

**THE SUSSEX ENVIRONMENTAL REFERENCE GROUP (SERG).**

## **LOCAL DEVELOPMENT FRAMEWORKS AND BIODIVERSITY**

### **Guidance on the implications of PPS1 and PPS12 regarding the incorporation of Biodiversity into Local Development Frameworks.**

This guidance has been produced by SERG to help Local Authorities to incorporate biodiversity into Local Development Frameworks. It focuses primarily on biodiversity, rather than broader environmental issues such as clean air and pollution, but biodiversity is a key indicator of these wider environmental issues.

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Sussex Wildlife Trust (on behalf of SERG)  
April 2005



The Sussex Environmental Reference Group (SERG) is a partnership of the primary environmental organisations, or organisations with environmental responsibilities in Sussex. The following organisations are currently represented on SERG:

Eastbourne Borough Council  
East Sussex County Council  
English Nature  
Environment Agency (chair)  
Sussex Downs Conservation Board

Sussex Air Quality Steering Group  
Sussex Wildlife Trust  
Wealden District Council  
West Sussex County Council

## LOCAL DEVELOPMENT FRAMEWORKS AND BIODIVERSITY

### Introduction

The introduction of Planning Policy Statement 1 “Delivering Sustainable Development” in 2005 set out aims for achieving sustainable development through the planning system. This includes a requirement for planning to protect and enhance the natural environment.

Further to this Policy Planning Statement No 12, “Local Development Frameworks”, details government policy on the preparation of local development documents. These requirements are further described in “Creating Local Development Frameworks, A Companion Guide to PPS12”.

This note endeavours to highlight the requirements in PPS1 & 12 that relate to biodiversity issues and gives SERG’s view on how such references could be interpreted in the Sussex context. [Comments in squared brackets are SERG views].

### KEY PRINCIPLES

The key aims of government policy in relation to the planning process are outlined in section 1.3 of PPS12. Section 1.2

The new system is broader than the previous approach to planning. PPS12 stresses that spatial planning should go beyond traditional land use planning to bring together and integrate a variety of strategies. **Sustainable Development** is central to the approach and LDFs should balance any competing demands within the context of Sustainable Development. Section 1.8

Local Planning Authorities should take account of the principles and characteristics of other relevant strategies including for **biodiversity** and **environmental protection**. LAs should consult with bodies responsible for those strategies. [For biodiversity this could include the UK Biodiversity Action Plan, England Biodiversity Strategy and Sussex Biodiversity Action Plan]. Section 1.9

The LDF must have an integrated set of policies based on an understanding of the economic, social and **environmental** needs of the area. Section 2.1

### THE CORE STRATEGY

The core strategy should include a **spatial vision** and strategic objectives for the area. [This spatial vision should cover the range of objectives for the plan, including a vision for biodiversity]. Section 2.9

The core strategy should draw on the strategies of other organisations for the development and use of land (reference is made to section 1.9 so this will include **biodiversity** and **environmental protection**). It should produce a long-term vision for the area, with strategic policies aimed at delivering that vision. Section 2.10  
Where the Core Strategy contains a limited number of very high level policies reference to the natural environment should be included to provide the opportunity to develop further detailed environmental policy in the supporting development plan documents. Section 2.14

### SITE ALLOCATION DEVELOPMENT PLAN DOCUMENTS

It is explicit in PPS1 that environmental protection and enhancement should be sought. This should be taken forward in the development of LDFs especially at the site allocation stage. Opportunities should be taken to avoid environmental damage, to mitigate the impacts of any proposal and to compensate for any Section 5 of PPS1

unavoidable loss. The Site Allocation DPD should focus those opportunities within an identified geographic area.

## AREA ACTION PLANS

Area action plans should provide a planning framework for areas where significant change or **conservation** is needed. Area action plans should **protect areas particularly sensitive to change and identify enhancement opportunities.**

Section 2.17

In areas of **conservation**, area action plans should set out policies and proposals for action to preserve or enhance the area.

Section 2.19

The PPS12 Companion Guide adds that area action plans are relevant in areas particularly sensitive to change or development, such as **areas of significant natural value**. Plans here should establish **conservation and enhancement** objectives.

(section 3.6)

## ILLUSTRATIVE MATERIAL.

The adopted proposals map will identify the geographical application of the policies and proposals in the development plan. This could show elements such as: nationally designated sites such as SSSIs, areas subject to specific design initiatives and areas of regional or local importance for **biodiversity and where biodiversity will be enhanced**. [This could link with the preparation of maps showing strategic areas for biodiversity enhancement, as done at a regional level in the South East Plan].

Annex A. A2

## PROPOSALS MAP

The proposals map should identify **nationally protected landscape** and **local nature conservation areas** and link these areas with national, regional and LDF policies on biodiversity.

Section 2.21

## GENERIC POLICIES

Authorities should focus on producing positive topic-related policies, including policies for protecting **landscape, natural resources** and **nature conservation**.

Section 2.29

## SUPPLEMENTARY PLANNING DOCUMENTS.

Supplementary planning documents could cover a range of issues either location or topic, and may expand policy or add detail linked to policies in the development plan.

Section 2.42

## SUSTAINABILITY APPRAISAL

Great weight is attached to the need for an LDF to contribute to the achievement of Sustainable Development. (Reference to Section 39 of the Act<sup>1</sup>).

