

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

16 JULY 2014

REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES

BIODIVERSITY AND DEVELOPMENT: A GREEN INFRASTRUCTURE APPROACH SUPPLEMENTARY PLANNING GUIDANCE (SPG); AND SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC) REVIEW

1. Purpose of Report

- 1.1 To report to Council the outcomes of the consultation exercise on the draft Biodiversity and Development: A Green Infrastructure Approach Supplementary Planning Guidance (SPG) (Appendix 1) and the draft Sites of Importance for Nature Conservation Review (SINC) (Appendix 2, available in the Members Lounge).
- 1.2 To seek the Council's agreement of the proposed amendments to the draft documents and adopt the amended versions as SPG and an evidence base to the Bridgend Local Development Plan (LDP).

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

- 2.1 The Bridgend Local Development Plan (LDP) is one of the high level strategies which must be prepared and approved for the County Borough. The LDP should express, in appropriate land-use terms those community priorities (expressed in the Community Strategy and its successor, the Single Integrated Partnership Plan) that relate to the development and use of land provided they are in conformity with national and international policy.
- 2.2 A key objective of the adopted LDP is to protect and enhance the environment with more detailed policies aimed at protecting and enhancing the County Borough's natural assets (green infrastructure).

3. Background

- 3.1 On the 12th December 2013 the Planning and Development Committee resolved to approve Draft SPG 19 – Biodiversity and Development: A Green Infrastructure Approach and the Draft Sites of Importance for Nature Conservation (SINC) Review as the basis for public consultation; authorised officers to make appropriate arrangements for

public consultation; and to await a further report on the outcome of the consultation process.

- 3.2 An 8-week period of public consultation was held between 19th December 2013 and 6th February 2014. The consultation was advertised in the following ways:
- Statutory notices placed in the *Glamorgan Gazette* on the 19th December 2013;
 - The consultation documents were available for inspection with representation forms at every library in the County Borough and at the Planning Department, Civic Offices, Angel Street.
 - A press release was issued at the start of the consultation;
 - Information on the consultation, including all the documentation, representation forms and the facility to make representations electronically was placed on the Council's website; and
 - A copy of the draft SPG was sent to approximately 550 targeted consultees including Community Councils, planning consultants, house builders, housing associations and other relevant external organisations with details on how to respond.
- 3.3 On the 29th May 2014 the Development Control Committee resolved to consider the representations received during public consultation, endorse the suggested reasoned responses, decisions, and changes to the draft Biodiversity and Development: A Green Infrastructure Approach Supplementary Planning Guidance (SPG) (Appendix 1) and the draft Sites of Importance for Nature Conservation Review (SINC) (available in the Members Lounge) and recommended that Council adopts the documents as Supplementary Planning Guidance and an evidence base to the adopted Bridgend Local Development Plan.

4. Current Situation

- 4.1 By the end of the consultation period eleven individuals and external organisations had submitted comments on the draft SPG and SINC Review (seven to the SPG and four to the SINC Review). Two of the representations were received after the consultation period had ended. In response the Council has produced consultation reports which are included as appendices to the documents. The consultation report provides the Council's response to the representations received and outlines any changes which have been made to the document as a result. The SPG (as amended) is included as **Appendix 1** to this report and the SINC Review (as amended) is available in the Members Lounge. Copies of the full representations can be viewed by Members at the Planning Department. The late representations have been considered and responded to in the consultation report; however the Council is not obliged to endorse these representations.
- 4.2 In summary, the main areas of change to the document arising from the public consultation responses are as follows:

- The Council has included an additional guidance sheet (Guidance Sheet 10) which provides detailed guidance in relation to dormice and amended the checklist accordingly;
- A description of the term 'Zone of influence' has been included as a footnote where it was first used (9.10, pp.17). Additional information on determining zone of influence has been added to Guidance Sheet B8 Biodiversity Design Guidance Sheet Protected Areas and Development;
- Minor amendments to the wording in the check list have been made following comments from NRW;
- Hyperlinks to the appropriate legislation and guidance has been made – with links and description included as endnote references;
- Insertion of sub-headings in B3 Biodiversity Design Guidance Sheet Reptiles and Amphibians and Development to make information and whether it refers to reptiles, amphibians or both more clear to the reader;
- B4 Biodiversity Design Guidance Sheet European, UK Protected and Priority Habitats and Species – further information provided on compensation for the loss of habitat.

