

**MATTER 6: ENVIRONMENT**

| Panel Recommendations   | Structure Plan Authorities' Response   |
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| <p><b>6.32 That revised Environmental Policies 3 and 3A be inserted as follows:</b></p> <p><b>ENVIRONMENT POLICY 3: BIODIVERSITY ENHANCEMENT</b></p> <p>Measures will be taken through development opportunities to;</p> <ul style="list-style-type: none"> <li>a) protect, maintain and enhance natural biodiversity, having regard to the objectives of the Leicester, Leicestershire and Rutland Biodiversity Action Plan (date of document to be inserted);</li> <li>b) protect, conserve and manage sites of ecological importance and protected species and their habitats;</li> <li>c) identify locations for habitat restoration and creation schemes, especially where they would link corridors, link isolated habitats or create buffer zones; and</li> <li>d) maintain and enhance the wider ecological value of the environment.</li> </ul> <p><b>ENVIRONMENT POLICY 3A: PROTECTION OF IMPORTANT SPECIES AND HABITAT</b></p> <ul style="list-style-type: none"> <li>i) <b>Habitats of International Importance</b></li> </ul> <p>Development will only be acceptable where it would not adversely affect designated or proposed Special Protection Areas, Special Areas of Conservation or</p> | <p>Accept recommendations for the reasons given in the Panel Report (paragraphs 6.6 to 6.13).</p> <p>Accept recommendations for the reasons given in the Panel Report (paragraphs 6.14 to 6.18) subject to some rewording to ensure consistency in the reference to 'alternative solutions' to development that may affect habitats of importance.</p> |

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| <p><b>Ramsar sites, unless there are no alternative solutions and the development is needed for imperative reasons of overriding public interest.</b></p> <p><b>ii) Habitats of National Importance</b></p> <p><b>Development will only be acceptable where it would not adversely affect designated or proposed National Nature Reserves, or Sites of Special Scientific Interest designated because of their ecological interest, unless an overriding national need for the development can be shown to outweigh the sites' ecological interest and there are no alternative sites available for that development.</b></p> <p><b>iii) Habitats of local Importance</b></p> <p><b>Development will only be acceptable where it would not adversely affect:</b></p> <ul style="list-style-type: none"> <li><b>• Sites of Importance for Nature Conservation</b></li> <li><b>• Local Nature Reserves</b></li> <li><b>• priority habitats identified in the Leicester, Leicestershire and Rutland Biodiversity Action Plan that do not benefit from statutory protection; or</b></li> <li><b>• landscape features of importance to wild flora and fauna by reason of their function as a wildlife corridor, link or stepping stone between habitats,</b></li> </ul> <p><b>unless an overriding national or local need can be shown to</b></p> |                                      |

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| <p><b>outweigh the ecological interest.</b></p> <p><b>iv) Species of Acknowledged Importance</b></p> <p><b>In considering proposals that would have an adverse effect on a species of acknowledged importance account will be taken of:</b></p> <ul style="list-style-type: none"> <li>• <b>the level of protection afforded to that species</b></li> <li>• <b>the sensitivity of the species and the habitat on which it depends to any potential adverse effects caused by the proposals; and,</b></li> <li>• <b>the importance of the species and its habitat in the context of national and local Biodiversity Action Plans,</b></li> </ul> <p><b>and development will not be permitted unless an overriding interest can be proven and there are no alternative solutions.</b></p> <p><b>v) Mitigation and Compensation</b></p> <p><b>Where development is allowed which could adversely affect a site or habitat of ecological importance, or a protected species, conditions will be imposed and/or planning obligations sought to:</b></p> <ul style="list-style-type: none"> <li><b>a) minimise disturbance;</b></li> <li><b>b) conserve and manage its ecological interest as far as possible;</b></li> <li><b>c) where appropriate, contribute towards the objectives of the Leicester, Leicestershire and Rutland Biodiversity</b></li> </ul> |                                      |

