


Biodiversity & Development

Supplementary Planning Document – May 2018

Barrow Borough Council - Advice for developers

Working together to support sustainable development within the Borough of Barrow-in-Furness

DEVELOPMENT SERVICES

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BOROUGH OF BARROW IN FURNESS
www.barrowbc.gov.uk

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1. Introduction

1.1. Biodiversity can bring many benefits to development, such as impacting positively upon resident's health and well-being, increasing the attractiveness of built environments, reducing flood risk and improving air quality.

1.2. Local Planning Authorities have a duty to have regard to conserving and enhancing biodiversity as part of the planning process and Barrow Borough Council is committed to the protection and enhancement of the Borough's natural environment.

1.3. This Supplementary Planning Document (SPD) has been produced to help guide sustainable development and to ensure that biodiversity is taken into consideration early in the planning process.

1.4. This document supports the Council's Development Plan and sits alongside the Green Infrastructure Strategy. It covers the whole of the Barrow Borough and is a material planning consideration when decision-taking upon its adoption.

1.5. The document has been prepared under the 2004 Planning and Compulsory Purchase Act (the "2004 Act"). A public consultation was carried out between 13th March and 11th April 2018 in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and comments received have informed the final document.

1.6. Applicants are encouraged to enter into pre-application discussions with the Council's Development Services department in order to establish the potential impacts of development and to determine the scope of surveys and assessments required to support an application.

1.7. Developers should give early consideration as to how new areas of biodiversity can be incorporated within developments when drawing up proposals. Opportunities which provide a net gain in biodiversity should always be sought.

1.8. The protection and enhancement of existing biodiversity features also needs early consideration and significant adverse effects upon biodiversity should be avoided. Mitigation measures must be used where impacts are unavoidable and may include long term management strategies.

2. Purpose of the SPD

2.1. The aims of this document are as follows:

- To help ensure that the biodiversity is considered and incorporated into proposals at the initial design stages.
- To provide clear guidance in an accessible format that can be kept up-to-date.
- To improve the speed and quality of planning decisions as the SPD provides practical advice on how applicants can conform to policies within the Development Plan.
- To improve the transparency of decision making so that applicants have a better understanding of the planning process.
- To support saved biodiversity and nature policies in the current Local Plan, and policies within the emerging Local Plan (following its adoption), by signposting developers and other stakeholders to further sources of information and guidance.
- To improve the quality of development in the Borough and help meet relevant Local Plan objectives and sustainability objectives identified in the Local Plan Sustainability Appraisal.
- To support the delivery of a net gain in biodiversity.

1: Walney Channel

3. The Natural Environment: Barrow Borough

3.1. Barrow Borough has approximately 63km of coastline, 22km of which is defended against erosion and flooding.

3.2. The undefended coastline consists of shingle beaches, clay cliffs, sand dunes and salt marsh. The Borough also contains a number of areas protected for their biodiversity and geodiversity value.

3.3. Barrow comes top of all 325 English districts for the quality of its landscape and the number of its nature reserves. It is also however ranked poorly in how its communities use their landscape and planning can play a role in changing this (Coastal Communities).

2: Piel Island & South Walney Nature Reserve

International Designations

3.4. **RAMSAR** sites are internationally protected areas of wetland. The Borough contains two RAMSAR sites, both of which extend beyond the Borough boundaries:

- Duddon Estuary – recognised as a site of international importance for rare and scarce species, in particular wildfowl, waders and natterjack toads.
- Morecambe Bay – the largest area of tidal mudflats in the UK with internationally important levels of bird life and marine habitats.

3.5. **Special Areas of Conservation (SACs)** provide increased protection to a variety of wild animals, plants and habitats. The Morecambe Bay SAC is a very large area that extends from Fleetwood in Lancashire to Millom in Cumbria and encompasses much of the Borough's coastline.

3.6. **Special Protection Areas (SPAs)** provide increased protection for rare and vulnerable birds and for regularly occurring migratory species. The Duddon Estuary and Morecambe Bay area is classed as an SPA and extends beyond the Borough's boundary.

National Designations

3.7. **Sites of Special Scientific Interest** (SSSIs) are England's most important wildlife and geological sites which support many rare and endangered species, habitats and natural features. There are four SSSIs in the Borough:

- Duddon Estuary
- Elliscale Quarry
- Morecambe Bay
- South Walney and Piel Channel Flats

Natural England monitors the condition of SSSIs. Developers are advised to consult Natural England's Favourable Condition Tables[1] for further information.

3.8. National Nature Reserves (NNR) are the crown jewels of Engaland's natural heritage and are home to the finest sites for wildlife and geology. The Borough contains two NNRs and these are located at North Walney and Sandscale Haws. Further information can be found in Natural England's document "National Nature Reserves: At the Heart of Conservation in the 21st Century 2017[2]".

3.9. The Marine and Coastal Access Act requires the designation of a network of Marine Conservation Zones (MCZs) designed to protect the sea's wildlife. Habitats off the coast of Walney Island are proposed for protection as an MCZ.

1 Favourable Condition Tables (Natural England)
https://designatedsites.naturalengland.org.uk/SiteSearch.aspx

2 National Nature Reserves: At the Heart of Conservation in the 21st Century 2017 (Natural England)
http://publications.naturalengland.org.uk/publication/6291868196798464

UK Priority Habitats

3.10. The UK Post-2010 Biodiversity Framework[3] (July 2012) demonstrates how the UK will contribute to global biodiversity targets. The framework replaced the UK Biodiversity Action Plan which identified priority habitats and species, many of which can be found in the Borough.

3.11. The Cumbria Biodiversity Action Plan (BAP) identifies local and national priority habitats and species, as well as setting targets for their conservation and mechanisms for achieving these.

Functionally Linked Land

3.12. The Borough contains areas of functionally linked land. Natural England have produced a report[4] which discusses functional linkage further.

3.13. Functionally linked land is land or sea beyond the boundary of a protected site which fulfils an ecologically supporting role for wildlife (particularly bird) populations for which the site was designated. Such land is therefore linked to the site in question, providing an important role in maintaining or restoring the population at favourable conservation status.

County Designations

3.14. County wildlife sites are areas of land recognised as being at least of county, and sometimes national, importance for their nature conservation value; this is defined by the presence of important, distinctive and threatened habitats and species.

3.15. County wildlife sites are a non-statutory designation that has been used to recognise other high quality wildlife habitats in each county; some sites may be of similar quality to SSSIs. County Wildlife Sites, therefore, play a vital role in the conservation of the UK's natural heritage by providing essential wildlife refuges, stepping-stones, corridors and buffers linking and protecting other designated sites and open spaces both in towns and the countryside.

3 UK Post-2010 Biodiversity Framework
http://jncc.defra.gov.uk/pdf/UK_Post2010_Bio-Fwork.pdf

4 Functional Linkage 2016 (Natural England)
http://publications.naturalengland.org.uk/publication/6087702630891520

3.16. Further information on County Wildlife Sites can be found on the Cumbria Wildlife website at http://www.cumbriawildlifetrust.org.uk/what-we-do/county-wildlife-sites.

3.17. The Borough also contains a number of Local Geodiversity Sites (formerly Regionally Important Geological Sites (RIGS) which the Local Plan affords protection to and encourages the enhancement of. These are designated at a county level and further information can be found in Appendix E.

Protected Species in Barrow Borough

3.18. There are a number of protected species in the Borough.

3.19. South Walney Nature Reserve holds the most southern colony of eider ducks in Britain and is the only site on the west coat of England (Cumbria Wildlife Trust).

3.20. The sand dunes at North Walney support highly specialised plant species such as sea rocket and Portland Spurge, as well as orchids including pyramidal, bee and northern marsh orchid. There are a large number of natterjack toad colonies within the dunes.

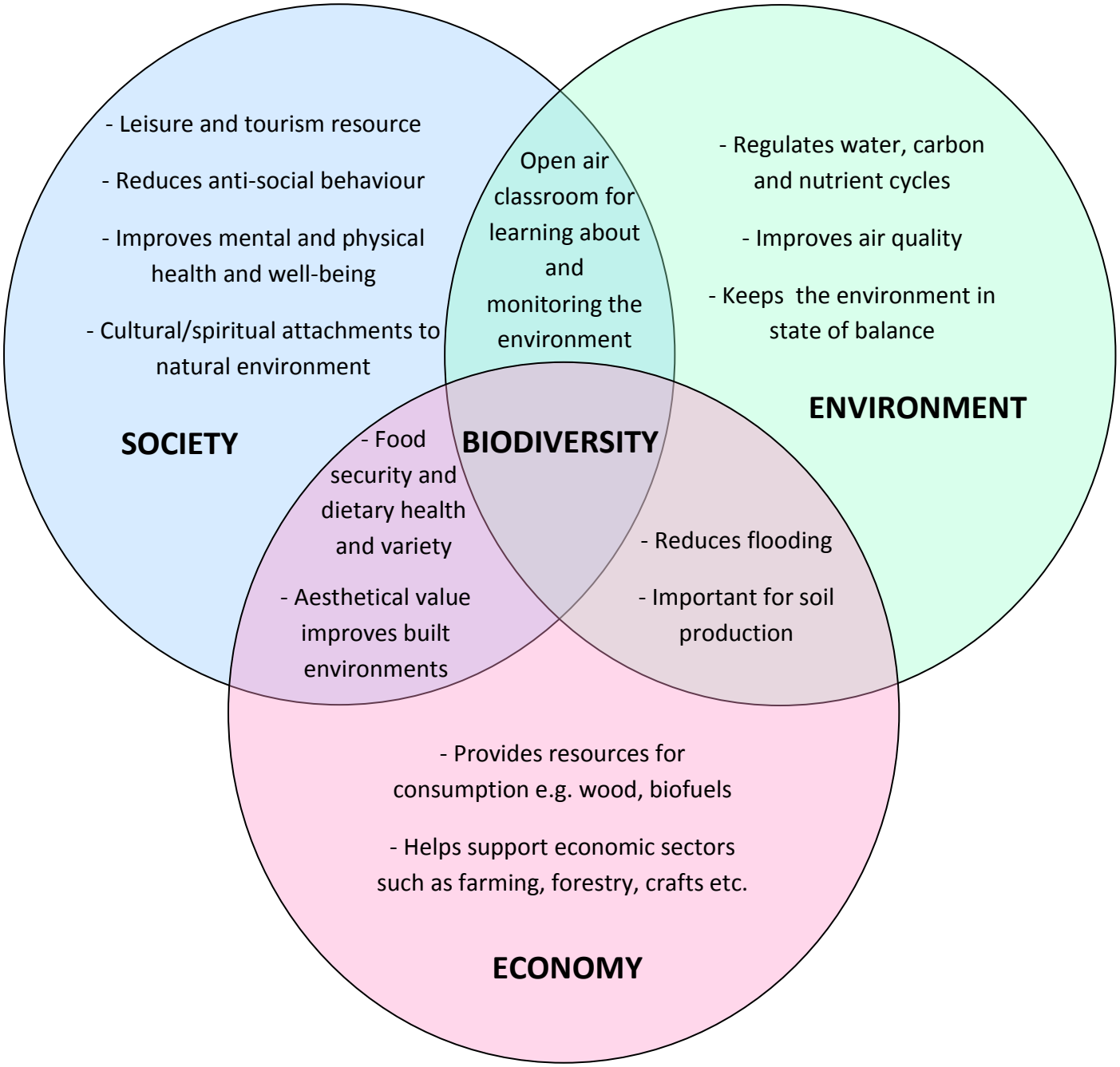
3.21. A full list of protected species in the county can be found in Appendix D.

