



Leicester
City Council

WARDS AFFECTED
All wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Cabinet

13th October 2003

Biodiversity in Leicester: Supplementary Planning Guidance

Report of the Service Planning and Sustainable Development

1. Purpose of Report

This report presents the final draft of the *Biodiversity in Leicester - Supplementary Planning Guidance*. This sets out the key principles and requirements that should be applied to all new development which could affect the biodiversity of Leicester.

2. Summary

Biodiversity in Leicester - Supplementary Planning Guidance explains why biodiversity is important to Leicester and to the people who live and work in the City, and describes the role that planning process can play in protecting and enhancing the natural resources of the City. It will guide the implementation of the nature conservation policies in the Replacement City of Leicester Local Plan and describes the rationale for these policies.

A wide range of external organisations and individuals have been consulted on the draft Supplementary Planning Guidance, including statutory agencies, neighbouring planning authorities, environmental groups and voluntary organisations, landowners of nature conservation sites and statutory undertakers. Their comments have been incorporated into the final draft.

3. Recommendations

Members are recommended to adopt 'Biodiversity in Leicester' as Supplementary Planning Guidance to the City of Leicester Local Plan.

4. Headline Financial and Legal Implications

There are no direct financial or legal implications for the City Council arising from this report.

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Finance: Kate McGee, Head of Finance, x6664

5. Report Author/Officer to contact:

Sue Timms, ext. 7268

Urban Design

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)



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Biodiversity in Leicester: Supplementary Planning Guidance

SUPPORTING INFORMATION

- 1. Biodiversity in Leicester - Supplementary Planning Guidance**
- 1.1 The Supplementary Planning Guidance is in two parts. The first part (Chapters 1 - 5) covers the protection and enhancement of important sites, species and habitats within the City. The second part consists of Appendices which provide the underpinning local and regional context for this guidance.
- 1.2 Chapter 2 considers the protection and enhancement of designated nature conservation sites. National statutory designations (Sites of Special Scientific Interest - SSSIs) and local non-statutory designations (Sites of Importance for Nature Conservation, Local Nature Reserves, Biodiversity Enhancement Sites - SINCs, LNRs and BESs) are described, and the relative importance and purpose of these designations is summarised.
- 1.3 Chapter 3 covers the conservation of protected species and other species of importance, such as Great Crested Newts, Bats and Badgers.
- 1.4 Chapter 4 provides information on the conservation and potential for enhancement of important wildlife habitats within the City, such as hedgerows, mature trees, standing dead-wood habitats, wetlands and woodlands.
- 1.5 Details of the nature of developer obligations that may be required for developments which affect the above sites, species and habitats are given in Chapter 5, and guidance on enhancing biodiversity on specific sites is given in Appendix 7.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1. Financial Implications

There are no direct financial implications for the City council arising from this report.

2. Legal Implications

There are no direct legal implications for the City council arising from this report.

3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	n/a		
Policy	yes	throughout - the SPG will become City Council policy supporting the Local Plan and EMAS	
Sustainable and Environmental	yes	throughout - protecting and enhancing biodiversity is an important part of sustainable development	
Crime and Disorder	n/a		
Human Rights Act	n/a		
Elderly/People on Low Income	n/a		

4. Background Papers – Local Government Act 1972

5. Consultations

5.1 The following organisations and individuals have been consulted on this Supplementary Planning Guidance.

Regional government departments and statutory agencies (such as the Department for Environment, Food and Rural Affairs,

Government Office East Midlands, British Waterways, English Nature, the Environment Agency)

Local planning authorities in Leicestershire and Rutland

Voluntary organisations with an involvement in the City's biodiversity (such as Environ, the British Trust for Conservation Volunteers, Leicester Friends of the Earth, Leicestershire Bat Group)

Organisations with an interest in land of biodiversity importance in Leicester (such as the Inland Waterways Association, the House-Builders Federation, the Health Trusts)

Landowners of Sites of Importance for Nature Conservation

Statutory undertakers (such as Severn-Trent and Railtrack)

Internal consultation: Head of Parks, CS & NR

- 5.2 The responses from the consultation, and the actions taken, are summarised in the attached Appendix.

