford. There must be proper maintenance for all these corridors, and that your Council should also co-operate with organisations like Network Rail, Office of Road and Rail, National Infrastructure Commission and Canals and Rivers Trust.</p>		
Highways England	Highways England has carried out a high level review of the Biodiversity SPD and has no comments to provide.	Noted.	No change.
Brixworth Neighbourhood Plan Steering Group	<p>Comments on Biodiversity Supplementary Planning Document for Northamptonshire</p> <p><u>Objectives of document</u> – these are set out in the letter attached to the document and signed by Jane Parry.</p> <p>A. When adopted will provide information and guidance on how biodiversity should be considered in the planning process.</p> <p>B. Will supplement saved policies.</p>		

	<p>1. Introduction (page1) To be used by those applying for planning permission. To guide planning policy and allocating sites. To integrate biodiversity into the planning policy. To provide a standardised approach.</p> <p>2. Definitions (page 2) – this provides standard definitions of biodiversity.</p> <p>Biodiversity impacts – this section provides no reference to the scale at which policies should be applied e.g. what is an important site? Does this refer only to nationally recognised sites such as national parks, SSSI's, Nature Reserves? Does it include biodiversity areas valued by local residents?</p> <p>At the present time a major problem for parishes and local authorities is the safeguarding of biodiversity in sites which are recognised by local residents but which are ignored by broader planning policies.</p>	<p>The SPD refers to sites of all scales and designations. Sites recognised as being important for biodiversity are designated at national and local scales with appropriate status accorded to them depending on whether they are statutorily protected or not. Sites of international or national importance are protected by law and it is the role of local plans to provide policy protection for sites of local importance. The Part 1 (West Northamptonshire Joint Core Strategy) already includes such protection (see policy BN2) and further polices will be considered for the Part 2a (Settlements and Countryside)</p>	<p>Make reference to the SPD in the 'Local Requirements for Planning Applications at Daventry District Council' under 'Biodiversity and Geodiversity' when it is reviewed.</p> <p>No change to SPD.</p>
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	<p>Habitat fragmentation and the severance of wildlife corridors are occurring in the countryside by a process of erosion which starts at a very local level and is cumulative. Policies need to be adopted that recognise this and a broad brush approach such as this document proposes will not solve the problem.</p> <p>A realistic approach to habitat fragmentation and severance of wildlife corridors should be guarded against by their identification at a local level and at an appropriate scale (e.g. 1:25000 or larger). Fig 1 illustrates this but does not indicate the importance of scale.</p> <p>This problem is closely related to reduction/loss of species resources whereby apparently abundant species can rapidly deteriorate as witnessed by recent changes in the number of endangered plant and wildlife species which have occurred over the last twenty years. Cumulative changes occur at the local level.</p> <p>3. Policy and key messages (pages 2-3) This section of the document is confused. Seem to be three major areas where biodiversity needs to be incorporated into</p>	<p>Local Plan.</p> <p>The Part 1 Local Plan (WNJCS) defines sub-regional and local corridors and neighbourhood plans could develop this further at a more local scale.</p> <p>The NPPF (paragraph 109) states that development should provide a net gain in biodiversity; the Biodiversity Action Plan (BAP) is a tool to guide prioritising</p>	<p>No change.</p> <p>No change.</p>
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	<p>the planning process:</p> <p>A) Those sites already identified at a national or county level</p> <p>B) Those features outside those designated site areas and not specifically recognised in planning terms</p> <p>C) Sites which are being affected by new development, including brownfield sites, land being incorporated into towns and villages.</p> <p>The document suggests under key messages) page 2, bullet point 4) that development should provide a net gain in biodiversity guided by the Local Biodiversity Action Plan.</p> <p>As far as villages are concerned planning policies need to be strengthened to control development in the areas B and C above. At present developers pay lip service to biodiversity with a few plantings of indigenous species unless the area has been identified as containing species of fauna or flora identified as being on the endangered species list. At the local level this can result in a general decline in biodiversity. A Local Biodiversity Action Plan needs to be supported by identification of current levels of diversity at the local level and at differing scales; otherwise it will merely be a model of best practice with no force in planning.</p>	<p>this net gain. The adopted WNJCS makes reference to the Northamptonshire BAP and it is intended that the emerging Part 2 Local Plan will refer to the new version of the BAP. These together with the SPD provide strong policy support for biodiversity.</p>	