Section 3.14

A box outlines key considerations in relation to sustainability appraisal. Sustainability appraisal should be fully integrated with the whole process and should start as soon as the work for an LDF starts.

Box after section 3.18

It should have regard to the principles of Sustainable Development in PPS1 and ODPM guidance on SA of RSS and LDF, incorporating the requirements of the

SEA directive. The appraisal should consider the potential, direct, indirect and cumulative effect of policies. The aim of this is to **integrate sustainable development objectives into policy and to inform decisions.**

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The results of the sustainability appraisal will contribute to the justification of policies and will be an important part in demonstrating if the LDF is sound.

## PREPARATION OF A DEVELOPMENT DOCUMENT

There are 4 stages to the development of a plan document. These range from pre-production to adoption. The importance of **survey** and **information** gathering is stressed.

Section 4.5

Policies should be founded on a thorough understanding of the **needs, opportunities and constraints** in an area. [This should include needs and constraints in terms of protecting and enhancing biodiversity, and achieving biodiversity targets. This should link in with policies for planning gain or planning obligations.]

Section 4.8

Local Authorities should maintain up to date information on **environmental characteristics**. Also County Councils are responsible for making this available to LAs. [This highlights a need for LAs and CCs to have strong partnerships with the Sussex Biodiversity Record Centre (SxBRC)].

Section 4.8  
Section 4.10

The LA should gather evidence for the development plan at the earliest part of the pre-production stage. This may include studies of **natural habitats**. LAs should seek the involvement of relevant groups in the development of this information. [The SxBRC is the key resource for providing the required biodiversity information]. This evidence base will be relied upon in testing the soundness of the LDF.

Section 4.11

The policies in the plan will be tested to see if they are sound. They must be in general conformity with the South East Plan. Structure Plans will be a material consideration before adoption of the South East Plan.

Section 4.19  
Section 4.22

One of the tests for the soundness of the plan will be the way they have been subjected to a **sustainability appraisal**.

Section  
4.24iii

Policies must also be based on a robust and credible evidence base. [This again stresses the need for good environmental information].

Section  
4.24vii

## CLIMATE CHANGE: IMPACTS AND ADAPTATION

The importance of climate change and the need to act on a precautionary basis is stressed. LDFs should include policies on the way that the distribution of species and habitats may alter, especially in relation to how this may impact on nationally or internationally important sites. [Effective policy here will be to encourage methods of improving the robustness of these important sites. This is likely to relate to policies to improve site size and interconnectivity].

Annex B B20

## Overall interpretation from the perspective of biodiversity.

A LDF should be strongly based on the principle of sustainable development. A sustainability appraisal is therefore central. This must start early in the process and must be high quality, comprehensive work. Critically, it must guide policy formation and decision making. The quality and incorporation of the sustainability appraisal will be a major test as to the soundness of an LDF. Sustainable development is about the integration of the four objectives - protection of the environment and prudent use of natural resources with social and

economic development. Planning can bring these elements together and if the policies fail on these grounds then the LDF will not be judged sound.

Biodiversity is a major consideration throughout the guidance. An LDF should incorporate biodiversity strategies including the UK Biodiversity Action Plan, England Biodiversity Strategy, Regional Biodiversity Strategies and the Sussex Biodiversity Action Plan “From Rio to Sussex” (available on [www.biodiversitysussex.org](http://www.biodiversitysussex.org)).

Policies must be founded on the needs and constraints of an area, and this will include the need for environmental protection and enhancement. They should also be founded on opportunities, and this should relate to opportunities to achieve biodiversity objectives as laid out in the Sussex BAP. Areas of Strategic Opportunity for Biodiversity Enhancement should figure within an LDF as well as protective policies. There is a strong implication that policies should aim to deliver net environmental gain, as detailed in policy NRM4 of the draft South East Plan, through such mechanisms as planning obligations.

Good information is considered vital in PPS12. Good survey information must be collated in the pre-production phase and the need for information on natural habitats is specifically stated. Again the SxBRC will be needed here and the Survey Unit will be able to contract necessary surveys to fill any information shortfalls.

#### **Checklist. Does the plan:**

- |   |                          |
|---|--------------------------|
| Adequately consider the objectives and targets laid out in the National and Regional BAPs and in the Sussex Biodiversity Action Plan                    | <input type="checkbox"/> |
| Detail important landscape areas on the proposals map.  | <input type="checkbox"/> |
| Identify local, county and nationally important wildlife sites on the proposals map   | <input type="checkbox"/> |
| Bring together adequate ecological information in the pre-production phase in order to inform the rest of the plan.                                     | <input type="checkbox"/> |
| Have policies to protect local, county, nationally and internationally important wildlife sites.  | <input type="checkbox"/> |
| Have policies to promote the achievement of biodiversity targets, as set out in the Sussex BAP.   | <input type="checkbox"/> |
| Have policies to promote the creation of green space, ecological networks and strategic areas for biodiversity enhancement.                             | <input type="checkbox"/> |
| Have provision for the delivery of biodiversity objectives through planning obligations and other positive mechanisms in relation to land use planning. | <input type="checkbox"/> |
| Have an adequate sustainability appraisal.  | <input type="checkbox"/> |
| Incorporate the output of the sustainability appraisal into its policies and plans.   | <input type="checkbox"/> |

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<sup>i</sup> The Act = The Planning and Compulsory Purchase Act 2004.