

SWT Planning, Housing and Development Position (August 2021)

1. National Context

We are facing two inextricably linked crises – the climate emergency and the steady decline of nature. We cannot solve one crisis without tackling the other. The Wildlife Trusts want to see a third of the UK's land and seas restored for nature by 2030 - creating a wilder future, where everyone, everywhere, has access to nature and the joy and health benefits it brings.

The Government's ambition is 300,000 homes a year to be built by the mid-2020s

It has also made a commitment to be the first generation to leave our environment in a better state than we found it.

Some might argue that these are conflicting objectives and at a time when nature is in deep trouble. Over the past century we have lost natural habitats on an unprecedented scale. Yet contact with the natural world makes us feel good, and we depend on the things that it gives us.

More and more people live their lives with little or no contact with nature. Evidence shows that this disconnect affects mental health, contributes to obesity and even has an impact on life expectancy. Integrating nature, and providing the ability to connect with it into the built environment can help to address these national problems and level up health inequalities, but developments have often missed or overlooked the opportunities to make neighbourhoods more natural and healthier, and instead damaged what was already there.

We have seen significant losses in our natural habitats, for example we have lost around 97% of our beautiful lowland meadows in England and Wales since 1930. And the losses continue. Recent reports show that over the last fifty years, 56% of our wild plants and animals have declined, and 15% are at risk of disappearing from our shores altogether. Much of this loss has been due to external pressures and government policies driving intensive agriculture, but built and unsustainable development continues to be a major contributor - often unnecessarily.

These pressures have reduced the space left for wildlife and disrupted ecological processes such as natural floodwater storage in river floodplains. As farmland has become less hospitable to wildlife, so the importance of our urban natural areas has increased. Yet, in towns and cities, many gardens and small incidental natural spaces continue to be converted into buildings and hard standing - leading to a creeping, but large-scale reduction in the naturalness of many urban landscapes.

Continuing development in this way, but on a bigger scale, is not sustainable for wildlife, wild places, the character of neighbourhoods and the people who live there.

2. Housing, Developments and Nature

Development (which is taken here to include new built development and changes in land - use) can have a significant negative impact upon biodiversity through:

- a) Direct loss of wildlife habitats;
- b) Fragmentation and isolation of wildlife habitats;
- c) Changing natural processes, such as the local water regime or sediment flow;
- d) Changing the availability and/or quality of natural resources, such as water; (clean air and light)
- e) Damage to or destruction of populations of wild plants or animals;
- f) Increased indirect damage, for example, from recreational pressure and domestic animal predation on habitats close to new housing areas;

- g) Reducing options for responses to future environmental change, or for future environmental enhancements: and/or broader environmental impacts, such as increased carbon dioxide emissions which contribute to climate change.

Conversely, development can be used to deliver significant biodiversity gains, for example by

- a) Restoration and/or enhancement of existing wildlife habitats and corridors;
- b) Creation or re-creation of wildlife habitats;
- c) The re-creation of connections between existing areas of habitat;
- d) Mitigation and adaptation for climate change
- e) Careful design to incorporate features of benefit to wildlife, or to reduce broader environmental impacts.

3. Our Approach to Planning and Developments

The natural world and connection with nature brings huge societal benefits and we need a new planning approach that puts the natural environment first and foremost at the heart of development and planning. The focus needs to move to where and how we sustainably build houses, not just how many we need to build.

Built in the right way and in the right place, new housing developments can make a positive contribution to nature and to the health and wellbeing of people who live there. There are two stages to this:

Location - new housing should be located in areas that are already well served by infrastructure and should avoid harm to the existing environmental assets of an area. Housing should be targeted at places where it can have a positive environmental impact to help achieve landscape restoration and recovery. This requires an up-to-date and well-informed ecological network map, which identifies existing natural features and habitats, alongside areas where new habitats are needed to restore ecosystems and help wildlife recover, and a clear Local Nature Recovery Strategy that is embedded into the planning system.

Design - all new housing developments and houses themselves should be designed to be sustainable integrating space for both wildlife and people, as well as reducing carbon emissions and minimising water usage.

New infrastructure can form substantial barriers for wildlife but can be designed well to connect sites for nature creating wildlife corridors if applying key principles of the mitigation hierarchy and achieving net gain for nature. A focus on active travel infrastructure, encouraging walking and cycling contributes positively to our physical and mental wellbeing, supports the ecological network, helps to combat climate change and makes our communities better places to live and work.

4. The Mitigation Hierarchy

The National Planning Policy Framework states that “if significant harm resulting from a development cannot be avoided... adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”

We expect all developments to meet the highest planning standards and follow the [Mitigation Hierarchy](#) of avoid, minimise, compensate and enhance to ensure that significant natural environment impacts are avoided.

