

01 September 2011

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Mr Dan Hudson,
Development Strategy Manager
South Lakeland District Council

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BY EMAIL ONLY

Dear Mr Hudson,

SOUTH LAKELAND SITE ALLOCATIONS – FURTHER CONSULTATION

Thank you for your consultation on the above which was received by Natural England on 29 July 2011.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We have no specific comments on whether the Land Allocations Document should cover a shorter period to an earlier end date, for example to 2020 instead of 2025. Similarly, we do not wish to comment on whether sites for development should be allocated in small villages and hamlets or whether the policies in the Core Strategy or neighbourhood plans would be a more appropriate way of meeting needs in small settlements and the countryside.

We have of course responded (my colleague Sue Evans) with information and comments on particular sites at an earlier stage. However, as I know you will appreciate, we do not have the resources to consider in detail all potential sites in LDF documents.

Nonetheless, although not commenting in detail, we do wish all of our interests to be fully considered in the process of selecting and assessing sites for inclusion in the Site Allocations DPD and in protecting sites from development in the Local Development Framework. These interests include biodiversity and protected species, geodiversity, landscape character and quality, greenspace, access to the countryside and other greenspace, soil conservation, sustainable design and construction, environmental land management, as well as adaptation to and reduction in the contribution to climate change.

In relation to Site Allocations DPDs, or other site specific DPDs, we particularly advise that the council should consider the implications of allocations on specific assets including:

- Natura 2000 network sites
- National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts
- Sites of Special Scientific Interest
- Protected Species
- Regionally Important Geological Sites
- Coherent, wider biodiversity and habitat networks, particularly in respect to the adaptation by species to climate change.

- Natural processes and systems, particularly coastal, flooding and surface water drainage.
- National Trails and important recreational assets.

The allocations should meet the environmental criteria and other broad principles established within the Core Strategy, and of course any sites which would have significantly adverse environmental effects should not be included in the DPD.

In respect of internationally designated nature conservation sites the planning authority are obliged of course to test the impacts of the plan against the provisions of the Habitats Regulations, and we comment on this later in this letter.

For nationally designated areas and sites it is incumbent on the planning authority to apply the policy of PPS7 and PPS9, to protect and enhance such sites. For other environmental and recreational assets, it will be important to examine whether the proposals for the site recognise potential environmental harm or possible degradation of outdoor recreation assets. In doing so the authority should examine whether the LDF sets out criteria for development which would serve to avoid such harm. Where development is proposed, the council should ensure that expectations for Green Infrastructure, landscape, habitat value and biodiversity adaptation to climate change are embedded within the planning of the development.

We have included as an appendix some useful sources of information in relation to our interests, many of which may already be familiar to you.

Biodiversity Duty

Biodiversity is a core component of sustainable development, underpinning economic development and prosperity, and has an important role to play in developing locally distinctive and sustainable communities. All local authorities and other public authorities in England and Wales have a Duty to have regard to the conservation of biodiversity in exercising their functions. The Duty aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity and to make it a natural and integral part of policy and decision making.

The Duty is set out in Section 40 of the Natural Environment and Communities Act (NERC) 2006 and states that: "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".

Guidance is available in the Defra publication, Guidance for Local Authorities in Implementing the Biodiversity Duty, <http://www.defra.gov.uk/wildlife-countryside/pdfs/biodiversity/la-guid-english.pdf>

Habitats Regulations Assessment

We know that the council has commissioned a Habitats Regulations Assessment (HRA) screening report from Treweek Consultants. We have been in touch with Bill Butcher from Treweek on the potential issues for consideration in the HRA and we look forward to consultation on the screening report when available.

Of course, in selecting sites for development, and in carrying out development, measures should be taken to avoid or mitigate any likely significant effects on any European designated sites or Ramsar sites. Measures identified as required in the HRA should of course be carried forward in the Local Development Framework policies and proposals, including the Site Allocations DPD, to ensure no likely significant effect on any European sites or Ramsar sites.

Further information

Should you wish to discuss this response please do not hesitate to contact me at the above address.

Yours sincerely

STEPHEN HEDLEY
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Appendix – Useful Sources

You may find the following information sources useful.

‘Environmental Quality in Spatial Planning’, jointly published by the (then) Countryside Agency and English Nature, English Heritage and the Environment Agency offers guidance on incorporating the natural, built and historic environment and rural issues in Local Development Frameworks. It is available to access and download (together with the Supplementary Files which support it) from our web site at www.naturalengland.org.uk.