6. Report Author

Sue Timms, Urban Design Group, ext. 7268

Appendix 1: Results of external consultation on *Biodiversity in Leicester - Supplementary Planning Guidance*

August 2003

	<i>Consultee</i>	<i>section</i>	<i>comments</i>	<i>Response/ action taken</i>
1	Leicestershire and Rutland Wildlife Trust	n/a	supportive	No action needed
2	Leicestershire and Rutland Wildlife Trust	Ch 3 Table 1	Add Bluebell to section on protected species	Accepted; Bluebell added to Table 1
3	British Waterways	App. 7 R4	Evan's Weir to Belgrave Lock – add statements related to bats, grass snakes and otters	Accepted; text added to other Riverside site groups also
4	English Nature	n/a	supportive	No action needed
5	English Nature	1.5	Mention importance of green space to health and wellbeing and sense of community	Accepted; text added in 1.5
6	English Nature	Chs 2,3 and 4	Include supporting text of Local Plan policies as well	Not needed; the text of the SPG repeats and expands on the Local Plan policies' supporting text
7	English Nature	Ch 3 Table 1	Expand table of protected species to include those listed in 3.2	Accepted; Otter, Barn Owl, Black Redstart and White-clawed Crayfish added to Table 1
8	The Leicestershire Badger Group	3.4	Mention 6 months imprisonment for badger offences	Accepted; reference added to 3.4
9	The Leicestershire Badger Group	Ch 3 Table 1	Amend to bring it closer to Badger Act	Accepted; Table 1 amended
10	The Leicestershire Badger Group	3.10	Amend section of survey times for badgers to reflect difficulty of surveying in summer	Accepted; survey recommendations in 3.10 amended
11	Department for Environment, Food and Rural Affairs		supportive	No action needed
12	Department for Environment, Food and Rural Affairs	1.5	Include reference to the statutory protection for biodiversity	No action taken; although the point is understood it is not considered a reason for nature conservation, but a mechanism to assist conservation.
13	Department for	1.5	Amend to state that	Accepted; 'development'

	Environment, Food and Rural Affairs		biodiversity is lost from the countryside due to development as well	added to text of 1.5
14	Department for Environment, Food and Rural Affairs	Ch 4	Include reference to Environmental Land Management schemes as a method of supporting management, creation and restoration of habitats	Accepted; new paragraph inserted at 4.3
15	Department for Environment, Food and Rural Affairs	4.19	Amend definition of Ancient woodland	Accepted; text of 4.19 amended
16	Department for Environment, Food and Rural Affairs	7.1	Use full name of Department for the Environment, Food and Rural Affairs	Accepted; name in 7.1 and throughout document corrected
17	Department for Environment, Food and Rural Affairs	App 3, 3.9	Amend text to say 'pollarding when necessary'	No action; point accepted but referred to the Leicestershire and Rutland SINC Review Panel for consideration
18	Department for Environment, Food and Rural Affairs	App 4, 3 List A2	Hedgerows: amend 'with 15m' to 'within 15m'	No action; point accepted but referred to the Leicestershire and Rutland SINC Review Panel for consideration
19	Department for Environment, Food and Rural Affairs	App 4, 8, Lists F, G, H and J	Various comments on species indicators included in lists in grassland criteria	No action; point accepted but referred to the Leicestershire and Rutland SINC Review Panel for consideration
20	Department for Environment, Food and Rural Affairs	n/a	Mention Community Strategies	Not done; SPG is specifically geared to inform Local Plan and Development Control processes, rather than Community Strategies, which have more relationship to Biodiversity Action Plans.
21	Network Rail	App 3 2.4	Concern that the core business of running the railway will be compromised by nature conservation designations.	No action; referred to L,L& R BAP Exec Cttee since the points relate to a document produced by them. Letter to Network Rail
22	Network Rail	App 3 2.4, 2.5	Should recognise fact that brownfield land by	No action; referred to L,L& R BAP Exec Cttee

		and 2.6	railways can contribute to regeneration	since the points relate to a document produced by them. Letter to Network Rail
23	Network Rail	n/a	Concerns about SINC designation on railway land north and south of Upperton Road and development of Bede Island south site	No action ; this related to a specific SINC rather than to the overall SPG. Letter to Network Rail
24	University Hospitals of Leicester	n/a	Supportive but with some concern about need to develop Trust's current landholding	No action needed. Letter to Health Trust
25	University Hospitals of Leicester	n/a	Pointed out that infestations causing a health risk may need to be dealt with	Accepted but no need to amend document. Letter to Health Trust
26	University Hospitals of Leicester	Ch 4	Confirmed that they have a policy for protecting trees and hedgerows	No action needed
27	RSPB	n/a	supportive	No action needed
28	RSPB	Ch 3 Table 1	Insert 'recklessly' into section on birds	Disagree; CROW Act refers to Sch. 1 birds only, not all species. Discussed with RSPB.
29	RSPB	3.10	Insert section on timing for breeding bird surveys	Accepted; section added to 3.10

S. Timms, August 2003