

CHAPTER 9: NATURAL ENVIRONMENT

9.1. A healthy natural environment is of vital importance to people, places, the economy and nature itself. Therefore it is appropriate that the Council seeks to protect the natural environment and strives for net gains in biodiversity. The natural environment provides a wide range of important benefits, including areas for recreation and education, healthy food, and clean water and air. However, the fragile state of our natural environment means that it is important that we protect and enhance it to ensure that future generations can also benefit from these areas. Furthermore, we should seek to create new green infrastructure assets and restore degraded ones.

9.2. The Borough has a number of different natural landscape characteristics as identified within the Landscape Assessment of the Borough of Rugby 2006 and the Landscape Sensitivity Study 2016. The Borough also contains a large number of environmental assets, including features of historic interest, geological/geomorphological significance and particular habitats of nature conservation interest. These range from Sites of Specific Scientific Interest (SSSI's), Local Nature Reserves and significant tracts of woodland deemed to be of ancient origin. There are also many other sites and features that are subject to non-statutory designations, such as Local Wildlife Sites identified through the Habitat Biodiversity Audit, that reflect their particular contribution to biodiversity.

9.3. Through the policies set out below and elsewhere in this Local Plan, the Council will aim to assist in maintaining the current high quality of the natural environment, particularly sensitive habitats and areas of landscape value. It will also aim to improve the quality of the natural environment, particularly in areas where there are opportunities to improve public access and enjoyment of such assets and deliver opportunities to improve habitat connectivity both within the Borough and the wider sub-region.

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets

The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity as set out below.

Development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy below. Planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be:

- Avoided, and where this is not possible;
- Mitigated, and if it cannot be fully mitigated, as a last resort;
- Compensated for.

Sites of International and European Importance

Development that is likely to result in an adverse effect on the integrity of any European site (either alone or in combination), will not be permitted unless:

- There are no alternative solutions; and
- There are imperative reasons for overriding public interest; and
- Adequate compensatory measures can be taken to ensure the overall coherence of Natura 2000 is protected.

As per the requirements of the Habitat Regulations.

Sites of International or European Importance Include: Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites.

Sites of National Importance

Development affecting nationally important Sites of Special Scientific Interest (SSSIs) either directly or indirectly will only be permitted in exceptional circumstances where the benefits of development clearly outweigh the impacts on the site or species.

Sites of Local Importance

Development likely to result in the loss, deterioration, degradation or harm to habitats or species of local importance to biodiversity, geological or geomorphological conservation interests, either directly or indirectly, will not be permitted for Local Nature Reserves (LNRs); Local Wildlife Sites (LWS), Local Geological Sites (LGS), European and UK protected species, or Biodiversity Action Plan habitats unless:

- The need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest. All Development proposals impacting on local wildlife sites will be expected to assess the site against the 'Green Book'¹ criteria to determine the status of the site and to ascertain whether the development clearly outweighs the impacts on the site;
- It can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interest; and
- Measures can be provided (and secured through planning conditions or legal agreements), according to the mitigation hierarchy as set out above. The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

Ancient Woodland

Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland, and/or the loss of aged or veteran trees found outside of ancient woodland unless the need for, and benefits of, the development in that location clearly outweighs the loss.

All development proposals in the proximity of ancient woodland shall incorporate buffers having regard to Natural England's standing advice.

Ecological Assessment

All proposals likely to impact on the sites noted above will require an Ecological Assessment. The Ecological Assessment shall include due consideration of the importance of the natural asset, the nature of the measures proposed (including plans for long term management) and the extent to which they avoid and reduce the impact of the development.

¹ The Green Book: Guidance for the Selection of Local Wildlife Sites in Warwickshire, Coventry and Solihull (2015) Local Wildlife Sites Project: Habitat Biodiversity Audit for Warwickshire.

9.4. The Borough contains a wealth of habitats and species of national and local importance which are set out within Policy NE1. The Borough's existing biodiversity and geodiversity assets provide the building blocks for the natural environment. National planning policy gives great importance to the protection and enhancement of these features.

9.5. Development that has the potential to harm these biodiversity assets and sites of geological interest will not be permitted unless the circumstances set out within Policy NE1 apply. The level of protection given to such features will be proportionate to their status and importance both individually and as part of a wider network. Developers should check for the presence of European protected species on development sites and seek professional advice to ensure that their proposals safeguard any protected species identified. Other protected, rare or endangered species should be taken into consideration with any development proposals. These include those species identified through national and local biodiversity action plans.

9.6. The Council will use planning conditions and/or agreements to secure measures, including financial contributions, to ensure that biodiversity conservation and geological interests are protected. The sympathetic management of existing wildlife sites and the restoration and enhancement of priority habitats, particularly where it would extend or link existing wildlife sites or support the targets within the local Biodiversity Action Plans, will be sought. The Council will also encourage the maintenance and/or enhancement of the connectivity and biodiversity of residential and non-designated green space, for example by using features such as permeable barriers. Ecological assessments should be consistent with the British Standard 42020:2013 Biodiversity Code of Practice for Planning and Development. This British Standard promotes transparency and consistency in the quality and appropriateness of ecological information submitted with planning applications.

9.7. Helping to secure improvements to biodiversity is one of the key roles in achieving sustainable development. Government policy is aimed at halting the net loss of biodiversity and striving for gains. The Government recognises that the loss of habitats and species, whether designated sites or not, is a key issue to be addressed. In this respect the Council considers that virtually all habitats have a biodiversity value from arable to ancient woodland. In the Warwickshire, Coventry and Solihull sub-region biodiversity net gain is measured through the use of locally derived Defra Metrics available from Warwickshire County Council, although other comparable measures may be considered.

9.8. Developers will be required to take measures during the development process to prevent the disturbance of wildlife and to make provision for the protection and subsequent retention of natural