Avoid	Avoiding any loss or damage of wildlife sites or to protected / rare species - new housing must not damage or destroy important national and Local Wildlife Sites. Our natural environment is finite. These sites are remnants of a rich past and essential to our future.
Minimise / Mitigate	<p>Impacts considered unavoidable should be mitigated at the site where the impact occurs if at all possible.</p> <p>Designing in existing habitats - new housing must work with as much existing habitat as possible. For example, retaining existing woods, copses, hedges and streams as integral parts of new developments, and enhancing and managing them.</p>
Compensate / Restore	<p>Any remaining significant biodiversity loss should be compensated for, as close to the area of loss as possible.</p> <p>Improve degraded ecosystems / return an area to original ecosystem including creating new habitat - habitat creation should be a standard feature of all new housing development, wherever it is.</p>
Net Gain	<p>More than compensating for any habitat that is lost - where damage to existing habitats is unavoidable, mitigation must bring about an overall gain in habitats. This should be assessed objectively using an improved version of the Defra biodiversity metric.</p> <p>Biodiversity Net Gain The Environment Bill, when passed, will also require all developments to demonstrate a minimum of 10% Biodiversity Net Gain in order to get planning permission. Biodiversity Net Gain requires a development to leave biodiversity (nature) in a better state than before. Developers must increase and improve natural habitat and ecological features beyond the impact of the development. It is hoped this will help to restore ecological networks.</p>

5. Our Expectations of Planning Policies and Proposals

We expect all development proposals to have a full Environmental Impact Assessment covering the lifetime of the project informed by a site-based survey, local data and ecological expertise.

The planning application must evaluate and consider the impact of the development in the context of:

- the value of the habitats, species and natural processes on which it will have direct or indirect impacts;
- the local cumulative impacts to nature and the impact of multiple-developments on biodiversity, bioabundance, the ecological network and Local Nature Recovery Strategy
- appropriateness of scale and design for the location
- whether alternative, less damaging locations have been considered

- whether it provides appropriate and full mitigation and compensation for all likely impacts.
- whether it makes a positive contribution to nature and the resilience and ability of wildlife and people to adapt to climate change - by supporting, not undermining the ecological network, currently embedded in Somerset Local Planning Authorities Local Plans, the Nature Recovery Network and Local Nature Recovery Strategy.

6. The Ecological Network

The National Planning and Policy Framework (NPPF) places requirements on local planning authorities to plan for nature through the NPPF; mandates local planning authorities to plan strategically for nature, identifying and mapping ecological networks in order to deliver the protection, enhancement and maintenance of biodiversity.

Ecological networks are the basic, joined up infrastructure of existing and future habitat needed to allow populations of species and habitats to survive in fluctuating conditions. As a short-term benefit, a landscape that species can move through easily allows re-colonisation of areas after disturbance events, preventing local extinctions.

The components of [Somerset's Ecological Network](#) should be viewed in combination with data relating to other elements of the landscape that are likely to influence the functioning and resilience of the ecological network. The ecological networks are fragments of what was once a much larger network, and as a minimum every effort should be made to maintain what remains in line with national and locally adopted policy.

The NPPF also states that local authorities should take a strategic approach to biodiversity. Local Plan policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries
- identify and map components of the local ecological networks
- promote the preservation, restoration and re-creation of priority habitats, ecological networks
- promote the protection and recovery of priority species populations

[More information on Somerset's Ecological Network](#)

7. Nature Recovery Network

In 2018 the government published 'A Green Future: Our 25 Year Plan to Improve the Environment' which committed to developing a national and local Nature Recovery Networks, and Local Nature Recovery Strategies.

The Environment Bill is currently passing through Parliament, but when passed in legislation will make it a statutory obligation for all Local Planning Authorities to have a Local Nature Recovery Plan based on the mapped Nature Recovery Network. Currently the bill only states that statutory authorities should 'have regard' to local nature recovery strategies so through Greener UK the Wildlife Trusts are pushing for strengthening of this duty to 'acting in accordance'.

Well developed Nature Recovery strategies will be critical in addressing the ecological and climate change emergencies we face. The Nature Recovery Network will not only build on the ecological network approach to identify and target actions that connect, restore and create wildlife-rich

habitats, but will also provide a mechanism for the targeting of new and emerging funding mechanisms such as ELMS and Biodiversity Net Gain.

Defra have funded the piloting of five NRN pilot areas in Buckinghamshire, Cornwall, Cumbria, Manchester and Northumberland. The aims of these pilots have been to test the end to end process for delivery of local Nature Recovery Strategies, to produce prototype LNRS and to test how LNRS sit within the local context and in particular local spatial frameworks.

