

RUGBY BOROUGH LOCAL PLAN EXAMINATION

STAGE 2 HEARINGS

ISSUE 11: NATURAL ENVIRONMENT

PEGASUS GROUP ON BEHALF OF:

PERSIMMON HOMES, AC LLOYD & LIONCOURT STRATEGIC LAND

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1. INTRODUCTION

- 1.1 This Statement comprises the joint submission made by Pegasus Group on behalf of Persimmon Homes, AC Lloyd and Lioncourt Strategic Land.
- 1.2 The following Statement should be read in conjunction with earlier representations made in respect of the draft Local Plan.
- 1.3 Persimmon Homes, AC Lloyd and Lioncourt Strategic Land are broadly supportive of the submission version local plan but believe that certain modifications are required before the plan can be considered a sound and effective basis for the planning of the area.
- 1.4 This Statement does not address all the questions raised by the Inspector, particularly as certain questions are directed specifically to RBC, but provides discussion on some of the key issues that Persimmon Homes, AC Lloyd and Lioncourt Strategic Land consider to be particularly relevant to the 'Natural Environment', particularly Biodiversity and Geodiversity (Matter 11, Issue 11a), and hopefully assists the Inspector during the examination process. Further site specific comment is set out in respect of Coton Park East as a separate response to Matter 4, which formed part of the Stage 1 Hearing Sessions.

2. QUESTIONS

2. Is Policy NE2 consistent with national policy, particularly in respect of its requirement for the development to compensate for 'negative impact' on biodiversity where this cannot be avoided or mitigated, with reference to paragraph 118 of the NPPF?

- 2.1 Policy NE2 sets out that development proposals must 'lead to a net gain of biodiversity, where possible'. Firstly, it is noted that this is inconsistent with the NPPF paragraph 109, which states that:

"the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity, where possible".

It is clear that the NPPF does not consider a net gain in biodiversity to be a requirement for all new development, as stipulated in this Policy and that the policy is not consistent with the NPPF.

- 2.2 It is suggested that the word 'must' is replaced with the word 'should' to be consistent with the NPPF, and not to place overly onerous and unjustified requirements on the developer.
- 2.3 With regard to paragraph 118 of the NPPF, it is considered that this policy has not correctly interpreted NPPF policy with regard to biodiversity offsetting. Policy NE2 states that biodiversity offsetting will be sought where there is a 'negative impact' on a biodiversity impact. However, paragraph 118 specifically refers to circumstances where 'significant harm' results from a development. Policy NE2 is therefore clearly not consistent with national policy and it is considered that the policy should be revised in order to properly reflect the correct wording in the NPPF.
- 2.4 The explanation to Policy NE2 refers to development proposals being guided by the Council's approach to biodiversity offsetting as set out in the Warwickshire, Coventry and Solihull Green Infrastructure Strategy. Concern is raised that this approach may result in an inappropriate level of compensation required and that it is not necessarily the most appropriate way to calculate the biodiversity loss and gain, as certain factors are not properly taken into account. For example, it is understood that any development of a green field site produces a net loss regardless of the extent to which it has been previously farmed. It is considered

that a more appropriate metric, that is consistent with NPPF and PPG, should be applied, which takes proper account of the site specific considerations.