SINC Review

- Following feedback from the consultation process an executive summary providing a clear explanation of the SINC designation process has been provided;
 - The executive summary makes reference to the management recommendations and landowner responsibilities in response to fears about perceived management prescriptions. Aims of the SINC Review include working in partnership with landowners and to identify opportunities for mutual benefits. The report had been misinterpreted and is not designed to force landowners to manage land in a particular way but to identify opportunities and support for landowners who own land of local nature conservation significance to manage their land to benefit biodiversity and the environment;
 - The executive summary includes details of efforts to identify and contact landowners to inform them of the SINC Review. Communication from BCBC to landowners has been included in the Appendix B of the report;
 - The list of SINC sites was reformatted from the original presented in the CAPITA report (2011) to a more presentable format;
- 4.3 Council is requested to consider each of the representations received, approve the suggested reasoned response, decisions, and actions and

proposed changes to the document, then adopt the SPG and SINC report for publication.

- 4.4 In addition, Members should be aware that the Biodiversity and Development: A Green Infrastructure Approach SPG was short-listed for a Royal Town Planning Institute (RTPI) Planning Excellence Award.

5. Next Steps

- 5.1 The SPG is the first of a suite of 'Green Infrastructure' led SPG which will collectively contribute to driving forward this important agenda in Bridgend. The SINC review is intrinsically linked to the SPG as an evidence base and will also inform the emerging Local Biodiversity Action Plan (LBAP) Review. Full details of the additional Green Infrastructure related work which will build upon the work already undertaken is detailed below:

- I. **A Landscape Design Guide: A Green Infrastructure Approach** – This will provide practical advice and solutions on how to manage changes in the landscape which respond to and enhance its distinctive character, and work with other design considerations.
- II. **A Review of the Local Biodiversity Action Plan (LBAP) for Bridgend** - This will spatially set out the prime habitats and species within BCBC, based on the landscape character areas aimed at promoting eco-connectivity. The LBAP will also identify evidence gaps for further research and opportunities to draw down funding and community participation.
- III. **A Green Infrastructure online-tool** - This will provide an interactive online resource that will attract and engage the following target audiences on issues relating to green infrastructure, countryside management and biodiversity, these are:-
 - School children engaged in relevant studies;
 - Members of the public with an interest in/enquiries about Countryside Management/Biodiversity issues who are seeking information;
 - Members of the public looking for volunteering opportunities relating to Countryside management and biodiversity;
 - Members of the public and developers engaged in planning processes.
- IV. **Renewables in the Landscape: A Green Infrastructure Approach SPG** – This project will build upon the Landscape Character Assessment (noted by Committee on 12th December 2013 as an evidence base document) to provide guidelines for use in assessments of the impacts of wind turbines and solar farms (particularly multiple applications and cumulative visual impacts) on the landscapes within the County Borough.

It is envisaged that the guidance will provide a consistent approach to the assessment of planning applications for wind turbines/farms and solar farms in the context of the surrounding landscape and also provide clarity for developers when making planning applications for small and medium wind energy projects in areas outside Strategic Search Areas (SSA's) as to what is required of them and what is likely to be acceptable to the local authority.

- V. **Recreational Facilities and Residential Development: A Green Infrastructure Approach SPG** – This document will provide detailed guidance on the type, amount of, and costs associated with providing recreational facilities as part of 'major' residential development schemes whilst looking for opportunities for multi-functionality in accordance with the green infrastructure approach.

5.2 These projects will be presented to Council in due course.

6. **Effect upon Policy Framework & Procedure Rules**

6.1 The SPG, and its supporting information, in the form of the SINC Review, expand upon the existing land-use planning policy framework contained within the Local Development Plan giving the public and developers certainty in the Council's expectations in relation to the protection and enhancement of Green Infrastructure in the County Borough.

7. **Equality Impact Assessment.**

7.1 An Equality Impact Assessment Screening has been undertaken and the proposed recommendations are unlikely to have an impact on equality issues.

8. **Financial Implications**

8.1 None.

8. **Recommendations**

8.1 It is recommended that Council:

8.1.1 Considers the representations received and approves the suggested reasoned responses, decisions, and changes to the draft Biodiversity and Development: A Green Infrastructure Approach Supplementary Planning Guidance contained in **Appendix 1**.

8.1.2 Considers the representations received and approves the suggested reasoned responses, decisions, and changes to the draft SINC Review.

- 8.1.3 Approves the Sites of Importance for Nature Conservation (SINC) Review as an evidence base to the adopted Bridgend Local Development Plan and relevant SPG.
- 8.1.4 Adopts SPG19 – Biodiversity and Development: A Green Infrastructure Approach (as amended) as Supplementary Planning Guidance (SPG) to the adopted Bridgend Local Development Plan.

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9th July 2014

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Background documents

Bridgend Local Development Plan