3: Walney Channel from Barrow Slagbank

4. The Value of Biodiversity

4.1. Biodiversity is the variety of biological life on Earth, ranging from individual species and habitats to entire ecosystems.

4.2. It often difficult to quantify the value of biodiversity, however there are a number of benefits derived from protecting, enhancing and creating areas for wildlife.



Environmental Benefits of biodiversity

- Biodiversity keeps the environment in a state of balance, creating resilient and adaptable ecosystems which can respond to external stresses.
- The natural environment plays an important part in regulating the water, nutrient and climate cycles.
- This helps reduce the risk of flooding.
- Biodiversity helps prevent soil erosion. Soils are integral to supporting wider biodiversity through carbon and water storage, nutrient and water cycling, facilitating plant growth and providing food at the bottom of the food chain for other wildlife higher up.
- Biodiversity helps reduce the amount of greenhouse gas in the air and improve air quality.
- Monitoring of the natural environment provides an invaluable resource to scientists predicting the effects of global warming.

Social Benefits of biodiversity

- Biodiversity provides enjoyment for leisure and tourism.
- It creates an open air classroom where people can learn about their environment.
- An awareness of environmental values has been associated with reduced propensity towards anti-social behaviour[5].
- Access to biodiversity can improve mental and physical health and well-being. "A Review of Nature-based Interventions for Mental Health Care[6]" (Natural England) shows that taking part in nature-based activities helps people who are

5 The Importance of Biodiversity to Human Health, Cohab Initiative Policy Brief, Oct 2010 https://www.cbd.int/doc/**health**/cohab-policy-brief1-en.pdf

6 A Review of Nature-based Interventions for Mental Health Care (Natural England) http://publications.naturalengland.org.uk/publication/4513819616346112

suffering from mental ill-health and can contribute to a reduction in levels of anxiety, stress and depression.

- Agricultural biodiversity is important for food security and dietary health.
- Cultural/spiritual meanings are attached to the natural environment.

4: Woodland at Furness Abbey, Barrow

Economic Benefits of biodiversity

- Biodiversity can improve environments by enhancing the image of towns and cities and providing distinctiveness and character.
- Biodiversity provides and supports food production.
- Biodiversity can provide natural buffers against floods, droughts and landslides all of which have negative economic impacts.
- Biodiversity provides resources which can be used for consumption e.g. wood, biofuels.
- The social and environmental benefits listed above also have direct and indirect economic benefits.

5. Case Study: Biodiversity Benefits - Sandscale Haws Nature Reserve, Barrow

- Sandscale Haws is a dynamic environment forming part of the Duddon Estuary on the western coast of Barrow. As well as being a National Nature Reserve, the site is also part of the larger Site of Special Scientific Interest, RAMSAR, SAC and SPA.

- The Reserve comprises dunes, sandy beaches, and inter-tidal areas. Inland parts of the Reserve are grazed.

- The dune grasslands support a number of species and a rich diversity of flora, including protected species such as Natterjack Toads and migratory bird populations of international importance.

- The dunes and sandy beaches are popular with residents and tourists alike, attracting between 70,000 and 80,000 visitors in 2016 (National Trust). A number of events take place each year which raise public awareness of the importance of the reserve and information boards allow people to learn about the natural environment.

- The Reserve helps support the local economy by providing jobs (for example in areas such as countryside management) and tourism. Access to the open landscape improves health and well-being providing important “head space” and space for physical activity.

6. Biodiversity Impacts

6.1. Biodiversity is being lost at an alarming rate across the globe and this is having adverse impacts upon our livelihoods, well-being and health[7]

6.2. Species loss at a national scale has been significant in the twentieth and twenty first centuries largely due to the effects of human activity and land use. The effects of climate change are likely to have further impacts on biodiversity in the future.

6.3. Locally, we can make a difference through improvements to existing areas of biodiversity, the creation of additional areas for wildlife and through a greater understanding of the value of biodiversity.

6.4. Development has the potential to impact both negatively and positively on biodiversity. In assessing the potential impacts of a proposal, consideration should be given to all stages of the development from the impact of initial ground investigations to post-development impacts.

Negative Impacts of development on biodiversity

6.5. The following list is not exhaustive, however it demonstrates the wide range of effects development can have upon biodiversity.

- Loss of, or damage to, all or part of an important site for biodiversity,
- Habitat fragmentation, isolation and removal or severance of wildlife links (such as green links, routes etc.),
- Introduction or spread of invasive non-native species,
- Soil, air or water contamination,
- Disturbance and/or displacement of species e.g. from recreational activity, unmanaged public access,
- Predation and/or harassment by domestic pets,

7 The Bruntland Report
http://www.un-documents.net/our-common-future.pdf

- Light pollution,
- Reduction/loss of species resources (e.g. food, water, shelter),
- Interruption to an established management regime e.g. habitat neglect,
- Noise and disturbance from poor construction practices, e.g. traffic,
- Damage to habitats through poor waste disposal,
- Marine litter.

6.6. Biodiversity Impacts can be:

- Permanent or temporary,
- Direct or indirect ,
- Short-term or long-term,
- Cumulative (i.e. significant when the impacts of multiple smaller developments are taken into account),
- Localised or far-reaching.

6.7. It is important to note that impacts can extend beyond site boundaries, e.g. areas for the set down of construction materials are often outside the development site. The potential habitat fragmentation and isolation effects of a development on the wider environment also need consideration. For example, the loss of functionally linked land such as wet grassland which provides important feeding ground for SPA birds is likely to impact upon breeding and migratory success for birds.

6.8. Consideration should be given to the potential effects of a development on all the life stages of protected/priority species, taking into account the following essential requirements:

- Food
- Water
- Shelter
- Reproduction

- Dispersal

6.9. Some biodiversity features and the impacts upon them are obvious, for example the removal of a hedgerow. Others are more subtle, for example the loss of high tide roosts (roosting areas on the upper marsh which are used by wading birds during high tide) through development and recreational disturbance.

5: Fly Tipping at Salthouse Mills, Barrow

Impacts - Recreational Activity and Biodiversity

Disturbance and displacement of species from recreational activity is a major issue in the Borough, particularly on Walney Island.

Displacement can be both short term, in response to isolated single events, or long term which could for example lead to birds avoiding otherwise suitable habitat for breeding or nesting.

North Walney features a mosaic of nationally rare and important habitats, including ungrazed saltmarsh, vegetated shingle, inter-tidal mudflats and “scars”, hay meadows, sand dunes and dune heath.

Access to the nature reserve here is difficult to control and options to limit how people behave in the area are limited. The isolated nature of the reserve means that there is little, if any, surveillance.

Increased population in the nearby areas leads to an increased demand for access. Whilst access has many social and economic benefits, the challenge is ensuring that this does not compromise the integrity of protected sites.

Breeding bird and high tide roosts occur in the same areas where access is focussed.

Activities which are common in the reserve which can cause disturbance and displacement include walking, dog walking (particularly off-lead), kite surfing, quad biking and muscle dredging. Damage can also be caused to habitats and species through litter and illegal fires. Vandalism of designated footpaths and fencing can also cause problems, diverting people into more sensitive parts of the site

From March to July, ground nesting birds breed at North Walney and visitors are required to keep dogs on leads under the Countryside Rights of Way Act, however this rule can be difficult to enforce.

Draft Policy I1 in the emerging Local Plan requires developer contributions in particular circumstances. Contributions could contribute towards enhancing and conserving biodiversity and management of environmentally sensitive areas, such as through the provision of information boards, walkways, signage etc.

Impacts – Disrupting Environmental Fine Tuning

Waders such as sanderling, dunlin, knot and bar-tailed godwits are feature of the Barrow coast through the winter month. These species are also among some of the most finely tuned migrants in the world completing migrations of thousands of miles each year, including migrations that take birds across entire oceans.

6: Sanderling

In the autumn some long distance migrants have to maximise their ability to cover distance so they metabolically absorb organs not necessary for flight such as livers, kidneys and guts during a starvation period before migrating. They then rely on stored fat to see them through to their destination when they need to regrow their organs on arrival. Going the other way in spring they need to reach the breeding grounds before there is much food about, so they can lay eggs, incubate them and hatch chicks at a time that coincides with maximum food availability.

In winter finding enough food to off-set energy lost to keeping warm, flying and keeping feathers in good condition can make staying alive a challenge and in spring they need to be able to not waste the energy needed to see them through until they have chicks far away on the arctic tundra.

Developments that result in loss of quiet places where the birds can rest of food-rich places where the birds can feed in peace, such as high tide roosts, can tip the balance the wrong way. The result of upsetting their fine tuning to their environment can leave them unable to breed successfully, unable to migrate successfully or unable to survive winter weather.

7. Legislation and Policy

European Legislation

7.1. Nature conservation law in the UK is complex. European directives are transposed into UK legislation and Councils and other public bodies have a duty to have regard to conserving biodiversity when developing policies and strategies and when determining planning applications.

7.2. The paragraphs below outline some of the key pieces of legislation and guidance relating to nature conservation in the UK. This list of relevant guidance is not exhaustive and the documents below are subject to change over time as they are reviewed and amended/replaced.

7.3. Many developments can be built under permitted development rights, meaning no planning application is required. Permitted development legislation does not however override protected species legislation, and ecological assessments will be required to asses the impact on protected species. The design of any mitigation and enhancement proposals will also be required.

7.4. The duty to protect sites being developed through permitted development lies with the land owner, as set out in the Habitats Regulations and Statutory Instrument number 596 (2015) “The Town and Country Planning (General Permitted Development) (England) Order 2015”. The section of the statutory instrument relating to permitted development and biodiversity can be found on page 7, paragraph 3 of the following link: http://www.legislation.gov.uk/uksi/2015/596/pdfs/uksi_20150596_en.pdf

Habitats Directive and Regulations

7.5. The European Directive on the Conservation of Natural Habitats and Wild Flora (92/43/EEC) is more commonly known as the Habitats Directive. It identifies an EU-wide network of European sites known as Natura 2000 sites and provides a legal framework for their protection.

7.6. Natura 2000 sites comprise Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar Sites which are discussed further on pages 6 and 7 of this SPD.