Somerset's Nature Recovery Network and Local Nature Recovery Strategy is emerging at the moment, led by Somerset Wildlife Trust through the Somerset Local Nature Partnership with all Districts and Council Councils, who have a legal obligation to produce these.

8. National Planning and Policy Framework Changes

The government consulted on proposed changes to the NPPF in 2021 and the outcome is imminent.

The changes proposed will focus more on the development of Local Plans setting out where developments can occur, assessing environmental impact at this stage and the design codes for the development. The right to respond to planning applications from organisations like Somerset Wildlife Trust and local communities is likely to be greatly reduced.

It is therefore more vital that Local Plans are developed proactively with communities and that the emerging Local Nature Recovery Strategy and Nature Recovery Network is embedded in the heart of these plans.

9. Somerset Context

Each District Council in Somerset has adopted a Local Plan setting out housing and development targets, which are summarised below with links.

It should be noted all Local Plans were produced before the District Councils declared a climate and ecological emergency, so any planning decisions now need to add in these commitments and factors, although all state a commitment to tackling climate change.

[South Somerset District Council Local Plan](#)

[Mendip District Council Local Plan](#)

[Sedgemoor District Council Local Plan](#)

[Somerset West and Taunton District Council Local Plan](#)

Somerset Housing Targets (as set out in the above local plans)

District Council	Period	Housing Target
South Somerset	2008 – 2028	15,950
Sedgemoor	2011 – 2032	13,530
Mendip	2009 – 2029	9,635
Somerset West and Taunton		
Taunton Deane	2008 – 2028	17,000
West Somerset	2012 – 2032	2,900
Total housing target for Somerset		59,015

Somerset West and Taunton

Due to merging of the two district Councils the process is underway of consulting on a new Local Plan for this District Council. The current two Local Plans are in operation until replaced.

10. Somerset, Phosphates and Housing

In August 2020 Natural England wrote to all Somerset Planning Authorities concerning high levels of phosphates in the Somerset Levels and Moors and the need to protect them from further phosphate pollution. [Natural England Letter](#)

In the letter Natural England state:

“The Somerset Levels and Moors are designated as an SPA (Special Protection Area) under the Habitat Regulations 2017 and listed as a Ramsar Site under the Ramsar Convention.”

“The interest features of the Somerset Levels and Moors Ramsar Site are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates.”

“The scope for permitting further development that would add additional phosphate either directly or indirectly to the site, and thus erode the improvements secured, is necessarily limited.”

“... before determining a planning application that may give rise to additional phosphates within the catchment, competent authorities should undertake a Habitats Regulations Assessment proceeding to an appropriate assessment where a likely significant effect cannot be ruled out, even where the development contains pollution mitigation provisions.”

“The appropriate assessment must rule out any reasonable doubt as to the likelihood of an adverse impact on the integrity of the site, having regard to its conservation objectives.”

“... where the conservation status of a protected natural habitat is unfavourable, the possibility of authorising activities which may subsequently compromise the ability to restore the site to favourable condition and achieve the conservation objectives is “necessarily limited”.

Somerset Local Planning Authorities estimate this ruling is having an impact on over 11,000 homes in Somerset.

11. What will Somerset Wildlife Trust do in response to planning applications?

Policies and Proposals Affecting Biodiversity, Bioabundance and the Ecological Network

In carrying out its work to deliver our Wilder Somerset 2030 strategy, Somerset Wildlife Trust will:

- a) Seek to support, influence and facilitate positive planning for biodiversity including developing resources and training for planning officials and councillors to make decisions based on the ecological network, Local Nature Recovery Strategy and Nature Recovery Network
- b) Work with Local Planning Authorities to develop policies and proposals that deliver on the Mitigation Hierarchy and achieve positive outcomes for nature, people and communities

- c) Seek to minimise negative impacts on biodiversity resulting from development by working pro-actively with planners and developers to make decisions, policies and plans that benefit and deliver the Local Nature Recovery Strategy and ecological network
- d) Oppose those policies or developments which, in the Trust's reasoned opinion, would cause unacceptable loss of or damage to biodiversity, bioabundance and/or the ecological network and Local Nature Recovery Strategy,
- e) Seek to be reasonable and fair, working positively with planners, developers, and/or other agencies to achieve an outcome which is acceptable to all parties, although recognising that the Trust's first responsibility is to secure the protection and enhancement of biodiversity and bioabundance.

