

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 7	Page 1 of 4
Report Originator	Head of Development Services	<i>Fwd Plan Ref No:</i> -	
Wards Affected	All Wards	4 November 2015	
Title	BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT FOR NORTHAMPTONSHIRE – ADOPTION		

1. PURPOSE OF REPORT

To inform Members of the results of the public consultation on the draft Biodiversity Supplementary Planning Document (SPD) for Northamptonshire; and to recommend that the document be forwarded on to Full Council for adoption.

2. BACKGROUND

- 2.1 Members may recall that at the Planning Policy Committee meeting on 3 March 2015, the Committee were asked to make comments on a new draft Biodiversity SPD for Northamptonshire that had been published for public consultation.
- 2.2 Since the adoption of the North Northamptonshire Biodiversity SPD in 2011, national planning policy has changed substantially, and as a result parts of the SPD became out of date. The National Planning Policy Framework (NPPF) has come into force and accompanying guidance has also been published. The SPD has been revised to comply with these changes and also now relates to the whole of Northamptonshire. The revised SPD will supplement policies within the North Northamptonshire Core Spatial Strategy and the West Northamptonshire Joint Core Strategy Local Plan (Part 1). A copy of the final draft Biodiversity SPD is attached at Appendix 1.
- 2.3 The draft SPD has been jointly prepared by all constituent authorities in Northamptonshire and has been led by Northamptonshire County Council. It has also involved close working with the Wildlife Trust and Natural England. In addition, all authorities have been consulted on the draft document. The document now needs to be adopted individually by each authority.

3. BIODIVERSITY SPD FOR NORTHAMPTONSHIRE

- 3.1 Biodiversity refers to the number, variety and variability of living organisms. Biodiversity is a key aspect of sustainable development. Every local authority has a statutory duty under the Natural Environment and Rural Communities Act (2006) to have regard, so far as is consistent with the proper exercise of its functions, to the purpose of conserving biodiversity. This duty is addressed in

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 7	Page 2 of 4
-----------	------------------------	-----------	----------------

part by including nature conservation policies in The North Northamptonshire Core Spatial Strategy and the emerging Joint Core Strategy (JCS) and saved policies in the Kettering Borough Local Plan (1995).

- 3.2 The SPD builds on these policies. It also explains how biodiversity should be incorporated into the planning process to ensure that policy and legislation requirements are met. It also ensures that best practice standards are achieved in line with Kettering Borough Council's strategic aims and objectives of improving biodiversity in the borough. It provides a standard approach to be followed for all planning applications, and is to be used together with expert ecological assessments of the details of each specific case. It is also a useful tool for developing planning policy and making site allocations.
- 3.3 The SPD provides a step-by-step guide to building nature into development. It outlines the process for identifying features that could be at risk and identifying any surveys required. In addition to this, the annex included with the SPD, offers information on all species and habitats which are of importance within Northamptonshire, this is included at Appendix 2 of this report.
- 3.4 The SPD sets out what information should be submitted with a planning application and includes a detailed step-by-step biodiversity checklist to assist applicants in completing Question 13 of the 1APP planning application form.

4. SUMMARY OF CHANGES TO THE DRAFT SPD FOLLOWING PUBLIC CONSULTATION

- 4.1 As indicated in section 2.1, consultation on the updated SPD has taken place. Public consultation took place for 6 weeks from 9 February and 23 March 2015. All comments received (including those by Kettering Borough Council) have now been assessed, and where relevant changes incorporated in the final draft. A summary of the comments made and responses by officers at Northamptonshire County Council are included at Appendix 3 of this report.
- 4.2 In relation to Kettering Borough Council's comments on the draft document, these were generally supportive of the SPD, but suggested a range of points of clarification to assist implementation of the document as outlined below. Officers have provided a full response to all comments made.
- Positive comments regarding the usefulness of the step by step guide to building nature into development. These comments have been noted.
 - Supportive comments on the biodiversity checklist included in the SPD, which provides comprehensive detail on the type of development which can be identified to allow for the extent of any survey requirements to be determined. These comments have been noted.

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 7	Page 3 of 4
-----------	------------------------	-----------	----------------

- Request to include references to local projects in Kettering Borough. However such examples have not been included as the document's coverage is at a county-scale and so smaller, local projects have not been included in the final document.
- Other comments suggesting minor revisions to the documents in order to make the document more legible and error free. In the main these have been taken on board by officers and the document has been amended accordingly

5. CONSULTATION AND CUSTOMER IMPACT

- 5.1 Developers will be required to undertake any identified surveys (using the checklist) before development commences. If a survey detects that the development will have an adverse effect on biodiversity, the proposal should be adapted to avoid damage. Where the damage cannot be entirely avoided, mitigation measures will be required. If the impact cannot be avoided or mitigated against, appropriate compensation will be sought to ensure there is no net loss in biodiversity.

6. POLICY IMPLICATIONS

- 6.1 The Biodiversity SPD will support Development Plan policies, and will be a material consideration in the determination of planning applications. The final document will be reported to Council for adoption, in accordance with the Council's constitution.

7. USE OF RESOURCES

- 7.1 There are no financial implications for Kettering Borough Council associated with this report.

8. RECOMMENDATION

That Members agree the Biodiversity Supplementary Planning Document for Northamptonshire, and recommend it to Full Council for adoption.

BOROUGH OF KETTERING

Committee	PLANNING POLICY	Item 7	Page 4 of 4
------------------	------------------------	-----------	----------------

Title of Document: Biodiversity Supplementary Document for Northamptonshire – Consultation

Date: 28th January 2015

Title of Document: Biodiversity Supplementary Planning Document for Northamptonshire – Consultation

Date: 3rd March 2015

Contact Officer: Andrew Needham – Assistant Development Officer