7.7. The Directive is implemented in the UK through the Conservation of Habitats and Species Regulations 2017 (as amended). These are known as the Habitats Regulations[8].

7.8. The Regulations (Reg. 43) list activities which are unlawful such as deliberately killing or disturbing a European Protected Species (subject to certain criteria and exceptions). They also discuss the cases where licences may be granted for certain works which may affect European Species (Reg. 55).

7.9. The Regulations also set out the cases where a Habitats Regulation Assessment is required. A HRA promotes a hierarchy of avoidance, mitigation and compensatory measures in order to prevent or reduce harm to Natura 2000 sites.

7: Walney Channel Natura 2000 Site

7.10. Where harm has the potential to affect a Natura 2000 site a HRA Screening Assessment will be required which assesses whether the development is likely to significantly affect the conservation objectives of the site; Natural England should be consulted at the earliest opportunity. If the Screening Assessment confirms that significant effects are likely, then the next step in the HRA process, the Appropriate Assessment (AA) must be taken, which determines whether the development will adversely affect the integrity of the site.

8 The Conservation of Habitats and Species Regulations 2010
http://www.legislation.gov.uk/uksi/2010/490/contents/made

7.11. The AA will assess the significance of effects and will identify whether avoidance or mitigation measures would overcome these in full or in part.

7.12. If adverse effects are unavoidable or would remain after mitigation has been implemented, proposals can only proceed if:

- There are no alternative solutions, AND
- There are imperative reasons of over-riding public interest for doing so.
- Necessary compensation must be taken to secure the integrity of the Natura 2000 site.

7.13. Further information regarding the HRA process can be found in the Council's Habitat Regulations Assessment guidance leaflet.

Water Framework Directive[9]

7.14. The Directive contains a number of ambitious aims which include "*protection of the aquatic ecology, specific protection of unique and valuable habitats, protection of drinking water resources and protection of bathing water*." The directive covers surface water and ground water and requires that, where necessary, proposals must include an assessment of the impacts on chemical and biological status of water bodies to demonstrate that there will be no net loss of biodiversity as a result of the development.

National Regulations and Policy

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011[10]

7.15. The EIA Regulations state that an EIA is required for individual projects that are likely to have significant environmental effects. These are generally large scale developments. Advice should be sought from the local planning authority to determine whether an EIA is required.

[9] Water Framework Directive
http://ec.europa.eu/environment/water/water-framework/index_en.html
10 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011
http://www.legislation.gov.uk/uksi/2011/1824/contents/made

Wildlife and Countryside Act 1981[11]

7.16. The main piece of legislation in the UK relating to nature conservation in Britain is the Wildlife and Countryside Act 1981 (as amended). The Act is supplemented by provision in the Countryside and Rights of Way Act 2000 and the Rural Communities Act 2006.

7.17. All species of wild birds are protected under the Act and a list can be found in Circular 06/200 which is discussed in paragraph 4.21.

7.18. The Act also lists a number of actions which (in the absence of a licence or relevant defence) are criminal offences such as intentionally killing or injuring a listed species.

Hedgerow Regulations

7.19. Hedgerows can provide important habitat for a variety of species and can add to the landscape character of an area.

7.20. The Government has published guidance on protected countryside hedgerows[12].

The document sets out which types of hedgerow are protected, where planning permission is required for removal of hedgerows and where planning permission is unlikely to be granted.

8: Hedgerows at Lindal Playground

11 Wildlife and Countryside Act 1981
http://www.legislation.gov.uk/ukpga/1981/69

12 Government Guidance on Hedgerows
https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management

Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System[13]

7.22. Government Circulars are material planning considerations when producing Local Plans or similar and when determining planning applications. This particular circular includes a list of species protected by law and habitat types and species of principal importance in England and discusses the following in detail:

- Internationally designated sites;
- Nationally designated sites;
- Conservation of habitats and species outside designated sites;
- Conservation of species protected by law;
- Other duties and use of statutory powers by planning authorities (Environmental Impact Assessment, Strategic Environmental Assessment and Water Framework Directive).

A Green Future: Our 25 Year Plan to Improve the Environment[14]

7.23. This document identifies the importance of the natural environment and sets out a number of targets for improving air and water quality and protecting threatened plants, trees and species following Brexit. Progress against the targets will be monitored and reported on annually. The document also sets out the Government's goal for improving the environment and seeks to embed an "environmental net gain" principle for development, including housing and infrastructure.

National Planning Policy Framework (NPPF)[15]

7.24. The NPPF is also a material planning consideration. Whilst the NPPF is currently under review, the draft revised NPPF contains the same, if not stronger,

13 Circular 06/2005: Biodiversity and Geological Conservation
https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005

14 A Green Future: Our 25 Year Plan to Improve the Environment
https://www.gov.uk/government/publications/25-year-environment-plan

15 National Planning Policy Framework
https://www.gov.uk/government/publications/national-planning-policy-framework--2

protections for the environment. The following paragraphs, taken from the current NPPF, highlight the importance the document gives to biodiversity and the environment.

7.25. Paragraph 9:

"*Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but, not limited to*):

- Making it easier for jobs to be created in cities, towns and villages,
- Moving from a net loss of bio-diversity to achieving net gains for nature,
- Replacing poor design with better design,
- Improving the conditions in which people live, work, travel and take leisure,
- Widening the choice of high quality homes.

9: Oystercatchers, Biggar Bank, Walney

7.26. Paragraph 109:

"*The planning system should contribute to and enhance the natural and local environment by*:

- *Protecting and enhancing valued landscapes, geological conservation interests and soils;*

- *Recognising the wider benefits of ecosystem services;*

- *Minimising impacts on biodiversity and providing net gains in biodiversity, 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;*

- *Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land stability; and*

- *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*"

7.27. Paragraph 118:

"*When determining planning applications, 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;*

- *Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have 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;*

- *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; and*

The following wildlife sites should be given the same protection as European Sites:

- *Potential Special Protection Areas and possible Special Areas of Conservation;*

- *Listed or proposed Ramsar sites; and*

- *Sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."*

7.28. Paragraph 152:

"*Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided, and wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate."*

10: Hedgerows,Dalton

Other legislation

7.29. A number of species are protected under their own legislation e.g. the Protection of Badgers Act 1992[16].The Act makes it unlawful to kill, injure, take or possess a badger, or attempt to do so. It is also an offence to cruelly ill-treat a badger and with certain exceptions, to interfere with a badger sett.

Local Planning Policy and Guidance

Barrow Borough Local Plan[17]

7.30. The Local Plan contains a number of policies concerned with protecting and enhancing biodiversity and suggests a variety of indicators to help monitor progress.

7.31. Chapters 4, 10 and 11 are particularly important as they relate to climate change, the natural environment and green infrastructure respectively, however there are also policies in other chapters which encourage biodiversity protection and enhancement.

7.32. The Local Plan has been submitted to the Planning Inspectorate for their consideration and an examination-in-public will be held later this year. Once the Plan is adopted it will form part of the Development Plan – development must be in accordance with the Development Plan unless material considerations indicate otherwise.

7.33. The latest draft of the Local Plan can be found at the following link: http://www.barrowbc.gov.uk/residents/planning/planning-policy/local-plan/

7.34. Key habitats and priority species in Cumbria are listed in Figure 21 of the Local Plan.

7.35. The policies and sites in Local Plan were subject to a full Habitats Regulations Assessment. A small number of policies and sites were found to have likely effects

16 Protection of Badgers Act 1992
http://www.legislation.gov.uk/ukpga/1992/51.

17 Barrow Borough Local Plan Pre-Submission Draft
https://data.barrowbc.gov.uk/dataset/barrow-borough-Council-local-plan-publication-draft-2016

on Natura 2000 Sites therefore an Appropriate Assessment was carried out to explore and identify possible avoidance and mitigation measures.

Barrow Borough Green Infrastructure Strategy[18]

7.36. The Green Infrastructure Strategy designates land as green infrastructure, (Green Wedges, Green Links, Green Corridors, Green Spaces and Green Routes). Such areas provide important habitat in the Borough.

18 Barrow Borough Green Infrastructure Strategy
https://data.barrowbc.gov.uk/dataset/planning-policy-landscape-and-green-infrastructure

8. Further Guidance and Evidence

8.1. Appendix E includes a list of environment bodies and explains their roles.

8.2. Natural England is a statutory consultee on planning matters and their website contains a wealth of information including online conservation advice for marine protected areas[19] and a discretionary advice service for developers[20].

8.3. Natural England also produces Impact Risk Zones (IRZs)[21]. IRZs are a GIS dataset comprising of a series of zones around each SSSI, SAC, SPA and Ramsar site, which specify the types of development that may have the potential to impact upon a designated site.

8.4. The Chartered Institute of Ecology and Environmental Management (CIEEM), in partnership with CIRIA and IEMA, have produced some guidance for developers in order to help achieve net gain targets for biodiversity. The document "Biodiversity Net Gain – Good Practice Principles for Development[22]" looks at opportunities in all stages of development from designing and building to operating and maintaining.

Cumbria Biodiversity Data Centre[23]

8.5. The Cumbria Biodiversity Data Centre (CBDC) surveys, analyses and shares information on Cumbria's natural history, wildlife sites and habitats. CBDC has developed the Cumbria Biodiversity Evidence Base (CBEB) which aids local authorities and developers during the planning process. The group also provides a site "desk study" enquiry service for species, habitats and sites data.

19 Natural England Online Conservation Advice
http://www.gov.uk/government/collections/conservation-advice-packages-for-marine-protected-areas

20 Natural England Discretionary Advice Service
http://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals

21 Impact Risk Zones can be found at the following links:
MAGIC website: http://magic.gov.uk
Barrow Borough Council webmapping: https://webgis1.barrowbc.gov.uk/webgis/bingis.html

22 Biodiversity Net Gain – Good Practice Principles for Development (CIEEM, CIRIA, IEMA)
https://www.cieem.net/data/files/Publications/Biodiversity_Net_Gain_Principles.pdf

23 Cumbria Biodiversity Data Centre
http://www.cbdc.org.uk/

Local Nature Partnerships

8.6. Proposals which support the aims and objectives of the local nature partnerships covering the Barrow area should be considered.

11: Grey Seals South Walney Nature Reserve

8.7. The Cumbria Local Nature Partnership consists of a wide range of organisations including statutory agencies, local authorities, farming representatives, landowners, research and educational institutions, businesses, voluntary organisations and community groups. One of the main aims of the CLNP is to "*foster a step change in delivery for the environment embedding its values in local decisions for the benefit of nature, people and the economy*".

8.8. The CLNP have produced the Cumbria Local Nature Partnership Strategy 2015-2020[24] which sets a vision for the county and outlines the approach required to meet its vision. It identifies priority actions and resources required to enable those to take place. It also sets measurable targets and monitors progress.

