

## **Key biodiversity drivers and engagement mechanisms in the National Planning Policy Framework**

In July 2021 the Government updated the National Planning Policy Framework (NPPF). Designed to replace more than 40 Planning Policy Statements and other documents underpinning development practice the NPPF condenses more than 1000 pages of previous guidance into just over 70. Though the document has a strong development focus there are a number of paragraphs that give substantial weight to environmental issues and make clear that the planning system has a powerful and positive role to play in protecting and enhancing biodiversity.

The following synopsis provides a brief commentary on the NPPF paragraphs of most use in securing environmental gain. Comments follow the same layout as in the document but they have been abridged here for ease of reading and should not be relied upon without reference to the NPPF itself. Paragraph references are therefore given for clarity.

The NPPF makes clear that the fundamental tools in delivering sustainable development are the Local Plan and its locally-specific policies but the paragraphs listed below offer substantial levers for environmental protection and enhancement that can be used in combination with local policies (or where local plans are out of date) to effect a better result for wildlife.

More details on the NPPF, together with the document itself, can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Local plans can be found on your local District Council's website.

For more information or to discuss the specifics of an application near you please contact the Trust's planning officer at [stevenb@worcestershirowildlifetrust.org](mailto:stevenb@worcestershirowildlifetrust.org)

### **NPPF paragraphs of particular use for biodiversity and environmental protection / enhancement**

#### **Achieving Sustainable Development**

**Para. 7.** Covers the fundamental principles of the planning system and makes clear that:

*'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'.*

**Para. 8.** Sets out the need for development to deliver against 3 main objectives. This is a critical argument that can be used to ensure that biodiversity is appropriately considered in local plans and development decisions. The paragraph states that:

*'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.*

## **The Plan-making Framework**

**Para. 20.** This paragraph sets out the need for Strategic policies in local plans. These should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for a range of matters including:

*'d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation'.*

**Para. 28.** Similarly, this paragraph sets out that non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. It says that:

*'This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies'.*

## **Preparing and reviewing plans**

**Para. 31.** Makes clear that:

*'The preparation and review of all policies should be underpinned by relevant and up-to-date evidence'.*

## **Decision Making**

**Para. 43.** Tells us that:

*'The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible'.*

## **Making effective use of land**

**Para. 118.** Tells us that (amongst other things) Planning policies and decisions should:

*a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*

*b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*

## **Chapter 12. Achieving well designed places**

**Para. 131.** Is new and tells us that;

*Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.*

## **Chapter 14. Meeting the challenge of climate change, flooding and costal change**

**Para. 161.** Makes it clear that in order to help us respond to climate change:

*All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: ...*

*c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and*

*d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.*

## **Chapter 15. Conserving and enhancing the natural environment**

**Para. 174.** Contains several useful sub-sections, the most helpful ones of which are that:

*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;...*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

**Para. 175.** Says that *'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries'*.

**Para. 176.** Refers to countryside designations and says that *Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas...*

### **Habitats and biodiversity**

**Para. 179.** Is a key biodiversity paragraph in the revised NPPF. It says that

*To protect and enhance biodiversity and geodiversity, plans should:*

*a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*

*b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

**Para. 180.** Follows this up, saying that:

*When determining planning applications, local planning authorities should apply the following principles:*

*a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

*b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

*c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons(63) and a suitable compensation strategy exists; and*

*d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be*

*integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

## **Glossary**

There is also some helpful clarification in the glossary, including the following terms that may be of use in representations to councils.

*Ancient or veteran tree:* *A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.*

*Ancient woodland:* *An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).*

*Green infrastructure:* *A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.*

*Irreplaceable habitat:* *Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.*

*Natural Flood Management:* *managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.*

*Nature Recovery Network:* *An expanding, increasingly connected, network of wildlife-rich habitats supporting species recovery, alongside wider benefits such as carbon capture, water quality improvements, natural flood risk management and recreation. It includes the existing network of protected sites and other wildlife rich habitats as well as and landscape or catchment scale recovery areas where there is coordinated action for species and habitats.*

*Priority habitats and species:* *Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.*

*Wildlife corridor:* *Areas of habitat connecting wildlife populations.*

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