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	<p>The step by step guide (page 3) is excellent for large scale development but it needs to be applied at all scales. Page 4-10 are all directed at large scale development and is particularly appropriate where large new development is occurring on the edge of urban areas. However it does not help planning in rural areas where villages are being extended by new housing estates of anything from ten to two hundred and fifty houses. Usually these are built by separate developers and at different dates resulting in a steady loss of biodiversity.</p> <p>A more appropriate model needs to be developed at the local level with strong community based involvement, built in from the start, rather when applications are put forward for consideration when there is little time to consider broad implications.</p> <p>Proposal The document needs to refer to biodiversity at different scales and the need to strengthen planning guidance at District and Parish level. At the Parish scale, planners need to be informed of the effects of smaller development resulting in the slow erosion of biodiversity occurring</p>	<p>As noted above, the local validation list is being reviewed and it would be appropriate to refer to the SPD in the list under 'Biodiversity and Geodiversity to ensure the approach is taken on board early in the application preparation process.' The guidance is applicable at parish and District scales. All surveys should use the biodiversity checklist, which would cover both scales.</p> <p>The SPD sets out an approach that can be applied to sites of differing scales, it is not solely for large scale development.</p>	<p>Make reference to the SPD in the 'Local Requirements for Planning Applications at Daventry District Council' under 'Biodiversity and Geodiversity' when it is reviewed.</p> <p>No change to SPD.</p> <p>No change.</p>
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	<p>at the local level. Local surveys need to be made using a biodiversity checklist so that as new planning applications are received informed decisions can be made and constructive features incorporated into new development to enhance and protect existing biodiversity. Existing wildlife corridors should be identified both in and between Parishes and local authorities and every effort made to enhance and protect them with the co-operation of the Community, Parish Council and Local Authority.</p>		
Badby Parish Council	<p>Badby Parish Council considered the above consultation at its meeting last week and agreed that the only comment it has is in The Species of Importance section. It was noted that there is no mention of the Purple Emperor butterfly within this section even though it is an endangered species within Northamptonshire.</p>	<p>The Purple Emperor Butterfly could be added.</p>	<p>Add Purple Emperor Butterfly to the list in Annex 1.</p>
Historic England	<p>We have no formal comments to make.</p>	<p>Noted.</p>	<p>No change.</p>
Environment Agency	<p>We are grateful for the opportunity to comment again on the Biodiversity Supplementary Planning Document (SPD). The following points, under their relevant heading, are considered to be of particular</p>		

	<p>relevance and we trust that these help in identifying how biodiversity should be incorporated into the planning process.</p> <p>Step by step guide A4: This section could benefit from including that compensation is last resort and should only be considered where there are residual biodiversity impacts that cannot be mitigated (as stated in the glossary).</p> <p>Stage A2: Nature conservation survey ‘Choosing consultants’ box, second bullet point – change second sentence to “Some protected species can only be <i>surveyed</i>, handled or trapped by personnel holding specific government licences”.</p> <p>Stage A3: Avoidance and mitigation Add a third bullet point to the mitigation text at the bottom of the page as we object to planning applications which do not have an</p>	<p>This is already reflected in the SPD. The first sentence of A4 states that ‘all on-site mitigation options should be exhausted before compensation is even considered’. The mitigation hierarchy diagram (figure 2) states that compensation is ‘a last resort’.</p> <p>A wildlife licence is required to survey for the presence of wildlife on land. Adding the word ‘surveyed’ would be in accordance with this requirement.</p> <p>The text makes it clear that the two points listed are examples. It is not considered necessary to add this bullet point.</p>	<p>No change</p> <p>Amend second bullet point under ‘Choosing Consultants’ on page 6 as follows:</p> <ul style="list-style-type: none"> • Possession of relevant wildlife licence(s) (where applicable). Some protected species can only be surveyed, handled or trapped by personnel holding specific government licences. <p>No change</p>
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	<p>adequate buffer to watercourses and this may trigger an applicant to consider it 'Providing a buffer zone around sensitive habitats'</p> <p>Stage A5: Enhancement: delivering 'net gain' in biodiversity Seventh bullet point: '<i>Only native species should be used within a watercourse buffer zone and where possible and practical, native species should be used in the wider landscaping scheme. Native species should be appropriate to the local environment and to the extent possible sourced from local seed.</i>'</p> <p>New bullet points (first one will cover floodplain habitats and the second is watercourse specific:</p> <ul style="list-style-type: none"> • Existing on site priority habitats should be enhanced to increase their biodiversity value • Where watercourses flow through the development site, they should be enhanced through de-culverting, in-channel and bankside enhancements as appropriate, and protected by a buffer zone 	<p>It is not always possible or appropriate to use native species, however, the use of the term 'where possible and practical' makes it clear that they are preferred.</p> <p>This is a reasonable suggestion and can be added.</p> <p>De-culverting of watercourses would introduce more natural watercourses which would have positive flood management ecological benefits.</p>	<p>No change</p> <p>Amend Stage 5 on page 8 by adding the following:</p> <ul style="list-style-type: none"> • <i>Existing on site priority habitats should be enhanced to increase their biodiversity value</i> • <i>On-site watercourses should be enhanced through de-culverting, in-channel and bankside enhancements as</i>
