

Development Policy Manager
Development Services
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HQ

26th July 2013

Your ref:

Our ref: WDC_CR008_2013

WARWICK DISTRICT COUNCIL: REVISED DEVELOPMENT STRATEGY CONSULTATION

Dear Sirs

Thank you for your email dated 17/06/2013, inviting Warwickshire Wildlife Trust's comments on the Revised Development Strategy Consultation. The Trust has reviewed the consultation document and the associated Sustainability Appraisal and would like to submit the following response for your consideration:

Primary and Secondary Villages

The revised development strategy outlines that up to 1000 homes will be distributed amongst primary and secondary villages in the district. The baseline ecological data for each of these listed villages should therefore be reviewed and updated to ensure that, in accordance with paragraph 165 of the National Planning Policy Framework (NPPF), any development that comes forward in these areas is justified and informed by up-to-date information about the local natural environment. This information will be particularly important in designated Neighbourhood Planning Areas to help inform and justify the environmental constraints and opportunities for their respective Neighbourhood Plan areas.

We recommend that the Stratford-on-Avon District Ecological and Geological Study of Local Service Village 2012 is used as a model to update the ecological baseline in the identified primary and secondary villages. This will provide comprehensive information about the presence of important sites, habitats and features within each village, and within a 500m buffer of the village boundaries, so that any allocated development can be focused to the least damaging sites or areas for biodiversity. The document should also be made accessible to and available for adoption by,

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunney

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



Neighbourhood Planning Areas so that Neighbourhood Plans can embody this strategic approach for biodiversity when allocating preferred sites for development.

Recommendations

- Update baseline ecological data for all Primary and Secondary villages identified in the Revised Development Strategy to provide up-to-date information about the environmental characteristics of each area.
- Use the Stratford-on-Avon District Ecological and Geological Study as a model to update the ecological baseline within each village and within a 500m buffer of the village boundaries.

Statutory and Non-Statutory Sites

The following sites listed in the Revised Development Strategy are inclusive of, or are adjacent to, a statutory Local Nature Reserve (LNR) or a county important Local Wildlife Site (LWS):

Site Allocation	Statutory or Non-Statutory Site
Myton Garden Suburb	The site is inclusive of a tributary which forms part of the River Avon Tributary LWS. The LWS is situated centrally within the site extending from the eastern boundary towards the River Avon in the northwest.
South of Gallows Hill	The Site is adjacent to the Tach Brook which forms part of the River Avon LWS. The LWS delineates the south east boundary of the site
Lower Heathcote Farm	The Site is inclusive of the Tach Brook which forms part of the River Avon LWS. The LWS is situated adjacent to the south western boundary of the site.
Former Severn Trent Works	The Site is inclusive of the Tach Brook which forms part of the River Avon LWS. The LWS delineates the southern boundary of the site.
Grove Farm	The site is inclusive of the Tach Brook which forms part of the River Avon LWS. The LWS delineates the southern and

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunnay

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



	part of the eastern boundary for the site.
East of Whitnash	The Site is inclusive of Whitnash Brook LNR in part. The LNR extends into the north eastern corner of the site.
Land at Thickthorn	The site is inclusive of Thickthorn Wood LWS and Glasshouse Wood LWS. The two LWS are broadly situated along the eastern and northern boundaries respectively. However part of Glasshouse wood extends almost centrally into the site.

Local Nature Reserves and Local Wildlife Sites are core areas for nature conservation, which underpin local ecological networks and make a significant contribution towards both national and local biodiversity targets and objectives. We believe that the value/ importance of these features, and the level of protection assigned to them in Paragraph 113 of the NPPF, must therefore be upheld in the Revised Development Strategy so that the preferred site allocations can be achieved without any net loss or degradation of these county important assets.

Principally, impacts on Local Sites should be avoided in the first instance and so we look to the Local Authority to demonstrate that a range of suitable alternative sites have been assessed to determine the least damaging options. However, where justified, sites that are inclusive of LWS or an LNR should be reviewed to ensure that the development densities proposed are reflective of the constraints posed by the size and extent of the LWS/ LNR and its location within the site. In accordance with the mitigation hierarchy detailed in paragraph 118 of the NPPF, a review of housing density must also take account of any mitigation needed to safeguard the LWS/LNR within the proposals. This may include making provision for any extensions, buffers and ecological connectivity needed to conserve the feature in the long-term.

