

Matter ID/7 1B
Respondents 821 and 822
Cam Valley Wildlife Group and Somer Valley Friends of the Earth

Matter 1B
Appendix 3
ID/7 1B_Appendix_NPPF

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Contents:

Text of 821/NPPF1 partially recorded in Schedule 2
821/NPPF1 text is is grey; the unrecorded text is in black

**B&NES Core Strategy Representation,
Cam Valley Wildlife Group,
October 2011**

Subject: National Planning Policy Framework

Cam Valley Wildlife Group considers that the presumption towards sustainable development as set out in the NPPF serves to strengthen and bring into sharper focus the arguments we have made regarding the significant failings of the B&NES Core Strategy with reference in particular to

- the protection and enhancement of the wildlife and biodiversity of the District
- the relative value placed upon that protection and enhancement
- the present and future network that extends beyond the boundaries of the District
- mitigation and adaptation to climate change
- the role of individual sites and
- a strategic and integrated approach to these elements

We do not consider that the following point of paragraph 24 of the NPPF on plan-making have been satisfied:

- identify land which it is genuinely important to protect from development, for instance because of its environmental or historic value; and
- contain a clear strategy for the environmental enhancement of the area.

We consider that paragraph 167 of the NPPF, that local 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 has not been adequately tackled in the Core Strategy.

We consider that paragraph 168 of the NPPF is not satisfied in the Core Strategy

NPPF para 168.

Planning policies should:

- *take account of the need to plan for biodiversity at a landscape-scale across local authority boundaries*
- *identify and map components of the local ecological networks, including: international, national and local sites of importance for biodiversity, and areas identified by local partnerships for habitat restoration or creation*
- *promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations, linked to national and local targets¹; and identify suitable indicators for monitoring biodiversity in the plan; and*
- *aim to prevent harm to geological conservation interests.*

¹ Including those identified by local biodiversity partnerships.

Paragraph 169 of the NPPF includes the following:

When determining planning applications in accordance with the Local Plan and the presumption in favour of sustainable development, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm 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*
- *development proposals where the primary objective is to conserve or enhance biodiversity should be permitted*
- *opportunities to incorporate biodiversity in and around developments should be encouraged*
- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss*

Consideration of this policy against the Core Strategy, particularly with reference to the Somer Valley area, should result in benefits for wildlife and biodiversity in the area. In particular, consideration of Radstock Railway Land (RAD 1), a borderline SSSI site, should result in failure to progress the B&NES-backed development proposals for the site, as the outline permission is now out of time and the subject of an application to extend the time limit. Under the NPPF, refusal of permission is the prescribed course of action for a site of this value, as in this case it is accepted by B&NES and all ecological bodies involved that it cannot be developed in the way envisaged without significant biodiversity losses, which cannot be mitigated or compensated.

This should leave the way open for the development of a high quality green space which fits perfectly the Local Green Space criteria of the NPPF in paragraph 13 (below), and a high quality nature and heritage reserve with cycle path and in preparation for return of a rail service linking to the main line 8 miles away. It will be a very important part of the ecological network, both locally and at a larger scale.

NPPF para 131.

The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *where the green space is in reasonably close proximity to a centre of population or urban area*
- *where the green area is demonstrably special to a local community and holds a particular local significance because of its beauty, historic*

- importance, recreational value, tranquillity or richness of its wildlife*
- *where the green area concerned is local in character and is not an extensive tract of land; and*
- *if the designation does not overlap with Green Belt.*

We consider that the NPPF requirement, that Local plans should be based on adequate, up-to-date and relevant evidence covering economic, social and environmental information about the area, both current and regarding options for the future, has not been fulfilled to date.

Supplementary papers of relevance to the representation above include

- mapping of UK BAP habitat, Open Mosaic habitat on Previously developed Land and railway heritage features;
- B&NES Priority species recorded on the site; and
- others that will be sent on

Deborah Porter
Conservation Officer,