24 Cumbria Local Nature Partnership
https://www.cumbriawildlifetrust.org.uk/sites/default/files/clnp_environment_strategy_20-01-2015.pdf

8.9. The Morecambe Bay Local Nature Partnership is a team of key organisations working together to attract external funding and support for major initiatives. Its aim is to act as a catalyst for significantly improving the quality of the natural environment and connecting up nature, business and communities. The group have had a number of successes and further details can be found on their website[25].

Habitats Regulations Assessment Guide[26]

8.10. The Borough Council has produced a guidance leaflet which provides further information on developments which may have an effect on Natura 2000 Sites. This is available on the Council's website or from Barrow Town Hall.

[25] Morecambe Bay Local Nature Partnership
http://www.morecambebaynature.org.uk/about

Technical Guidance

9. Preparing Planning Applications

9.1. The guidance and legislation discussed in previous pages should be considered when preparing planning applications, where appropriate.

12: Wildflowers

9.2. It is easier to avoid biodiversity impacts when they are identified in the early stages when drawing up proposals. This also allows developers to plan for the incorporation of existing biodiversity features into developments.

9.3. The advance planning of ecological works should also always be considered prior to the submission of an application. Some developments may require the collation of ecological data over an extended period of time in order to present the most suitable scheme of mitigation.

9.4. Failure to provide up-to-date, accurate information in relation to biodiversity is a reason to refuse the registration of a planning application. Alternatively it may result in the subsequent refusal of an application when considered against the relevant planning policy.

9.5. The chart on the following page shows the steps applicants should take prior to submitting an application. Each stage is described on subsequent pages. The following section also contains guidance for developments where landscaping schemes are required.

9.6. Submitting the right information alongside the planning application will help ensure that applications are validated and determined more quickly. It will also help the authority determine whether biodiversity has been given adequate consideration when drawing up proposals.

9.7. Planning application should include:

- Completed biodiversity checklist (see appendix A);
- All protected/priority species/habitat surveys (where necessary);
- Tree surveys where required;
- A detailed mitigation and or compensation scheme (where required). This should be guided by the surveys above;
- Details of existing and proposed biodiversity features demonstrating how the proposal provides a net gain in biodiversity;
- Costed maintenance specifications and monitoring proposals for each of the nature conservation features;
- Details of how proposals will be implemented e.g. description of works, personnel involved, and procedure for ensuring that any future owner/occupiers know their responsibilities;
- Construction /Environmental Management Plans;
- Habitats Regulation Assessment (where required);
- Environmental Impact Assessment (where required);
- Foul and surface water drainage plans;

9.8. The Council has produced a Validation checklist which identifies what further documents are required at submission stage[27].

27 Barrow BC validation checklist
http://www.barrowbc.gov.uk/residents/planning/development-control/planning-forms-and-guidance/

Pre-application Considerations

STEP 1: Consider proximity to NATURA 2000 sites (See the Council's HRA Guidance leaflet for further information.)

Is the site located within or close to a Natura 2000 Site (SAC, SPA, RAMSAR site)? If yes, carry out a Habitats Regulation Assessment and move to step 2. If no, move straight to step 2.

STEP 2: Complete Biodiversity Checklist

Consider what biodiversity features are on and adjacent to the site. See Appendix A of this document for template.

Are existing biodiversity features likely to be affected by the development? If yes, move to step 3. If no, move to the green box.

If No…

STEP 3: Carry out a Nature Conservation Survey

Determine if there are any **protected habitats or species** on the site and what effect the proposal will have on them.

Are protected/priority species and/or habitats likely to be affected by the development? If yes, move to step 4. If no, move to the green box.

If No…

STEP 4: Consider whether avoidance and mitigation measures can remove any detrimental effects.

Will harm remain to protected/priority species and/or habitats following proposed avoidance and mitigation measures? If yes move to step 5. If no, move to the green box.

If No…

STEP 5: Consider and seek expert ecological advice on appropriate compensation measures in order to ensure no net loss of biodiversity.

Compensation must be justified, appropriate and guaranteed to be deliverable.

Will compensatory measures ensure no net loss of biodiversity? Is the development in the overriding public interest? If the answer is yes to **both** of these questions move to the green box. If the answer is no to **either** of these questions then development will not be supported and a alternative proposal should be considered which must follow the same assessment process.

If Yes to both

Enhancement

Consider how the proposal can be improved so that it delivers a net gain in biodiversity. Details should be included as part of any planning application.

Submission

Submit planning application and include all the relevant surveys and evidence.

10. Biodiversity Checklists

10.1. Applicants should complete a simple biodiversity checklist to determine whether habitats or species are likely to be present on site and whether they are likely to be affected by proposals. A copy of a blank checklist can be found in Appendix A although applicants may also use their own templates.

10.2. The checklist will ascertain:

- The site's proximity to Natura 2000 Sites, Site of Special Scientific Interest (SSSI) and National Nature Reserves;
- Whether the site is located within an Impact Risk Zone[28];
- If there are any potential habitats present on or adjacent to the site;
- Whether any trees within, or adjacent to, the site are subject to a tree preservation order;
- Whether a protected species survey, such as a bat survey is required;
- Whether barn owls or other nesting bird surveys are required.

10.3. Where the checklist identifies potential harm to a Natura 2000 Site (Special Area of Conservation, Special Protection Area or RAMSAR site) applicants should consult the Council's Habitats Regulations Assessment Guide.

10.4. Whilst the checklist has been designed to detect the majority of biodiversity features which could be affected by development, the advice of an ecologist should be sought where feasible as protected species can live in the most unlikely places.

10.5. Checklist answers must be transferred to the relevant planning application form (1APP form, Question 13). If the answer to any part of Question 13 is yes, the relevant ecological surveys must be carried out and the survey report must be included with the planning application. This will enable the case officer to fully assess the biodiversity impact of the proposal.

28 Impact Risk Zones
http://magic.gov.uk
http://data.gov.uk/dataset/sssi-impact-risk-zones3

11. Habitat and Species Surveys

Nature Conservation Survey

11.1. Where the checklist identifies that there is a reasonable likelihood that the development could potentially harm internationally, nationally or locally designated sites or protected or priority species/habitats, then the applicant must undertake appropriate surveys to:

- Confirm the presence or absence of the species and
- Assess the likelihood and significance of the harm.

11.2. Historical species records for the site should be taken into account. This data, along with initial survey work, may identify further survey needs that were not apparent from the Biodiversity Checklist (e.g. past use of the site by protected species).

11.3. Habitat and species surveys must be carried out **prior** to the determination of an application, in accordance with Part IV of Circular 06/2005 and cannot be dealt with by conditions attached to planning approvals.

11.4. Surveys should include scaled plans where appropriate and should be submitted as part of the planning application.

11.5. Where protected species surveys are required applicants should refer to the Government document "Planning and Development: Construction near protected areas and wildlife"[29] document.

11.6. Surveys should be carried out by an appropriately qualified ecologist to a nationally recognised standard and the report should provide contact details, qualifications and experience of all personnel (those carried out the survey and those who will do any works).

11.7. The survey should take into account any biodiversity features on or near the site. 'Near' will vary in its meaning depending on the development's zone of influence and the relative sensitivity of species and habitats in the surrounding landscape.

29 Construction Near Protected Areas and Wildlife, UK Govt, 2014
https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife

11.8. The information gained from the site survey and assessment should be up-to-date (i.e. less than two years since the survey was conducted) and sufficient to allow the impact of the development to be appropriately assessed.

11.9. Certain protected species surveys must be carried out at particular times of the year, see Appendix B for further information.

11.10. Standard survey methods should be used.[30]

11.11. Where protected species surveys are required, applicants should refer to government planning advice[31],

11.12. Even when a survey concludes that no protected or priority species are present on the site, or that the proposal will not cause habitat loss or have a negative effect on biodiversity, the survey (including methodology, results and conclusions) should still be submitted in full as part of the planning application.

11.13. In all cases, whether significant effects are likely or not, applicants should consider whether any nature enhancements can be made to encourage and support ecological networks and improve the Borough's wildlife. Each development must provide a net-gain to biodiversity; this could be as simple as planting new trees, creating areas for wildflowers or by erecting bird boxes.

Protected Species Surveys

11.14. Applicants should consult Natural England's standing advice on protected species[32] as early as possible.

11.15. Natural England's licensing process must be followed[33]. The Natural England licensing process, which grants permission for activities that impact upon protected species, is closely related with the planning process. Appendix D and paragraph 3.17-3.19 discuss common species occurring in the Barrow and Cumbria area.

11.16. Circular 06/2005 states that "*bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected*

30 Sources of Survey Methods, Chartered Institute of Ecology and Environmental Management
http://www.cieem.net/sources-of-survey-methods-sosm-
31 Construction near protected areas and wildlife, UK Government, 2014
https://www.gov.uk/construction-near-protected-areas-and-wildlife.
32 Protected Species: How to Review Planning Applications (Standing Advice), 2014
https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications
33 Wildlife Licenses: When you Need to Apply, UK Government, 2014
https://www.gov.uk/guidance/wildlife-licences

species unless there is a reasonable likelihood of the species being present and affected by the development."

13: Soprano Pipistrelle (c/o. www.bats.org.uk)

Tree Surveys

11.17. Larger developments often require a tree survey which follows BS5837:2005. Where developments involve the removal or reduction in trees protected by Tree Preservation Orders a survey will also be required.

11.18. Tree surveys concentrate on the health and amenity value of trees rather than their biodiversity importance so these cannot be relied upon to cover protected species issues.

11.19. Old trees and those with cracks, splits, lifted nark and rot holes can be very valuable to wildlife including protected species such as bats and barn owls. It is recommended that the tree survey and ecological survey are considered together to ensure that trees of importance to wildlife and trees of high visual amenity and landscape value are retained as part of a development.

12. Landscaping Schemes

12.1. Landscaping schemes will be required for most developments, particularly on sites in prominent locations.

12.2. The level of detail required for a landscape scheme will be dependent on the type and location of the new development. Further guidance can be found on pages 44 and 45 and advice can be sought from the case officer dealing with the application.

12.3. A clearly marked site location plan at an appropriate scale (1:1250/2500) should be submitted for all submissions which shows:

- The development site boundary (marked in red),
- Abutting land holdings of the applicant (marked in blue),
- A north point and scale,
- Surrounding properties and physical features.

12.4. Native species should be used in landscaping schemes and developers will need to demonstrate that the chosen species will be able to grow in that environment. Any new trees should not cause problems in future in relation to surrounding buildings, traffic sight lines and services such as overhead wires or underground pipes/cables.

12.5. Non-native species that are locally problematic such as Sea Buckthorn, Japanese Rose and Snowberry should not be included in planting scheme.

12.6. Around a third of the world's food production relies directly or indirectly on insect pollination. Species and varieties should support pollinators and developers should include plants which flower at different times throughout the year. The Royal Horticultural Society Perfect for Pollinators list can help create pollinator-friendly landscapes[34].