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	<p>Invasive non-native species - Since previous versions of the SPD were consulted on, invasive non-native species have become a major and potentially uncontrollable threat to biodiversity in Northamptonshire. With regard to this, the mitigation options for invasion in freshwaters include raising habitat complexity in stark environments (i.e. hard structures), the purpose being to provide refugia for prey items. This is particularly pertinent regarding escape of <i>Dikerogammarus villosus</i> from Pitsford Reservoir. This mitigation option might reduce any impact substantially and could be referenced in this SPD.</p>	<p>It is acknowledged that the spread of invasive non-native species is a threat (the specific species are defined in Schedule 9 of the Wildlife and Countryside Act 1981). They are referred to under Definitions and Biodiversity impacts (page 1); Annex 2 (page 11) and defined in the glossary (page 13). The definition in the glossary could be expanded, an additional bullet point could be added to Stage 3 (page 6) and the list of relevant Schedule 9 species (non-marine) added to the annex.</p>	<p><i>appropriate, and protected by a buffer zone</i></p> <p>Amend the definition of invasive non-native species in the glossary (pages 13) as follows: Invasive non-native species: any non-native animal or plant that has the ability to spread causing damage to the environment, the economy, our health and the way we live. <i>Many invasive non-native species are subject to provisions in the Wildlife and Countryside Act 1981 (see Annex 2)</i></p> <p>Amend Stage A3 (page 6) by adding an additional bullet point as follows:</p> <ul style="list-style-type: none"> • <i>ontrol and/or remove and dispose of any invasive non-native species on site</i>
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	<p>Appendix 1, Section 1B To include: “whether the Water Framework Directive overall status of the adjacent or receiving waterbody will be impacted by the development”.</p> <p>Annex 1 Although Annex 1 is a list of habitats and species of importance in Northamptonshire it is quite a long list of sometimes rather obscure species that developers may not be familiar with and many more widespread than Northamptonshire. Some of the species and habitats important for Daventry could be highlighted and illustrated to show why they are important.</p> <p>Annex 2 legislation Reference the Water Framework Directive to be included.</p>	<p>Impacts to habitats, including waterbodies, are already covered in this section.</p> <p>Whilst the SPD is being adopted by Daventry District council, it is a county wide document, therefore it is appropriate that the list refers to species across the whole county.</p> <p>Other EU legislation is not in the annex and the Water Framework Directive</p>	<p><i>before works commence</i></p> <p>Amend Annex 2 (page 11) by adding the list of non-marine Schedule 9 species under Wildlife and Countryside Act 1981.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>
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	<p>Case studies</p> <p>On any future updates we'd welcome welcome the opportunity to provide a watercourse enhancement case study for future updates, all are currently terrestrial. If you'd like any photos of small watercourse enhancements to include in this version these can be provided on request.</p> <p>The comments we set out above are without prejudice to future decisions we make regarding any applications subsequently made to us for our permits or consents for operations in this area.</p>	<p>does not really have implications for biodiversity in the same way as the other legislation listed.</p> <p>This may be appropriate for the next version of the SPD.</p>	<p>No change.</p>
BRANE	<p>The members of BRANE are of the opinion that there should be more attention to individual localities. For example, in Brixworth much of the parish is traversed by wildlife, particularly birds going to and from Pitsford Reservoir.</p>	<p>The SPD has been produced to apply principles and guidance generally. It cannot therefore make reference to specific locations. As noted above this could be addressed at the more local level through neighbourhood plans.</p>	<p>No change.</p>
Northampton Borough Council	<p>The Council is supportive of the Biodiversity Supplementary Planning Document. The Borough Council has no other comments.</p>	<p>Noted.</p>	<p>No change.</p>
Anglian Water	<p>Having reviewed the guidance for</p>	<p>Noted.</p>	<p>No change.</p>

	applicants included in this document we have no comments relating to this Draft SPD.		
Daventry Town Council	EU Directives protect animals, plants and birds as well as their habitats. Post Brexit, this protection may not be enshrined into British law, so consideration should be given to this forming part of DDC biodiversity policy, because failure to do so would put wildlife at risk from uncontrolled development? DDC should consider this and make this clear in the proposed SPD.	The SPD is a guide to implementing biodiversity policies in the WNJCS and the NPPF in accordance with Planning Policy Guidance and recognised best practice. The SPD as written would apply regardless of Brexit and European Protected Species are protected under UK Law. Any local policy not already covered by the WNJCS would be addressed in the Part 2 Local Plan.	No change.
General			Due to the changes outlined above, the SPD when adopted by the Council would not be identical to other versions adopted by other districts. Accordingly, to avoid confusion, “for Northamptonshire” will be omitted from the title wherever this occurs in the document. In the opening section the following words will be added: “This SPD is largely the same as the

			Biodiversity Supplementary Planning Document for Northamptonshire adopted by other district and borough councils. However, it has been adjusted in line with local conditions.”
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