

### Appendix 3 Summary of changes to draft Biodiversity and Nature Conservation SPD

You Said...	We did...
<b>Section 1 Introduction</b>	
Links between climate change and biodiversity declines and reference to the climate and biodiversity declaration in paragraph 1.2 makes emotive political point rather than a scientific one. Although linked, biodiversity is a different issue affected by human actions, as well as natural climate change.	Section 1.2 amended to make it clear that biodiversity declines are not just associated with climate change.
<b>Section 2 Biodiversity Resource</b>	
Protecting residents' gardens would help local biodiversity. Increased parking permit costs resulting in an increase in paved gardens for parking use.	Text added to the SPD to encourage retention of front gardens, but this cannot be required where permitted development applies.
Local green spaces and parks within urban areas not adequately described. Development around green spaces could have negative impacts on pollinators and birds accessing these resources.	Text added to this section to acknowledge that the city's parks and green spaces, which are not designated nature conservation sites, also contribute towards biodiversity.
Provide more general context in the initial paragraph to highlight the 3 key types of environments found: the rural Downs, the urban environment and the coastal and marine environments. Strengthen reference to coastal and marine environments to ensure this environment is not overlooked.	Additional contextual information text about the 3 key environments will be added to the initial paragraph.
<b>Section 4 Planning Policy and Strategies</b>	
Reference to SPD15 Toads Hole Valley omitted.	A link to SPD15 added to section 4.2 – Supplementary Planning Documents, Planning Advice Notes and Other Guidance.
Clarification on process of identifying / including certain sites within BOAs required.	Explanation of how and when BOAs were identified in 2009 added to the SPD.
<b>Section 5 Principles and Matters</b>	
Draft Horsham District Nature Recovery Strategy published by Horsham District Council. SPD could reflect the need to take any opportunity to further connections and wildlife networks that are identified both within and beyond council's boundaries.	An amendment has been incorporated to the text to refer to the potential for off-site opportunities being within a Sussex Nature Recovery Network.
BNG presents an opportunity to improve and enhance biodiversity within the urban realm, however offsite BNG provides opportunity to improve key local sites, such as landscape scale restoration opportunities, chalk grassland, coastal & marine restoration.	An amendment has been incorporated to the text to refer to the potential for off-site opportunities being within a Sussex Nature Recovery Network.

Other European Protected species: Section on Great Crested Newts should be expanded to include a paragraph on other European Protected Species e.g. Hazel Dormice, which has the same legal protection.	Key Biodiversity Matter 7 amended to reflect Species Conservation Strategies of relevance locally.
<b>Section 6 Integrating Biodiversity into Development</b>	
Photograph of the biodiverse roof on Velo Café is disingenuous and does not reflect its current state. Consideration for provision of ongoing maintenance required.	A new paragraph highlighting the importance of maintenance added to this section.
Photograph of chalk grassland at Swanborough Drive is allocated for housing in CPP2.	Error is noted and the photograph deleted.
The need for planning long-term management of new features required throughout.	A new paragraph highlighting the importance of management and maintenance added to this section reflecting the requirement to manage mandatory BNG for a period of at least 30 years.
Emphasise use of native species or local provenance from suppliers such as the WildFlower Conservation Society or other reputable sources such as Emorsgate and the Millennium Seed Bank.	Additional references to encourage the use of native species of local provenance have been added, in addition to further cross-references to Annex 7.
Use of SuDS supported. Choice and design of SuDS must not cause adverse impact to the Brighton Chalk Block Aquifer. SPD should specify that only specific types of SuDS will be appropriate in some locations.	A reference to the need for SuDS to be appropriate to the location added to section 6.7, to ensure they do not have an adverse impact on groundwater quality.
SPD would benefit from more local case studies of mitigation measures, including mitigation that has been carried out well and mitigation which has failed to deliver.	The Liz Williams Butterfly Haven, Dorothy Stringer added as a case study in section 6.
<b>Section 7 Step by Step Guide to Biodiversity and the Development Management Process</b>	
Include up to date information and reviews of latest research on value of mitigation measures.	Section 7 Stage D has been amended to refer to the need for mitigation and compensation measures to be delivered in accordance with best practice.
To ensure the SPD wording is consistent with the Defra Metric User Guide, the following amendment is suggested:  “For major developments, the latest version of the Defra Biodiversity Metric should be used <u>as a tool to inform the assessment of demonstrating biodiversity value and measurable mandatory net gain.</u> ”	Text amended as suggested.
<b>Other comments</b>	
Glossary of definitions would be useful.	Further definitions provided

SPD should emphasise the 3 Tests that must be passed (overriding public interest, no alternative, favourable conservation status) where a licence from Natural England is required before any building work can take place, for European Protected Species.	Further information added to the revised Biodiversity Matter on Species Conservation Strategies and Species Licenses.
SPD should set out that the 10% Biodiversity Net Gain is a legal minimum.	Section 5.2, table 3 and Section A5 updated to reflect that the mandatory requirement is to achieve a minimum 10% BNG.
SPD should consider the inter-relationship between conservation of heritage assets and historic landscape character and nature conservation and biodiversity where there are overlapping interests; e.g. Stanmer Park Registered Park and Garden where landscape restoration could have benefits to both biodiversity and heritage significance.	The multiple policy benefits from improving biodiversity are recognised in the SPD and through adopted and emerging local planning policies. A reference to the potential for landscape restoration to have benefits to both biodiversity and heritage added to section 6.1
Layout should ensure users do not feel overwhelmed/lost in the initial detail but understand the purpose of the document and the required steps they need to take. The information in section 7, especially Figure 6 and Table 3 should feature more prominently at an early stage in the document and provide links through to some of the more detailed information that is presented elsewhere.	The overview has been reviewed and a table added to provide signposting to certain sections of the SPD.
<b>Annex 5 Biodiversity Checklist</b>	
A typical householder would struggle with this checklist. Further explanations and definitions required e.g. what a European protected species is, what a woodland designated nature site is (and where they are).	Householder Checklist has been reviewed and amended where necessary. Some further clarification provided, including links back to the relevant sections of the SPD and further clarification on when survey is required. .
In Q7 there is a benefit in not asking whether the applicant is aware of protected species. Instead, ask if there is any record or sign of protected species. Developer unlikely to give positive answer to subjective question.	This question has been deleted from the checklist to reduce the risk of subjective response.
Checklist not considered to be of value for a typical existing residential building but will be of value for a new build or a redevelopment of a brownfield site.	The checklist has been reviewed to clarify further details, including when survey is required.