34 RHS Perfect for Pollinators List
https://www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/rhs-perfect-for-pollinators-garden-plants.pdf

12.7. Where possible you should always plan to protect and/or create habitats as part of landscaping schemes. Simple measures such as choosing a secluded area and making log piles can be of significant wildlife value.

12.8. Hedgerows provide excellent wildlife habitats and should be considered as boundary treatments instead of fencing where appropriate. Where possible on new developments native hedgerow mixes should be incorporated to soften boundaries particularly in more peripheral areas.

12.9. Hedgerows that are to be retained must be shown on submitted drawings and surveys. Where a hedge has been neglected for several years, plans should include proposed works to bring the hedge back into an easily manageable condition. Any works should consist of proper hedgerow management techniques and not just lopping. Consider phasing works for the benefit of wildlife.

12.10. All landscaping schemes should include details of phasing proposals i.e. what species are being planted when.

12.11. A landscaping scheme management plan will be required as a condition of the planning consent. The plan should provide details of the ongoing maintenance and management of the scheme to ensure its long term contribution to the environment. Further details can be found on page 50.

12.12. Particular care must be taken during the initial establishment period of new planting and retained vegetation, typically 5 years or as otherwise specified.

12.13. Where possible, the landscaping should integrate with any sustainable drainage system that incorporates features such as ponds and swales (especially in highway verges.)

14: Landscaping buffer

12.14. When drawing up landscaping schemes consideration should be given to any heritage assets which may be affected. Whilst in most instances conserving biodiversity will bring about complementary enhancements to the historic environment, in rare cases there may be conflict. For example, measures to protect and enhance the natural environment may inadvertently threaten wetland heritage if not handled sensitively. Similarly, the management of archaeological remains may require the removal of encroaching scrub or trees, the restoration and repair of old structures will frequently reveal the presence of protected species, and managing change in historic parks, gardens and other landscapes, may need the consideration of many features, including historic layers.

12.15. In such cases where there may be potential conflict, solutions can often be found through early engagement with the Planning Authority and the relevant historic and environmental bodies.

Landscaping Schemes – Basic Requirements

12.16. The following list is indicative and not exhaustive and you may be asked to provide additional information by the Case Officer. The landscaping scheme should contain the following information in the form of drawings, written specifications and method statements.

- Overall design concept (larger developments).
- Soft landscape features (areas of woodland, specimen plants, shrubs, ground cover, grass, native/ornamental species, existing condition and treatment of retained vegetation etc).
- Hard landscaping features (playing surfaces, roads, footpaths, areas of hardstanding, cycleways, brindleways etc).
- Buildings and other physical structures and their relationship with external space.
- Use/function of external areas (for example play area, private amenity space, public open space).
- Contours and levels (existing and proposed, areas of cut and fill, identify any surplus, spoil for disposal).

- Services above and below ground (including zones of restriction by statutory undertakers affecting planting).
- Boundaries (location, type and height).
- Land Drainage (natural and man made).
- Measured survey of existing trees (species, English names, height, spread and condition).
- Where there are trees on site an arboricultural survey to determine their condition, irrespective of development impact should be provided.
- Wildlife Habitats and features of ecological interest.
- Visual considerations, views into and out of the site.

Detailed Planting Proposals

- Consider what species are used within the surrounding area.
- Include a plan showing the Latin names of the species used, plant densities, numbers, locations, species, variety, form, size (height, spread, girth and pot size).
- Topsoil/planting medium (depth and specification and finished level adjacent to paving).
- Planting specification including site preparation, water points/irrigation and plant establishment maintenance, mulch (depth and specification) and supports for trees/shrubs/climbers.
- Doors, windows fronting onto shrub beds, cellars, overhanging eaves, balconies and fire escapes and relationship to external routes.
- Protection of existing and proposed planting e.g. during construction works (temporary/permanent).
- Grass/seeded areas (mowing edges, seed mixes).
- Proposed remedial surgery (to existing trees, hedges, shrubs).

- Service lines.
- As required, evidence to show that imported subsoil/topsoil is free from contamination (including pernicious weeds).
- Confirmation that all preparation, planting and aftercare will accord with the appropriate British Standard.

Landscaping Scheme Management Plans

12.17. Management plans are important to ensure that the planting becomes fully established and reaches maturity.

12.18. A landscaping scheme management plan, if required, should include the following details. This could be set out graphically and/or in writing.

- Indicative height of tree and shrubs over time (e.g. drawing showing heights after 5-7 years).
- Mechanisms (legal or other) to ensure effective long term management of the landscaped area.
- Land ownership and boundary responsibilities.
- Arrangements for quality control, monitoring, inspection and handover.
- Maintenance regimes (frequency and types of operation for hard and soft landscape areas including grass, ornamental planting, naturalistic planting, woodland, watercourses, paving and structures.)

13. Choosing Consultants

13.1. The Chartered Institute of Ecology and Environmental Management (CIEEM) maintain a list of member who offers commercial consultancy services. The Environmental Consultants Directory website offers a similar search.

13.2. Questions to ask when choosing ecologists…

- Are they members of an appropriate professional body? Consultants should be eligible for membership of the Chartered Institute of Ecology and Environmental Management (CIEEM).
- Do they hold the relevant wildlife license (where applicable)? Some protected species can only be handled or trapped by people holding particular government licenses.
- Do they have relevant previous experience? You may wish to ask for examples of recent work or a list of references.
- Do they have knowledge of the local area? Ecologists with local knowledge may be able to assess the implications of a scheme within the local context.
- What are the costs? It may be worth obtaining more than one quotation as prices can vary greatly. Be as clear as possible about what work is required to ensure it is contained with in the quote.

15: Landscaping aerial view

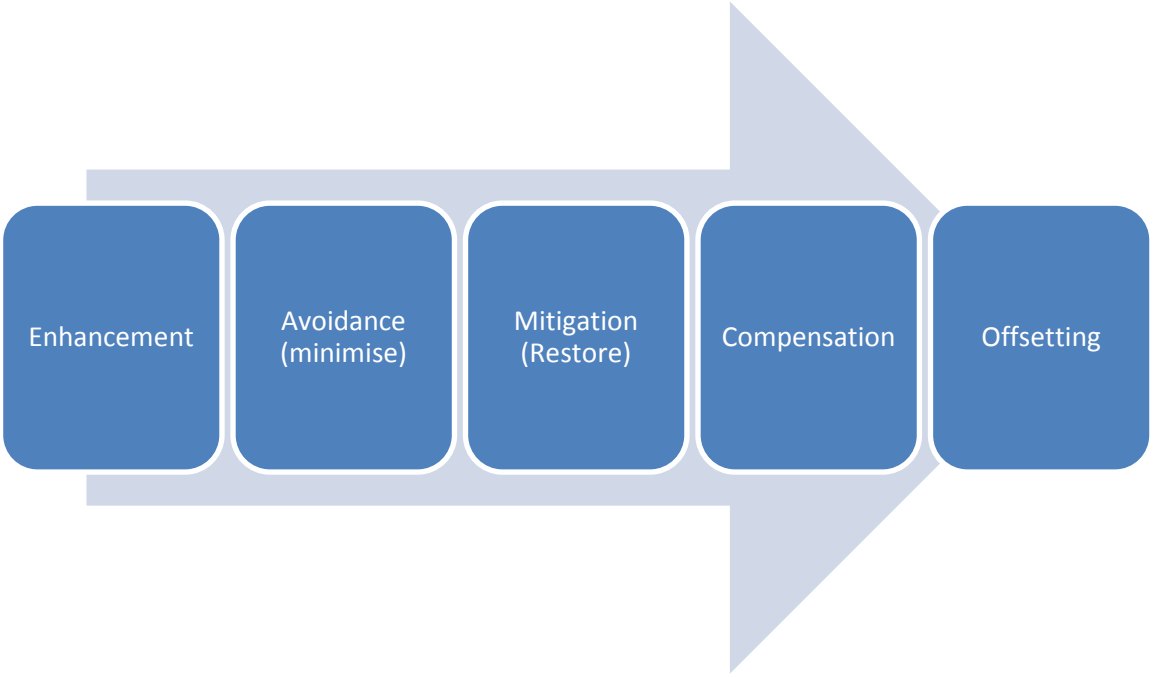
14. Mitigation Hierarchy

14.1. Applicants should consider the potential effects of development on the full life cycle of protected/priority species, taking into account the following:

- Food
- Water
- Shelter
- Reproduction
- Dispersal

14.2. For example preserving a great crested newt breeding pond within a development would not be sufficient to conserve the species if its terrestrial habitats (which provide both shelter and food) are destroyed.

14.3. The Council supports the mitigation hierarchy which follows the steps below sequentially. Enhancement and net gain should be sought at every stage of the hierarchy where possible and is required in addition to any mitigation/compensation measures which are required under the regulations:



15. Biodiversity Enhancement

Net Gain

15.1. **All new development should provide net gain in biodiversity where possible.**

15.2. Net gain approaches make positive contributions to national and international biodiversity commitments by creating a legacy of more or better quality biodiversity than existed before.

15.3. Net gain is about using the development process to leave the environment in a measurably better state than it was in beforehand. It helps to secure a gain legacy that benefits people and nature. Net gain can be delivered at both project and/or spatial scales, through using a metric based approach to biodiversity.

15.4. Net gains in biodiversity should be demonstrated at the planning application stage. To deliver net gain, it needs to be considered at both a strategic and site level. Plans must show the new nature features offered as well as any existing features to be retained/improved.

15.5. For major developments, measurable net gains must be demonstrated. This should be appropriate to the scale, type and location of the development. The Council's Site Assessment document includes guidance on green infrastructure requirements on the emerging housing allocations in order to enhance biodiversity.

15.6. The Council may attach planning conditions to ensure that enhancements are implemented and maintained.

15.7. The creation of habitats must be measurable and follow the principles of biodiversity offsetting in calculating compensation. There are a number of different metric based tools available for measuring impacts upon biodiversity. Most are based upon the "Defra Metric" model[35] developed in 2012, which is recommended by Natural England.

15.8. Using a recognised metric to deliver a net gain in biodiversity provides a clear, transparent and evidence-based approach to assessing a projects biodiversity

35 Technical Paper: The Metric for the Biodiversity Offsetting Pilot in England https://www.gov.uk/government/publications/technical-paper-the-metric-for-the-biodiversity-offsetting-pilot-in-england

impacts that can assist with de-risking a development through the planning process and contribute to wider space-making.

15.9. Further guidance on the DEFRA Metric system can be found in Appendix F.

15.10. In exceptional circumstances, it may not be possible to provide a net gain in biodiversity. In such circumstances, a written statement must be provided by the applicant demonstrating why this is the case and agreed by the Planning Authority as part of the application process.