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| <p>d) <b>Action Plan; and, where damage is unavoidable, provide new or replacement habitats and resting places so that the total ecological resources remains at least at its current level.</b></p>   |   |
| <p><b>6.33 That new Strategy Policy 19 to be inserted as follows: The strategic importance for flood relief and biodiversity of the Rivers Soar, Trent, Welland, Wreake, Chater, Gwash, Mease, Eye, Sence (eastern) and Sence (western) and their floodplains will be recognised. Measures will be taken along these corridors through an integrated approach to protect and enhance:</b></p> <p>(a) <b>their capacity to function as natural floodplains;</b><br/>           (b) <b>their linear continuity in the interests of biodiversity; and</b><br/>           (c) <b>the form, local character and distinctiveness of the natural, historic and built environment.</b></p> <p><b>Proposals for improving access, recreation and tourism along these corridors will be encouraged where they do not have an unacceptable effect on the above interests.</b></p> | <p>Accept recommendations for the reasons given in the Panel Report (paragraphs 6.19 to 6.27). This was proposed as a Pre-EIP Change.</p>   |
| <p><b>6.34 That the explanatory memorandum to Strategy Policy 19 should refer to the importance of cross boundary liaison with authorities outside the Structure Plan area in planning for strategic river corridors.</b></p>  | <p>Accept recommendations for the reasons given in the Panel Report (paragraph 6.28).</p>   |
| <p><b>6.35 That Strategy Policy 16 be amended as follows:</b><br/> <b>STRATEGY POLICY 16: RUTLAND WATER</b></p> <p><b>Proposals for recreation, sports and tourism development will be permitted within the Rutland Water</b></p>  | <p>Accept recommendations for the reason given in the Panel's Report (paragraph 6.30) subject to the deletion of proviso a) and its replacement by "not harming the conservation objectives underlying the designation of the RAMSAR site and the Special Protection Area at Rutland Water". The reference in proviso a) to</p> |

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| <p><b>Area, subject to such development:</b></p> <p><b>(a) not harming the conservation objectives underlying the designation of the Rutland Water Area as a Ramsar site and Special Protection Area, particularly in terms of the coherence of the ecological structure and function that enables the area to sustain the habitats and levels of populations of the species for which the area was so classified;</b></p> <p><b>(b) not detracting from the landscape character of the area;</b></p> <p><b>(c) being focussed on existing areas of recreational development, with the remainder of the area remaining largely undisturbed;</b></p> <p><b>(d) complementing existing facilities; and</b></p> <p><b>(e) not diminishing the use and enjoyment of Rutland Water as a water supply and recreational and ecological resource.</b></p> | <p>the Rutland Water Area being a RAMSAR site and a Special Protection Area is potentially misleading. The Explanatory Memorandum points out that the Rutland Water Area will be defined in the Local Plan and the current delineation in the Rutland Local Plan includes substantial areas of land beyond both designations. Furthermore, while the Key Diagram is only diagrammatic it too indicates a more extensive area than that covered by the designations. In addition, the second part of proviso a), from the word “particularly”, provides guidance on the application of the preceding part of the proviso which could more appropriately be included in the Explanatory Memorandum.</p> |
| <p><b>6.36 That changes should be incorporated into the wording and/or explanatory memorandum of Environment Policy 1, Strategy Policy 11 and Leisure Policy 6, in accordance with paragraph 6.31 above.</b></p> <p>Paragraph 6.31 reads:<br/>In response to suggestions by English Heritage, the Countryside Agency and others, the Structure Plan Authorities agreed to consider the following changes or additions to other policies in the Structure Plan, which we endorse:</p>  | <p>Accept recommendations for the reasons given in the Panel Report (paragraph 6.31) in relation to Strategy Policy 11, Environment Policy 1, and Leisure Policy 6.</p>   |

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| <ul style="list-style-type: none"> <li>• A reference to historic landscape characterisation and encouragement for local planning authorities to undertake conservation character statements and to produce local buildings at risk registers should be added to the explanatory memorandum to Environment Policy 1: Sites and Buildings of Historic, Architectural and Archaeological Interest.</li> <li>• In Strategy Policy 11: Good Design, clause (a) should read 'protect and/or enhance the form and local character.....', and the words 'of recognised importance' at the end of the clause should be deleted.</li> <li>• In Leisure Policy 6: Caravan and Camping Sites, after 'visually intrusive' there should be added 'and which respect the character of the area'.</li> </ul> |  |
| <p><b>6.37 That the Key Diagram should be amended to show the rivers to which Strategy Policy 9 applies and to depict key strategic environmental designations such as Rutland Water.</b></p>  | <p>Accept recommendations for the reasons given in the Panel Report (paragraph 6.29)</p> |