

LP16 - Biodiversity and Geodiversity

Policy background and explanation

- 15.08 The NPPF advocates that local plans should contribute to, and enhance, the natural and local environment by protecting and enhancing sites of biodiversity or geological value and minimising impacts on and providing measurable net gains for biodiversity. Development should adhere to the Biodiversity Mitigation Hierarchy; Avoid, Mitigate or Compensate, as set out in paragraph 180(a) of the NPPF and Planning Practice Guidance (PPG) for the Natural Environment (para 19).
- 15.09 Protection for internationally and nationally protected sites is established in legislation. At an international and national level, this includes Special Protections Areas (SPAs), Special Areas of Conservation (SACs), Ramsar sites and Sites of Special Scientific Interest (SSSIs). Proposals that would result in significant effects on these sites, either alone or in combination with other plans and projects, should be refused, unless mitigation measures can be applied to avoid adverse effects on site integrity. Only in exceptional circumstances where a suitable compensation strategy exists and where there are 'imperative reasons of overriding public interest' would development that causes harm to a SPA, SAC or Ramsar sites be permitted.
- 15.10 Sites of Special Scientific Interest (SSSIs) are protected through the Wildlife and Countryside Act 1981 (as amended). The NPPF states that development on land within or outside of an SSSI likely to have an adverse effect on an SSSI should not normally be permitted. An exception should only be made where the public benefits of development clearly outweigh the impacts.
- 15.11 Priority species and habitats are identified by the UK post-2010 Biodiversity Framework. The NERC Act 2006 requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. Known as the Section 41 list, this should be used to guide decision makers in implementing their duty under Section 40 of the NERC Act to have regard to the conservation of biodiversity in England when carrying out their normal functions: England Biodiversity Strategy 2020, Biodiversity Net Gain initiative and the latest published version of the Natural England Biodiversity Metric are designed to assess changes to biodiversity value as a result of development or land changes and can be an essential method to ensure net gains are achieved.
- 15.12 In order to meet the biodiversity net gain initiative, development proposals will be required to meet a minimum of 10% increase or in line with Government requirements if greater.
- 15.13 At the local level, designations in Babergh and Mid Suffolk comprise of County Wildlife Sites, County Geodiversity Sites/Regionally Important Geological and Geomorphological Sites, Local Nature Reserves and Priority habitats and species. For the purposes of this policy, all of these are also designated sites.
- 15.14 Green infrastructure refers to a network of spaces and linkages that are generally valued for their wildlife, geological, landscape or historic importance and may also have recreational value and help reduce flood risk. Although often important in their own right, when considered as a holistic network they provide much greater benefits. Emphasising the importance of green infrastructure creation, protection conservation and enhancement, ensures an improved and healthy environment that is available for

present and future communities. These improvements can include reducing vulnerability and increasing resilience to extreme weather events and flooding through measures such as SuDs and green roofs for example.

- 15.15 To create, protect and enhance ecological networks, the NPPF advises that biodiversity should be conserved and enhanced at a landscape-scale across local authority boundaries. The documents titled A Green Infrastructure Framework for Babergh District (2012) and the Haven Gateway Green Infrastructure Strategy for Ipswich Policy Area (2015), identify potential wildlife corridors (river and green corridors) that would benefit from enhancement. The Suffolk Nature Strategy identifies a large area of Babergh and the south of Mid Suffolk as 'South Suffolk ancient woodland clusters' which is one of the areas of principal importance for landscape-scale conservation in Suffolk, along with the two AONBs.
- 15.16 The Plan seeks to ensure that all new development secures high standards of design and green infrastructure which creates attractive and sustainable places where people want to live and spend time. Networks of green infrastructure should be provided across new developments linking with existing ecological networks.
- 15.17 Enhancement for biodiversity could include: watercourse improvements (such as along river corridors and undisturbed river banks) to benefit biodiversity and improve water quality, habitat creation, wildlife links (including as part of green or blue infrastructure) and building design which creates wildlife habitat (e.g. green roofs, hedgehog friendly fencing, bird, insect and/or bat boxes) relevant to local conservation priorities.
- 15.18 The Councils are also working on an emerging Green Infrastructure Strategy to support the Councils' adopted Biodiversity Action Plan. Furthermore, a Biodiversity Supplementary Planning Document will be produced.

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- 1) All development must follow the biodiversity mitigation hierarchy.**
- 2) Development must:**
 - a) Protect designated and, where known, potentially designated sites.**
Proposed development which is likely to have an adverse impact upon designated and potentially designated sites, or that will result in the loss or deterioration of irreplaceable biodiversity or geological features or habitats (such as ancient woodland and veteran/ancient trees) will not be supported;
 - b) Protect and improve sites of geological value and in particular geological sites of international, national and local significance;**
 - c) Conserve, restore and contribute to the enhancement of biodiversity and geological conservation interests including Priority habitats and species.**
Enhancement for biodiversity should be commensurate with the scale of development;
 - d) Where possible plan positively for the creation, protection, enhancement and management of local networks of biodiversity with wildlife corridors that connect areas.** This could include links to existing green infrastructure networks and areas identified by local partnerships for habitat restoration or creation so that these ecological networks will be more resilient to current and future pressures;
 - e) Identify and pursue opportunities for securing measurable net gains, equivalent of a minimum 10% increase, for biodiversity. The Councils will**

seek appropriate resources from developers for monitoring of biodiversity net gain from developments. Where biodiversity assets cannot be retained or enhanced on site, the Councils will support the delivery of net gain in biodiversity off-site; and

- f) Apply measures to assist with the recovery of species listed in S41 of the NERC Act 2006.**
- 3) Development which would have an adverse impact on species protected by legislation²⁶, or subsequent legislation, will not be permitted unless there is no alternative and the LPA is satisfied that suitable measures have been taken to:
 - a. Reduce disturbance to a minimum;**
 - b. Maintain the population identified on site; and**
 - c. Provide adequate alternative habitats to sustain at least the current levels of population.****
- 4) Where appropriate, the LPA will use planning obligations and/or planning conditions to achieve appropriate mitigation and/or compensatory measures and to ensure that any potential harm is kept to a minimum.**

²⁶ Legislation including but not exclusively - The Conservation of Habitats and Species Regulations (2017), the Wildlife and Countryside Act (1981), the Protection of Badgers Act (1992), and listed as Priority Habitats and Species (s41 Natural Environment and Rural Communities Act (2006))