Development Principles

15.11. The following principles should be followed:

- Developers must consider how any areas for biodiversity will be managed and funded in the short, medium and long term. Management plans and funding schemes must be in place to ensure enhancements are sustainable.
- Enhancements could be in the form of new areas for biodiversity or improvements/extensions to existing areas of green infrastructure.
- Public open space should include natural or semi-natural habitats. Larger spaces are logistically easier and more cost effective to manage than smaller ones and make a greater wildlife and amenity contribution. In areas which contain several adjoining development sites, applicants should consider working together to create larger and more effective habitats.
- Enhancements should contribute to Biodiversity Action Plan objectives.
- Schemes which also provide sustainable drainage or flood attenuation will be welcomed.

16: Bird Box, Lindal Green

- Consideration should be given to the guidance in Appendix F when drawing up landscaping and planting schemes, along with Local Plan Pre-Submission Draft policy DS6.
- New biodiversity benefits must be fully integrated into the development, not fragmented into isolated pockets or peripheral parts of the site.
- Applicants must take into account wider landscape and ecological context of a site and take opportunities to improve the connectivity of habitats.

15.12. Opportunities should be taken to incorporate biodiversity into the fabric of buildings for example through:

- Living roofs and/or walls. These promote biodiversity, minimise water run-off, improve building insulation, reduce cooling costs in summer and can improve the appearance of an area. Such schemes are unlikely to be appropriate for traditional or Listed Buildings.
- Swift and swallow bricks, which are mortared directly into brick walls.
- Bat access tiles for roofs, bat bricks and bat cavities for walls.
- Sustainable urban drainage systems.

15.13. The Chartered Institute of Ecology and Environmental Management (CIEEM), in partnership with CIRIA and IEMA, have produced further guidance for developers in order to help achieve net gain targets for biodiversity. The document "Biodiversity Net Gain – Good Practice Principles for Development[36]" looks at opportunities in all stages of development from designing and building to operating and maintaining.

36 Biodiversity Net Gain – Good Practice Principles for Development (CIEEM, CIRIA, IEMA) https://www.cieem.net/data/files/Publications/Biodiversity_Net_Gain_Principles.pdf

16. Avoidance

16.1. Where an adverse effect is likely, avoidance measures should be taken. These could include:

- Designing the layout of the site in a way which retains any important biodiversity features.
- Locating the development and associated infrastructure away from areas of ecological interest.
- Scheduling works when key species are not active or breeding.
- Limiting construction and operational noise so that they don't exceed existing noise levels.
- Scheduling works outside high tide and periods of freezing weather.
- Designing construction lighting and development lighting to avoid significant spill.
- Cover excavations and provide means of escape.
- Limiting work to daylight hours.

16.2. The most appropriate avoidance measures will depend upon the specifics of each proposal and early discussion with the local planning authority is encouraged.

17. Mitigation

17.1. Unavoidable impacts should be mitigated i.e. steps should be taken on site to minimise the duration, intensity and/or extent of impacts.

17.2. Mitigation measures could include:

- Adapting construction methods to minimise pollution.
- Altering site plans to minimise disturbance to sensitive species or habitats.

17.3. The provision of mitigation strategies and compensatory habitats are likely to be required in advance of a development project and may be the subject of a legal agreement with the planning authority. This ensures that any newly created habitat and/or nature conservation feature is of a suitable standard prior to the loss of the existing habitat or feature. This then allows for the safe relocation of protected species and/or ensures that there is no net-loss to biodiversity caused by the development.

17.4. In order to mitigate against habitat fragmentation, developers should consider using appropriate plant species, the creation of buffer zones, stepping stone habitats and wildlife corridors to ensure the development is integrated into the wider environment.

17: Gorse habitat at Barrow Gas Terminal

18. Compensation

18.1. Compensation should be used as a **last resort** only when all on-site avoidance and mitigation options have been considered and exhausted. Applicants must demonstrate why mitigation is not possible to achieve or why it would result in residual harm. Alternative solutions should be identified within the planning application along with a list of reasons why they have been ruled out.

18.2. Development which has significant effects on protected/priority habitats or species can only go ahead if the benefits of the proposal *clearly and demonstrably* outweigh the importance of biodiversity conservation.

18.3. In such cases compensation will only be accepted where independent expert advice indicates that there will be a high chance of success. The NPPF paragraph 118 states that:

> "*If significant harm (to biodiversity) cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*."

18.4. Compensation will be secured through planning conditions and/or obligations negotiated to prevent biodiversity loss.

18.5. Unlike mitigation, compensation is usually carried out off-site and often involves major habitat restoration or creation to make up for what is being lost through development.

18.6. Compensation should be funded by the developer in accordance with the UK Government Sustainable Development Strategy (2005), which states that environmental costs should fall on those who impose them (the 'polluter pays' principle[37]).

18.7. Some compensatory measures can be relatively inexpensive e.g. the provision of bird boxes. Others such as the translocation of species may be more expensive. Some measures, such as the construction of a bat roost building may also require planning permission in their own right.

37 Securing the future: delivering UK sustainable development strategy, UK Govt. 2005. https://www.gov.uk/government/publications/securing-the-future-delivering-uk-sustainable-development-strategy

18.8. Compensation must be measurable and can comprise of (in order of preference):

- Translocation of species or habitats to another part of the site,
- Translocation of species or habitats to another suitable site within the Borough,
- Creation of replacement habitat within the site,
- Creation of replacement habitat outside the site (biodiversity offsetting),
- Payment of a commuted sum paid to the Council to improve or create equivalent habitat elsewhere.

18.9. Developers must demonstrate why a sequentially preferable compensation measure is unsuitable.

18.10. Compensation measures should follow these principles:

- Successful recreation or translocation of the biodiversity feature should be reasonably certain.
- Compensation habitats should be created to a suitable quality before damage takes place, allowing species to colonise it from the area to be lost. Some features (e.g. hedgerows, ponds, badger setts) need time to mature and function ecologically before they will offer effective alternative habitat.
- Compensation will often require delivering much more habitat than what has been lost, to account for failure risk, climate change effects or other factors.

18: Reptile barrier, Waterfront Business Park, Barrow

- Measures should be in place to secure the ongoing management of the compensation.
- All biodiversity losses and gains should be calculated and recorded. Where a habitat is to be lost its value must first be measured to ensure that any replacement habitat is of greater value. See Appendix C for further information.
- Where the compensatory habitat is outside the development site boundaries this is termed as biodiversity offsetting.

18.11. On site compensation and offsetting schemes must produce habitats of measurably greater biodiversity value than those they are replacing. The Council considers the minimum increased amount or "replacement percentage" to be set at **20%** above the biodiversity unit value of the habitat lost.

18.12. For example, habitats with a value of 10 biodiversity units must be replaced with habitats of 12 units or more to ensure biodiversity gain. This is the minimum that would be accepted and the replacement percentage may be increased if for example: ecological networks have to be maintained or to avoid fragmentation of important existing habitats.

18.13. It is not practically possible to compensate for the loss of some nature conservation features, such as ancient woodland and hedgerow and veteran trees. Proposals which compensate for loss or damage to such features will be refused unless it is clearly demonstrated that the need for, and benefits of, development in that location outweigh the loss of such features.

18.14. Any form of compensation should be in line with local nature conservation strategies, in order to avoid the creation of stand-alone islands of compensation habitat that have little relation to existing biodiversity and existing ecosystems.

18.15. Involvement of the Local Nature Partnerships (see appendix E) and Natural England at an early stage can help to ensure that compensation is linked up with existing strategies, supporting compensation that feeds directly into planned conservation priorities. This will help achieve "more, bigger, better and joined" areas for wildlife[38].

38 The Lawton Report 2010
http://webarchive.nationalarchives.gov.uk/20130402170324/http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf

Translocation

18.16. Translocation is a form of compensation. Both species and habitats can be translocated. When habitats are translocated existing vegetation and soils from the development site are re-used to create a new habitat elsewhere. It is likely that translocated habitats will lose a portion of their biodiversity value therefore additional habitat creation should be included to account for this reduction.

18.17. Where legally protected species are involved and are likely to be effected by proposals translocation may be the only option available.

18.18. Where all other options have been exhausted and translocation is proposed, full details must be submitted as part of the planning application. The following information must be provided:

- The location, size and physical characteristics of the donor and receptor sites – this must be shown on detailed plans.
- Evidence that the receptor site is appropriate and suitable for the translocated species.
- The technique to be used to collect and move the species, including timescales.
- The equipment to be used.
- The personnel involved and their relevant qualifications.
- Any proposed habitat management of the donor and receptor sites which may be required before and after the move.
- Details of previous and future ecological monitoring of the species/habitat.

19: Replacement Habitat

19. Biodiversity Offsetting

19.1. The recent 'State of Nature' report indicated that 60% of all species are in decline and this can partly be attributed to the loss of semi natural habitats to make way for new development.[39]

19.2. Biodiversity offsetting compensates for unavoidable damage done to an area by recreating habitat elsewhere. It can help create better ecological networks and prevent habitat loss when carried out correctly.

19.3. In practice, offsetting is difficult to put into practice as each site is unique with its own site characteristics such as topography, location, soils, surroundings etc. These can be difficult to recreate on alternative sites. Individual sites are also part of a wider ecosystem.

19.4. Creating new habitats can be challenging and expensive, particularly when the full needs of a species is not understood. When creating a new habitat for a particular species, consideration needs to be given to the complex physical and chemical interactions between the species and other organisms and the connections between species and their environment.

19.5. Where biodiversity offsetting is proposed, the Council encourages early dialogue to ensure the most appropriate locations are chosen.

19.6. If an applicant is unable to locate and secure an appropriate site on which an approved offsetting scheme can be created then this will necessitate a financial payment to the Council via a planning obligation (s106 Agreement). This would allow the Council to secure adequate compensatory measures. In each instance the required commuted sum is determined by a bespoke calculation which takes into account the costs of habitat creation/management over a period of 25 years and a management fee to provide the offset. A brokerage fee may also be required.

39 Biodiversity Offsetting, Buglife
https://www.buglife.org.uk/campaigns-and-our-work/policy-and-legislation/biodiversity-offsetting

Creation of nature conservation features/habitats

19.7. Proposals for habitat creation must be described in detail as part of a planning application. The following information must be included:

- The location, size and physical characteristics of the receptor sites.
- Details of the conservation features to be created and identified on site plans.
- The techniques used to create the feature, including timescales.
- The equipment to be used.
- The personnel involved including details of any relevant qualifications.
- Any habitat management proposed for the creation of the feature/habitat which may be required before and after creation.
- Details of previous and future ecological monitoring of habitats/species.

19.8. The following translocation or habitat creation proposals are likely to be unacceptable as they are likely to result in a net loss in the Borough's biodiversity:

- Translocation of habitats or species outside the Borough .
- Creation of new habitats outside the Borough boundaries.
- Translocation of species to sites which already support good populations of the same species, or when habitat enhancement to accommodate the increased population size cannot be reasonably achieved.
- Where the proposed translocation will have a detrimental impact upon other protected species e.g. the removal of insect and reptile species at the donor site may impact upon species that feed upon them such as birds and bats.
- Where the translocated species may have a detrimental impact on other protected species at the receptor site.