The Trust is pleased to note that the Revised Development Strategy does largely recognise that, for the majority of the sites listed above, wildlife sites are a constraint to development and that the green infrastructure proposals do outline mitigation measures where needed. In particular, we are pleased to note the buffering and extension proposals around the Tach and Whitnash Brooks as well as the 50m buffer for the ancient woodland habitats at Thickthorn and Glasshouse Spinney. However in order to see such aspirations embodied within any future planning application, we firmly believe that these measures must be supported by a robust policy for the

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunnay

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



protection and enhancement of wildlife sites within the Local Plan; which, at present is currently omitted from the most recent Local Plan revision.

Recommendations

- Clearly indicate the presence of a Local Wildlife Site or Local Nature Reserve within or adjacent to all preferred site allocations to ensure all constraints to development are identified.
- Ensure that the proposed housing/ commercial allocations and densities for the above sites reflect the presence of a LWS/ LNR and the mitigation requirements to safeguard the site within the long-term
- Include a robust policy for the Protection and enhancement of biodiversity within the Warwick District Local Plan
- Ensure that the policy reflects paragraph 113 of the NPPF so that protection for local and regional wildlife sites is commensurate with their status and for the role they have within Local Ecological Networks.
- Ensure the biodiversity policy includes provisions to seek enhancements to local sites and features through buffering, extensions and management agreements so that these features continue to support the Government's stated ambition to create coherent and resilient ecological networks.

The following sites listed in the Revised Development Strategy are inclusive of, or are adjacent to, a potential Local Wildlife Site (pLWS):

Site Allocation	Potential Local Wildlife Site
South of Gallows Hill	Situated adjacent to New Waters and Nursery Wood pLWS
East of Whitnash	Situated adjacent to the Railway Cutting pLWS
Golf Lane/ Fieldgate Lane	Situated adjacent to the Railway Cutting pLWS

Potential Local Wildlife Sites are sites that, from initial survey or historical records, are considered to be of county importance for nature conservation but have yet to be fully surveyed and assessed against the Warwickshire, Coventry and Solihull LWS Criteria Assessment. Any site listed as a pLWS should therefore be treated as a LWS in the Revised Development Strategy unless survey and assessment against the standardised criteria suggests otherwise.

As detailed above, the presence of LWS could influence the type or density of development that could be achieved in each preferred site allocation. It is therefore important that the status of all pLWS is determined from the outset so that there is sufficient justification for conserving the site, and/or amending site densities, wherever necessary so that its protection remains robust if challenged by

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunnay

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



development interests. In this respect, the evidence base for the Local Plan should be updated to ensure that all pLWSs within the preferred site allocations and those within primary and secondary villages outlined above, are surveyed and assessed against the LWS Criteria Assessment.

Recommendations

- Update evidence base to include LWS survey and Criteria Assessment of the pLWSs detailed in table 2 above and those within primary and secondary villages as detailed above.
- Ensure all sites that fulfil the LWS criteria are clearly indicated as LWS in the relevant site allocation so that all constraints to development are identified.

Habitats and Species of Principal Importance

Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) places a duty on all public bodies to have regard to the conservation of biodiversity in England and so, in accordance with paragraph 117 of the NPPF, Local Planning authorities should be promoting:

'the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan'

All preferred sites within the revised development strategy are likely to include habitats and species of principal importance for nature conservation, as listed under section 41 of the NERC Act. Furthermore, some of these habitats and species are also likely to be priorities within the Local Biodiversity Action Plan for Warwickshire, Coventry and Solihull (LBAP). To adhere to the statutory duty imposed by the NERC Act and to comply with the principles of national policy, we believe the local authority should therefore have regard to the potential presence of priority habitats and species within all preferred site allocations.

We emphasise the need for robust and up-to-date ecological information for all site allocations to help make an informed judgement about the likely presence of these features and the extent they could be affected by development proposals. This will ensure that the local authority can review the type or density of development at a site allocation to ensure that priority habitats or species can be factored into (i.e preserved, restored or created) the designs of the proposals; taking into account national or local biodiversity targets.

Moreover, in order to ensure that this regard is embodied within any future planning application, robust provisions for priority habitats, species or other features of ecological importance outside statutory or non-statutory sites (i.e ancient woodlands,

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunney

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



river corridors and other wildlife corridors such as disused railways and road verges) must be supported by a policy for the protection and enhancement of biodiversity within the Local Plan. As above, we emphasise that the current revision of the Warwick District Local Plan is not inclusive of a specific biodiversity policy at this stage.