We consider it essential to integrate planning for Green Infrastructure (GI) into the preparation of the Local Development Framework, including consideration of potential housing sites, at the earliest stage. The ‘North West Green Infrastructure Guide’ gives very useful guidance on this. It provides more detailed information on the concept of GI and initial guidance on producing a GI Plan. The guide is particularly relevant to those involved in producing Local Development Frameworks, a crucial delivery mechanism for any Green Infrastructure plans. The Guide, and further information, is available via the website: www.greeninfrastructurenorthwest.org.uk. Natural England’s own Green Infrastructure guidance can be found through our website at:

<http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=cda68051-1381-452f-8e5b-8d7297783bbd>

Natural England’s Green Infrastructure Guidance articulates our position in relation to green infrastructure planning and delivery, which is increasingly recognised as an essential part of sustainable spatial planning. This is due in no small part to the role of green infrastructure as a ‘life support system’, able to deliver multiple environmental functions, and to play a key part in adapting to and mitigating climate change

Natural England’s Access to Natural Greenspace Standards (ANGSt) give a useful minimum standard for the extent and quality of provision which should be expected. Information regarding ANGSt is again available through our website at:

<http://www.naturalengland.org.uk/ourwork/enjoying/places/greenspace/greenspacestandards.aspx>

We believe that everyone should have access to good quality natural greenspace near to where they live. ‘Nature Nearby’ provides a broad range of benefits to people and the quality of their lives, covering all the ecosystem services we depend on. This guidance is aimed at parks and greenspace practitioners and their partners, particularly decision makers, planners and managers of green space. It describes the amount, quality and visitor services of accessible natural green spaces that we believe everyone is entitled to, and provides advice on how they can be delivered.

Nature Nearby – Accessible Natural Greenspace Guidance (2010) can be found at:

<http://naturalengland.etraderstores.com/NaturalEnglandShop>

The North West Climate Change Partnership delivers the North West Climate Change Action Plan as well as offering a variety of other advice and information. This is available from www.climatechangenorthwest.co.uk and should also be useful to you in relation to the work on the Local Development Framework. Green Infrastructure has an important role in the adaptation to and mitigations of Climate Change.

The following guidance may also be useful to you:

“Climate change and biodiversity adaptation: the role of the spatial planning system”. Natural England commissioned report. April 2009:

<http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=1b0e18e5-cf75-4068-a644-05bd294e2cfc>

“Green Infrastructure. How and where can it help the NW Mitigate and Adapt to Climate Change”. Mersey Forest & others. (June 2010):

[http://www.greeninfrastructurenw.co.uk/resources/GI How & where can it help the NW mitigate and adapt to climate change.pdf](http://www.greeninfrastructurenw.co.uk/resources/GI_How_%20where_can_it_help_the_NW_mitigate_and_adapt_to_climate_change.pdf)

The Soil Strategy, "Safeguarding our Soils: A Strategy for England" (Defra, 2009), provides a vision that by 2030, all soils in England will be managed sustainably and degradation threats tackled successfully. <http://www.defra.gov.uk/environment/quality/land/soil/documents/soil-strategy.pdf>

We advise that any development proposals should aim to avoid damage to existing biodiversity features, and to create opportunities for enhancing biodiversity through the delivery of Local Biodiversity Action Plan (LBAP) targets. LBAPs identify the action required at a local level to deliver UK and regional targets for habitats, species, public awareness and involvement. They also identify targets for other habitats and species of importance in the more local context of their geographical area. In the North West we have operating LBAPs for Cumbria, Lancashire, North Merseyside, Cheshire (including Wirral), and Greater Manchester. Further information about Biodiversity in the UK is available on the internet (www.ukbap.org.uk).

We wish to see consideration of protected species. Planning Policy Statement 9 confirms that protected Species are a material consideration when determining planning applications, and they are of course equally a material implication in the Local Development Framework.

There are various information sources for nature conservation and landscapes and some links can be found from our web site at www.naturalengland.org.uk

You may also find useful the following web site: www.natureonthemap.org.uk. This is one of Natural England's interactive map sites. In the MAPS tab there is a choice of maps about nature, including National Nature Reserves, other kinds of protected sites and areas of semi-natural habitats.

Another useful source is www.magic.gov.uk which is a web-based interactive map, bringing together geographic information on key environmental schemes and designations in one place.

The local Wildlife Trusts will also have useful information on local designations and any Regionally Important Geological and Geomorphological Sites (RIGS), which should also be taken into account.