20. Construction and Aftercare

20.1. Where a significant amount of habitat is to be retained, restored or created the Council may use a planning condition to require the production of a Construction Environmental Management Plan. Further details can be found on pages 67-68.

20.2. All personnel working on site should be made aware of such plans. This will ensure they understand the nature objectives of the development and adapt their working practices accordingly.

20.3. CEMPs identify the biodiversity features which will be managed to maintain and enhance the site's nature conservation value. They set out objectives for these habitats, with detailed management specifications and a monitoring programme covering at least ten years.

20.4. The CEMP must be fully costed and must specify how the management and monitoring will be funded.

20: How Tun Woods, Barrow

20.5. Applicants who envisage a non-governmental or public sector organisation taking on a role in long term management should contact the appropriate organisations as early as possible before submitting a planning application.

20.6. Habitats retained or created through development should be maintained in perpetuity. This means for the life of the development, or in legal terms 99 years. Temporary developments may require shorter term management.

20.7. Large projects or those where significant impacts are likely may require the appointment of a suitably qualified Clerk of Works (CoW).

20.8. The role of a CoW is to guide and advise on how to avoid or minimise environmental impacts during site preparation and construction. A CoW is the person to contact should any unforeseen issues arise (e.g. accidental chemical spillage) in order to protect ecology. They will also ensure that the Construction Management Plan is followed.

20.9. If a protected species is found which has not been identified in previous surveys the developer should stop works immediately and contact Natural England for further advice. Planning permission does not in any way relinquish or diminish the applicant's legal responsibilities when dealing with any protected species.

21: Housing Development, Barrow

21. Construction Environmental Management Plans (CEMPs)

21.1. The purpose of such documents is to identify how construction will avoid, minimise or mitigate adverse effects on the environment and surrounding communities and to help ensure that development is compliant with environmental regulations and legislation.

21.2. CEMPs are often required as a condition of planning consent but can also be submitted with the application if raised in pre-application discussions. They are live documents that are regularly reviewed and updated throughout the project.

21.3. CEMPs should include the following:

- A risk assessment which identifies all aspects of construction process that could have an environmental impact;
- Names and contact details of responsible personnel e.g. Clerk of Works, ecologists etc;
- Details of the timing of works to minimise risk of disturbance to protected and other species;
- Details of construction lighting, access arrangements, areas to be fenced off etc;
- Procedures for dealing with unexpected discoveries, e.g. previously undetected protected species or injured wildlife.

21.4. CEMPs should consider the following issues:

- Air quality, water quality and drainage, noise and vibration, geology and soils, landscape and visual impact, nature conservation, archaeology and cultural heritage, people and communities, waste, energy, transport, and materials.

21.5. Items you should include:

- Introduction – what is the purpose, scope and structure of the document.
- Project Description/Scope of work – Information about the development including location, description of works, construction programme etc.
- Environmental management framework – Relevant policy and legislation, objectives and targets, responsibilities, relevant training and awareness, recording and checking procedures, communications.
- Legal and other requirements – consents and licenses.
- Operational control procedures – e.g. fencing, measures for protecting environmental features, site housekeeping, access, issues listed above.
- Pollution control and contingency – e.g. pollution prevention, fuel handling, plant maintenance, concrete washout, control of sedimentation, notification procedure.

21.6. Monitoring and maintenance schemes must be carried out in the manner specified in CEMPS and planning applications and over the full timeframe required.

22: Housing Development, Barrow

Glossary & Appendices

Glossary

Ancient woodland

An area that has been wooded continuously since at least 1600 AD.

Aged or veteran tree

A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.

Biodiversity

Biodiversity is the variety of all life on Earth. It includes all species of animals and plants and their habitats – everything that is alive on our planet (DEFRA).

Biodiversity Features

These include species and their habitats (including feeding, resting and breeding areas), statutory and non-statutory nature conservation sites and features which provide links/corridors or stepping stones from one habitat to another.

Biodiversity net gain

Net gain is development that leaves the natural environment in a measurably better state than it was beforehand. It requires doing everything possible to avoid losing biodiversity, delivering locally relevant gains and creating long-lasting benefits for the environment, society and the economy.

Biodiversity Offsetting

Biodiversity offsets are conservation activities that are designed to give biodiversity benefits to compensate for losses – ensuring that when a development damages nature (and this damage cannot be avoided or mitigated) new nature sites will be created.

Construction Environmental Management Plan (CEMP)

CEMPs outline how a construction project will avoid, minimise or mitigate effects on the environment and surrounding area.

Defra Metric

A metric is a tool that allows biodiversity losses and compensation to be measured.

Ecological Clerk of Works (ECoW)

The ECoW is responsible for providing advice about ecological and environmental issues during the construction of a development and for ensuring that construction follows the practices set out in the CEMP.

Ecological networks

These link sites of biodiversity importance.

Ecosystem

A system, or a group of interconnected elements, formed by the interaction of a community of organisms with their environment.

Ecosystem services

The benefits people obtain from ecosystems such as food, water, flood and disease control and recreation.

Environmental Impact Assessment (EIA)

A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

European Protected Species

These are species of plants and animals protected by law throughout the European Union and listed in the Habitats Directive.

European Site

This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 18 of the Conservation of Habitats and Species Regulations 2010.

Functionally Linked Land

Land or sea beyond the boundary of a protected site which fulfils an ecologically supporting role for wildlife (particularly birds) populations for which the site was designated. Such land is therefore linked to the site in question, providing an important role in maintaining or restoring the population at favourable conservation status.

Impact Risk Zones

IRZs are a GIS tool developed by Natural England. They define zones around each SSSI, SAC, SPA or Ramsar site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.

Local Geological Sites

These sites, formerly known as Regionally Important Geological and Geomorphological Sites (RIGS), are non-statutory sites that have been idenfied by local geoconservation groups as being of importance. Examples of LGS include ricks and soils exposed in quarries etc, features in the landscape such as areas affected by past glaciation and anthropogenic features including mining sites.

Mitigation

This refers to the steps which can be taken in order to avoid or minimise negative environmental impacts.

Natura 2000 Sites

These comprise of SAC and SPAs which are designated under the EC Habitats Directive and are internationally important for threatened habitats and species.

Nature Improvement Areas

Inter-connected networks of wildlife habitats intended to re-establish thriving wildlife populations and help species respond to the challenges of climate change.

Open space

All open of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Ramsar Sites

Wetlands of international importance, designated under the 1971 Ramsar Convention.

Special Area of Conservation (SAC)

Areas given special protection under the European Union's Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Special Protection Area (SPA)

Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

Site of Special Scientific Interest (SSSI)

These are sites designated by Natural England which provide the best examples of the UK's flora, fauna, or geological or physiographical features. They are protected by law and are referred to in the Wildlife and Countryside Act 1981.

Appendix A – Biodiversity Checklist

Please complete and return to the Local Planning Authority with your planning application.

Site visit/Desk Study observations	Delete as appropriate	Please provide details
Is the development site within a Special Area for Conservation (SAC), Special Protection Area (SPA) or Ramsar site? See Barrow Borough Council webmapping page: https://webgis1.barrowbc.gov.uk/webgis/bingis.html	Yes/No	
Is the development site located within a Site of Special Scientific interest? See Barrow Borough Council webmapping page: https://webgis1.barrowbc.gov.uk/webgis/bingis.html	Yes/No	
Is the development site within an Impact Risk Zone? see http://www.magic.gov.uk and https://data.gov.uk/dataset/sssi-impact-risk-zones3	Yes/No	
Is the site located within a County Wildlife Site? See Barrow Borough Council webmapping page:	Yes/No	

Site visit/Desk Study observations	Delete as appropriate	Please provide details
https://webgis1.barrowbc.gov.uk/webgis/bingis.html		
Is the site located within, or could affect, a Priority Habitat? see http://www.magic.gov.uk	Yes/No	
Buildings		
Does the proposal involve the demolition, modification or conversion of an agricultural building?	Yes/No	
Is the building of traditional brick or stone with exposed wooden beams?	Yes/No	
Does the proposal involve the demolition or removal of buildings and structures with roof voids and gable ends or tile/slate roofs?	Yes/No	
Does the proposal involve a building with weather boarding and/or hanging tiles that are within 200m of woodland and/or water?	Yes/No	
Does the proposal involve the demolition, modification or conversion of a pre-1960s detached building or structure within 200m of woodland and/or water?	Yes/No	
Does the proposal involve the demolition, modification or conversion of a pre-1914 building within 400m of woodland and/or water?	Yes/No	

Site visit/Desk Study observations	Delete as appropriate	Please provide details
Does the proposal involve a listed building?	Yes/No	
Does the proposal involve works to a tunnel, culvert, kiln, ice-house, chalk mine or cellar with access to the outside?	Yes/No	
Does the proposal involve the exterior lighting of churches or listed buildings or the floodlighting of green space within 500m of woodland, rivers, lakes, hedgerows or lines of trees?	Yes/No	
Habitats		
Are any of the following features found on our adjacent to the site? Mature woodland Hedgerows Trees Scrub Grassland Rivers Lakes Marshes	Yes/No	Please state which and provide details

Site visit/Desk Study observations	Delete as appropriate	Please provide details
Ponds ditches		
Does the development involve the removal or pruning of trees that are mature and/or have obvious nesting holes and/or have a girth greater than 1m at 1.5m from ground level. Do the trees have any hollows, cracks, crevices or loose bark?	Yes/No Yes/No	
Does the proposal involve the removal of a traditional orchard, scrub, lines of trees or hedgerow?	Yes/No	
Does the proposal affect, or is within, 100m of a river, stream, ditch, canal, lake or pond?	Yes/No	
Does the proposal affect, or is within, 100m of a quarry, gravel or clay pit?	Yes/No	
Does the proposal affect, or is within, 100 metres of allotments or railway land?	Yes/No	

Site visit/Desk Study observations	Delete as appropriate	Please provide details
Does the development site contain any piles of wood, rubble, woodchip, compost or manure heaps?	Yes/No	
Does the development affect, or is it adjacent to, an area of rough grassland, scrub or derelict land?	Yes/No	

Site address:

Name of the person responsible for completing the checklist:

Relationship to proposal (e.g. applicant, agent, ecologist):

Date of survey:

Appendix B – Ecological Survey Calendar

Further information on surveying techniques can be found on the Natural England Standing Advice website.