Recommendations

- Ensure that the Habitat Biodiversity Data is updated for all preferred site allocation included in the Revised Development Strategy so that any potential habitats and species listed within section 41 of the NERC Act or the LBAP are identified and acknowledged accordingly.
- Review the type and density of development proposed at each site allocation to ensure that impacts on priority habitats are avoided and reduced as far as feasibly possible and that opportunities for restoration or creation of priority features, linked to national and local targets, are identified as part of the green infrastructure proposals for the site.
- Include a policy to highlight that the Local Authority will seek to conserve, restore, create or enhance priority habitats and features listed in section 41 of the NERC Act and the LBAP as well as other features of ecological importance outside statutory and non-statutory sites

Net Gain for Biodiversity

The NPPF states that the planning system should contribute to and enhance the natural and local environment by:

'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'

It further states that planning authorities should:

'set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'

As the Sustainability Appraisal identifies negative effects for biodiversity for almost all the preferred site allocations in the Revised Development Strategy, it will be necessary to demonstrate how the Local Plan will comply with the NPPF principles outlined above. Whilst we recognise that preferred site allocations with strategic green infrastructure proposals (i.e new country park along the Tach Brook, extension of Whitnash Brook Nature Reserve) can support and enhance local ecological networks in part, this alone will not be enough to reverse the negative trend identified

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | Chair Michael Bunney

Vice Chairs Graham Harrison Ron Hill | Chief Executive Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



in the SA. We believe that this can only be achieved if the remaining sites also make a proportionate contribution to establishing a coherent and resilient ecological network for the district.

We subsequently believe that the Local Authority should promote policies in the local plan by which all preferred site allocations contribute towards enhancing district wide networks of biodiversity and green infrastructure (GI). In doing so, the local authority should take into account and link with the opportunities provided by the Warwick District GI Strategy and the Warwickshire, Coventry and Solihull Sub-regional GI Strategy and associated Biodiversity Offsetting appendix, so that contributions or enhancements are focussed towards identified biodiversity and/ or GI needs.

Paragraph 117 of the NPPF also requires planning policies to identify and map areas outlined by local partnerships for habitat restoration and creation, as well as planning for biodiversity on a landscape scale across local authority boundaries. In this respect, and in addition to the above, we recommend that the Princethorpe Woodlands Living Landscape Area is identified within the Local Plan as an opportunity area for habitat creation and restoration. This area is within the Forestry Commission Woodland Opportunity area, and has been identified as a priority area in regional and local biodiversity opportunity maps and so it has a recognised role in supporting a landscape approach to biodiversity enhancement in the district and in the wider region. Furthermore, as the area crosses local authority boundaries, and is already recognised within the adopted Rugby Borough Core Strategy, the allocation of this landscape area within the local plan could also be seen as a means to demonstrate compliance with the statutory duty to cooperate in supporting wider environmental objectives. We look to the local authority to incorporate this area into relevant policies so that it also provides a context for strategic biodiversity enhancement through the planning system.

Recommendations

- Include robust policies to ensure that all site allocations make a proportional contribution to the delivery of biodiversity enhancement and green infrastructure in the district, linked to the identified green infrastructure projects and the aims and objectives of the Sub-regional GI document.
- Adopt the sub-regional GI strategy and associated Biodiversity Offsetting metrics
- Identify the Princethorpe Woodlands as a Biodiversity Opportunity Area within the local plan to demonstrate that the local authority has adopted a landscape scale approach to deliver biodiversity enhancements in the district.

Yours sincerely

Richard Wheat
Planning and Biodiversity Officer

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | *Chair* Michael Bunnay

Vice Chairs Graham Harrison Ron Hill | *Chief Executive* Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40





Warwickshire Wildlife Trust

Brandon Marsh Nature Centre, Brandon Lane, Coventry, CV3 3GW

Telephone: 024 7630 2912 | Fax: 024 7663 9556

Email: enquiries@wkwtr.org.uk | Web: www.warwickshire-wildlife-trust.org.uk

President Roger Cadbury | *Chair* Michael Bunnay

Vice Chairs Graham Harrison Ron Hill | *Chief Executive* Stephen Trotter

A company limited by guarantee | Registered in England No. 585247 | Registered Charity No. 209200 | VAT No. 670 3187 40



INVESTOR IN PEOPLE



Mixed Sources
Product group from well-managed
forests and other controlled sources
www.fsc.org Cert. no. TT-COC-00280
© 1996 Forest Stewardship Council

Printed on FSC certified paper

Creating a Living Landscape