Policies and Proposals on Other Issues

Somerset Wildlife Trust is often approached by individuals and organisations concerning policies or development which may have an impact on landscape quality, public amenity, access, or other matters in addition to any impacts upon biodiversity. The Trust exists primarily as an organisation to promote the conservation of biodiversity, and this is its main area of expertise. Therefore, in its work on planning and development, the Trust will normally confine itself to:

- a) Matters which affect biodiversity either directly or indirectly;
- b) Matters which affect people's physical or intellectual access to, or enjoyment of, biodiversity;
- c) Matters which affect the Trust's ability to operate or manage its own landholdings effectively; and
- d) Matters of wider environmental sustainability which impact upon biodiversity

Our Approach to Putting Nature at the Heart of Planning Policies and Decision-Making

Somerset Wildlife Trust will seek to influence planning issues at the following levels:

- a) **National and International:** The Trust will not normally comment independently on national or international policies or programmes, but will work through The Wildlife Trusts (our federated network of 46 independent Wildlife Trusts) and/ or other local partnerships. In doing so, the Trust will, where possible make available to the partnerships any particular expertise or information which it possesses. The Trust may choose to comment independently where the issue concerned has a particular impact on Somerset, in which case any response by the Trust will seek to support and expand upon any response made by the partnership as a whole.
- b) **County, district and neighbourhood:** The Trust will place a high priority on pro-actively influencing planning policies and programmes at county, and district level, recognising that without policies to protect, enhance and restore wildlife, our ability to influence individual developments is greatly reduced. The Trust will also provide tools and training to enable communities and neighbourhoods to be best placed to contribute to local delivery plans.
- c) **Individual planning applications:** The Trust will seek to be consulted on and to influence individual planning proposals which may have a significant impact, positive or negative, on biodiversity, bioabundance or the ecological network.

12. Our Response to Planning Applications

Somerset Wildlife Trust monitors planning applications and comments on them when necessary. As a charity however, we have limited resources so must prioritise which cases we become involved in.

Due to the very large number of planning proposals and policies of potential interest to the Trust, all notifications and consultations will be assessed and priority will normally be given to those which have the greatest potential impact (either positive or negative) upon biodiversity, bioabundance and the ecological network.

In addition, the following considerations will also apply:

- a) The Trust will normally respond to all planning policies or proposals directly affecting its reserves and sites of county importance for biodiversity (i.e. Local Wildlife Sites).
- b) In our response, the Trust will normally draw to the attention of the appropriate decision-makers the need to comply with Natural England's standing advice on legally protected species, the Dutch N ruling on phosphates (if appropriate) and the need to consider impact (specific from the policy or proposal, and cumulative in relation to other policies and proposals) on Somerset's ecological network as well as on the site of impact.
- c) The Trust will not normally respond to planning proposals affecting nationally or internationally protected sites where this would form part of the statutory responsibility of one of the national agencies. The exceptions to this would normally be:
 - Where the Trust's response might serve to support and reinforce the national agency's position.
 - Where there may be an impact on a Trust reserve.
 - Where the Trust feels that there would be a significant risk to nationally or internationally important biodiversity and habitats should we fail to submit an independent view.
 - The Trust will not express an opinion on areas where we have insufficient expertise to defend this but may draw to the attention of the appropriate decision-makers the need to assess and understand the risks to biodiversity, bioabundance and the ecological network arising from issues of concern.

The Trust will consider supplementing and/or advocating its views on a case where an applicant has appealed against a Council's decision. A decision to act will be taken only where it feels that there would be a significant risk to locally, nationally or internationally important biodiversity should we fail to submit an independent view.

The Trust has no right of appeal against the decision of a planning authority. However, where it feels that there are grounds to challenge the decision in law, then the Trust reserves its right to seek a judicial review. Such action will only be taken with the endorsement of the Trustees and the support of its legal advisor.

13. What can you do?

Have your say during public consultation periods on planning applications, Local Plans and Neighbourhood Plans.

Neighbourhood Plans

Neighbourhood Plans were introduced in 2011 to enable local people to make decisions about how development proceeds in their local area.

Neighbourhood Plans are expected to operate at a parish or town council level and must be in line with the Local Plan. They can't be used to block development but can be used to protect existing features of conservation value and create new green spaces for people and wildlife. Statutory authorities should 'have regard' to Neighbourhood Plans.

Find out more about Neighbourhood Plans on the government website here: [Neighbourhood Plans](#)

Have a look at some of the Neighbourhood Plans already produced in Somerset:

[Martock](#)

[Frome](#)

[West Monkton and Cheddon Fitzpaine Neighbourhood Plan \(somersetwesandtaunton.gov.uk\)](#)

Respond to Planning Application

If you are concerned about the impact of a particular planning application on wildlife, biodiversity and bioabundance or the ecological network you may wish to object to it.

You can find out how to respond to a planning application [here](#).

Join Team Wilder

Find out how other communities are working together to get the best outcomes for nature through the planning system. Find out more [here](#).