<table>
<tr><th></th><th>Jan</th><th>Feb</th><th>Mar</th><th>Apr</th><th>May</th><th>Jun</th><th>Jul</th><th>Aug</th><th>Sep</th><th>Oct</th><th>Nov</th><th>Dec</th></tr>
<tr><td>Habitats and vegetation</td><td colspan="3">Phase One Habitat Survey</td><td colspan="5">Phase 1 Habitat Survey, botanical survey & NVC (National Vegetation Classification)</td><td colspan="3">Phase One Habitat Survey</td></tr>
<tr><td>Badgers</td><td colspan="11">(more signs from October to March)</td></tr>
<tr><td>Bats</td><td colspan="3">Inspection of hibernation, tree and building roosts</td><td colspan="2">Inspection of tree and building roosts</td><td colspan="3">Inspection of building roosts</td><td>Inspection of building roosts</td><td colspan="2">Inspection of hibernation, tree and building roosts</td></tr>
<tr><td></td><td colspan="6"></td><td colspan="3">Activity Surveys</td><td>Activity Surveys</td><td></td><td></td></tr>
<tr><td>Birds</td><td colspan="3">Wintering Birds</td><td>Wintering and migratory birds</td><td>Breeding and migratory birds</td><td colspan="2">Breeding birds</td><td>Breeding birds</td><td>None</td><td>Migratory birds</td><td>Wintering and migratory birds</td><td colspan="2">Wintering birds</td></tr>
<tr><td>Dormice</td><td colspan="3">Nut searches</td><td>None</td><td colspan="5">Nest box/tube surveys</td><td colspan="3">Nut searches</td></tr>
<tr><td>Great Crested Newts (Terrestrial)</td><td>None</td><td>Pond surveys for adults</td><td>Pond surveys for adults and</td><td colspan="2">Pond surveys for adults and eggs. Refuge search</td><td>Pond surveys for adults and</td><td>Refuge search</td><td colspan="2">Larvae surveys.
Refuge search</td><td>Refuge Search</td><td>None</td><td>None</td></tr>
</table>

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
			eggs (mid-March start) / Refuge search			eggs (until mid-June) Refuge search						
Natterjack Toads												
Otters												
Reptiles	None		Refuge Search	Refuge Search			Refuge Search	None	Refuge Search	Refuge Search	None	
Water Voles	None		For field signs			For field signs			For field signs		For field signs	None

Source: Oxfordshire.gov.uk and https://www.gov.uk/guidance/natterjack-toads-protection-surveys-and-licences#survey-methods

Key:

Optimal Surveying Period

Surveying not recommended

Sub-Optimal Surveying Period

Appendix C – Measuring Habitat Value

Step 1
- Apply the avoid, mitigate, compensate hierarchy to understand the residual biodiversity loss

Step 2
- Map the habitat type(s) which will be affected by the proposal

Step 3
- Assess the baseline condition of each habitat and list the species present

Step 4
- Combine the habitat type and condition to calculate an overall number of biodiversity units.

Step 5
- Identify whether there are particular requirements for the type of offset you need to provide (site characteristics – think about aspect, topography, surrounding uses, soils, proximity to water etc)

Step 6
- Decide the most appropriate compensation in discussion with Natural England and the local authority.

Appendix D – Protected Species in Cumbria

Key Habitats (Habitat Action Plans have been produced for the following habitats)	Priority Species (Species Action Plans have been produced for the following species)
Mesotrophic Standing Waters	Bat
Rivers and Streams	Red Squirrel
Cities, Towns and Villages	Water Vole
Coastal Habitats	Barn Owl
Honeycomb Worm Reefs	Song Thrush
Ancient and/or Species –Rich Hedgerows	Vendace (a fish)
Calcareous Grassland	Great Crested Newt
Hay Meadows and Lowland Pastures	Natterjack Toad
Limestone Pavement	Geyer's Whorl Snail
Purple Moor-grass and Rush Pasture	Sandbowl Snail
Blanket Bog	High-Brown, Pearl-bordered and Marsh
Upland Heathland	Fritillaries (butterflies)
Basin Mire	Netted Carpet Moth
Lowland Raised Mire	Variable Damselfly
Reedbed	White-Faced Darter
Upland Oak Woodland	Water Beetle
Upland Mixed Ashwood	Caddisfly
Wet Woodland	Slender Green Feather-Moss
	Lichen
	Juniper

Source: Cumbria Biodiversity Action Plan (BAP)

Appendix E – Environmental Bodies

Natural England

Natural England is the Government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide. Natural England's goals are to create resilient landscapes and seas, put people at the heart of the environment and to grow natural capital.

Natural England's standing advice can be found at the following link:

https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#standing-advice-for-protected-species

Contact Natural England if the standing advice doesn't cover a:

- Protected species that's affected by a planning proposal
- Specific issue which the standing advice doesn't help you with

You must also contact Natural England if the proposal:

- Might affect a protected site[40] such as a site of Special Scientific Interest
- Needs an Environmental Impact Assessment

WEBSITE: https://www.gov.uk/government/organisations/natural-england

EMAIL: consultations@naturalengland.org.uk

ADDRESS: Natural England Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
Crewe
Cheshire,
CW1 6GJ

[40] See the following link for a list of Protected Sites: https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications

Environment Agency

The Environment Agency was established in 1996 to protect and improve the environment. They are responsible for:

- Regulating major industry and waste
- Treatment of contaminated land
- Water quality and resources
- Fisheries
- Inland river estuary and harbour navigations
- Conservation and ecology
- Managing the risk of flooding from main rivers, reservoirs, estuaries and the sea

Contact the Environment Agency where development proposals may affect the chemical and/or biological status of a Water Framework Directive waterbody. This includes development on, under or within 8 metres of the top of a bank/edge of the retaining wall of a designated Main River watercourse.

WEBSITE: https://www.gov.uk/government/organisations/environment-agency

EMAIL: enquiries@environment-agency.gov.uk

ADDRESS: Environment Agency

PO Box 544

Rotherham

Yorkshire

S60 1BY

Cumbria Wildlife Trust

Cumbria Wildlife Trust is part of a partnership of 47 local wildlife Trusts across the UK. The Trust is the largest UK voluntary organisation dedicated to conserving the full range of the UK habitats and species. The Trust manages 44 nature reserves across the county, including South Walney and Foulney Island. The majority of the reserves are open to visitors. It also campaigns for the protection of endangered habitats and species and works with adults and children to teach the importance of the natural world.

The Trusts' website contains a wealth of information on local habitats and species and includes a list of events and projects for those wanting to learn more.

WEBSITE: http://www.cumbriawildlifetrust.org.uk/

EMAIL: mail@cumbriawildlifetrust.org.uk

ADDRESS: Cumbria Wildlife Trust

Plumgarths

Crook Road

Kendal

Cumbria

LA8 8LX

Cumbria Local Nature Partnership

The CLNP covers the county comprises a number of partner bodies and organisations including the Cumbria Local Enterprise Partnership, Cumbria Wildlife Trust, Cumbria Health and well-being board and Cumbria County Council. The CLNP have produced a strategy document which helps identify priorities, sets measurable targets and monitors progress. The document lists a number of desired outcomes:

- More people are engaged with the environment and nature through recreation, volunteering and learning,
- The environment sector contributes more to improving the health and wellbeing of people,
- Greater awareness of and consideration for the natural environment especially amongst those that have the greatest potential impact on it,
- Cumbria is a national exemplar of best practice of h ow the environment underpins and contributes to economic growth,

- Ecosystem networks in Cumbria are coherent and resilient,
- Cumbria has bigger, better and joined up areas of Priority Habitat,
- Priority species in Cumbria will be in recovery
- Cumbria's green infrastructure and its associated benefits are strengthened,
- Good quality data about the environment will be more widely available in suitable formats

A link to the strategy[41] can be found in the footnotes below.

When creating new habitats the aims of the strategy should be considered to ensure maximum benefit.

WEBSITE:

https://www.cumbriawildlifetrust.org.uk/sites/default/files/clnp_environment_strategy_20-01-2015.pdf

EMAIL: grahamjp@cumbriawildlifetrust.org.uk

ADDRESS: Cumbria Local Nature Partnership

Plumgarths

Crook Road

Kendal

LA8 8LX

Morecambe Bay Local Nature Partnership

The Morecambe Bay LNP is a group of organisations and groups whose aim is to act as a catalyst for significantly improving the quality of the natural environment and connecting up nature, businesses and communities. The partnership is:

- Bringing about a step change in the quality of the natural environment around Morecambe Bay by improving, creating and linking wildlife habitats,
- Coordinating and delivering major initiatives to secure optimum outcomes for nature, businesses and communities,

[41] https://www.cumbriawildlifetrust.org.uk/sites/default/files/clnp_environment_strategy_20-01-2015.pdf

- Championing the importance of the natural environment in improving the Morecambe Bay area as a place to live, work, play and invest,
- Supporting opportunities for growth linked to the natural environment – of key sectors such as the visitor economy, farming, forestry and woodfuel.

When creating new habitats the aims of the strategy should be considered to ensure maximum benefit.

WEBSITE: http://www.morecambebaynature.org.uk/home

Cumbria Biodiversity Data Centre

The Biodiversity Centre collates biological records of species in Cumbria. Consultants, planners and ecologists can request data from the centre and the centres website contains a vast amount of information from maps, publications, reports about plants, animals and habitats in the county.

WEBSITE: http://www.cbdc.org.uk/

EMAIL: info@cbdc.org.uk

ADDRESS: CBDC

Tullie House Museum

Herbert Atkinson House

13 Abbey Street

Carlisle

CA3 8TX

Cumbria Mammal Group

The Cumbria Mammal Group has been set up with the objective of raising awareness of the county's mammals and encouraging people to participate in monitoring and recording their presence.

Website: https://www.facebook.com/groups/623402297847059/

Cumbria Geoconservation Group

The Group is a specialist, voluntary geological conservation group which records and manages important geological sites. The Group forms part of the Cumbria Wildlife Trust.

WEBSITE: http://www.cumbriarigs.co.uk/

Appendix F – DEFRA Biodiversity Metric

Biodiversity Offsetting

Bioidversity offsets ate conservation activities that are designed to give biodiversity benefits to compensate for losses – ensuring that when a development damages nature (and this damage cannot be avoided or mitigated) new nature sites will be created. Where possible, biodiversity offsetting is an option available to developers to fulfil their obligations under the planning systems mitigation hierarchy.

One way of calculating biodiversity loss is using DEFRA Biodiversity Metric system. This works by converting habitat types into biodiversity units. Various risk multipliers are then applied to quantify how much and/or what quality habitat must be created or enhanced to achieve a net gain legacy. The metric values both priority and non-priority habitat types e.g. even amenity grassland is afforded a value. Based on the biodiversity unit calculation a developer will then pay to create and maintain these units (either on and/or off site). The industry average for such financial agreements is 25-30 years.

The Government has produced a number of guidance documents for developers, offset providers and local authorities which can be found at the following link:

https://www.gov.uk/government/collections/biodiversity-offsetting

Contact:

Planning Policy Team

Development Services

Barrow Borough Council

Town Hall

Duke Street

Barrow-in-Furness

Cumbria **Email: developmentplans@barrowbc.gov.uk**

LA14 2LD **Website:** www.barrowbc.gov.uk/residents/planning/

Working together to support sustainable development within the Borough of Barrow-in-Furness

DEVELOPMENT SERVICES