



Strategic Environmental Assessment Screening Opinion

Residential Development Brief WLP2.14 – Land North of Union Lane, Oulton

July 2021

Contents

1. Introduction	1
2. Legislative Background.....	1
3. Criteria for determining the likely significance of effects	2
4. Assessment	3
5. Conclusion.....	7
Appendix 1: Responses from Statutory Consultees.....	8

1. Introduction

In some circumstances a planning document could have significant environmental effects and may fall within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 and so require Strategic Environmental Assessment.

This screening report is designed to test whether or not the contents of the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief requires a full Strategic Environmental Assessment (SEA). The legislative background below outlines the regulations that require the use of this screening exercise. Section 4 provides a screening assessment of the likely significant effects of the development brief and the need for a full SEA.

2. Legislative Background

The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC ‘on the assessment of the effects of certain plans and programmes on the Environment’. This document is also known as the Strategic Environmental Assessment (or SEA) Directive. European Directive 2001/42/EC was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended, including through EU Exit legislation).

The SEA Regulations include a definition of ‘plans and programmes’ to which the regulations apply. SEA requirements relate to plans or programmes which are subject to preparation or adoption by an authority at national, regional or local level, which includes those prepared for town and country planning and land use. SEA is required where the plan or programme is likely to have significant environmental effects. It is therefore necessary to screen the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief to identify whether significant environmental effects are likely. Where screening identifies significant environmental effects, a full Strategic Environmental Assessment is required.

3. Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC

The preparation of the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief triggers a requirement to determine whether it is likely to have a significant environmental effect. This requirement is discharged by the ‘responsible authority’ being the authority by which or on whose behalf the plan is prepared. Before making a determination, the responsible authority shall: -

- a) Take into account the criteria specified in Schedule 1 to the Regulations;
and
- b) Consult the consultation bodies.

The consultation bodies are defined in section 4 of the SEA Regulations. The opinions from the statutory consultation bodies: Historic England, the Environment Agency and Natural England, are therefore to be taken into account.

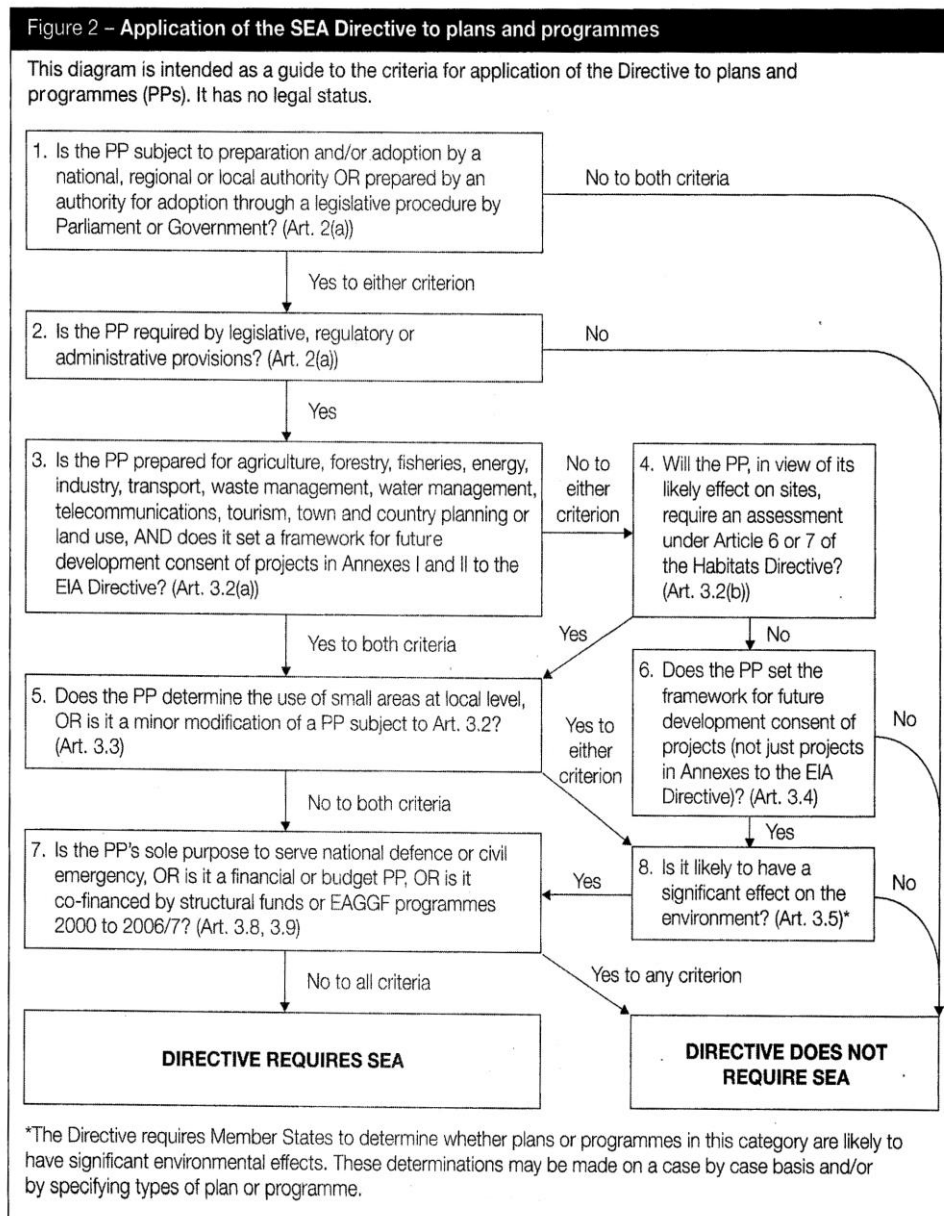
Schedule 1 of the SEA Regulations sets out the criteria for determining likely significant effects as follows:

1. The characteristics of plans and programmes, having regards, in particular to:
 - a. The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.
 - b. The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.
 - c. The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.
 - d. Environmental problems relevant to the plan or programme.
 - e. The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - a. The probability, duration, frequency and reversibility of the effects.
 - b. The cumulative nature of the effects.
 - c. The trans boundary nature of the effects.
 - d. The risks to human health or the environment (e.g. due to accidents).
 - e. The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - f. the value and vulnerability of the area likely to be affected due to:
 - i. special natural characteristics or cultural heritage;
 - ii. exceeded environmental quality standards or limit values;
 - iii. intensive land-use; and
 - g. the effects on areas or landscapes which have a recognised national, community or international protection status.

4. Assessment

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.



Source: A Practical Guide to the Strategic Environmental Assessment Directive (2005)

The following assessment applies the questions from the preceding diagram. The answers determine whether the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief will require a full Strategic Environmental Assessment.

1. Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))

Yes. The preparation and adoption of the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief has been carried out by East Suffolk Council. The WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief has been produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))

Yes. The production of the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief forms part of the delivery of the statutory Development Plan and the process for preparing SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012 and relates to the administration of the Council's planning service.

3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))

Yes. The WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief has been prepared in support of the delivery town and country planning and land use policies.

The guidance contained in the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief provides a framework for the implementation of policy WLP2.14 of the East Suffolk Council- Waveney Local Plan (March 2019). The Waveney Local Plan was subject to full Sustainability Appraisal incorporating the requirements for Strategic Environmental Assessment during its production.

The WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief does not set a framework for the future consent of projects listed in Annexes I and II of the EIA Directive.

4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))

A separate screening exercise has been carried out under the Habitats Directive (92/43/EEC) and Conservation of Habitats and Species Regulations (2017) (as amended). This determined that a full Appropriate Assessment was required in respect of likely significant effects arising from increased recreational disturbance. Appropriate mitigation measures were identified through the Appropriate Assessment.

5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)

Not applicable (based on the responses to questions 3 and 4 above).

6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3(4))

Yes. The WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief will be a material consideration in the determination of planning applications, and will be applied alongside the policy framework provided by the Local Plan.

7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)

No. Not applicable.

8. Is it likely to have a significant effect on the environment? (Art. 3(5))

No. The guidance contained in the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief provides a framework for the implementation of policy WLP2.14 of the East Suffolk Council- Waveney Local Plan (March 2019). The Waveney Local Plan was subject to full Sustainability Appraisal incorporating the requirements for Strategic Environmental Assessment during its production.

The Local Plan site allocation policy (WLP2.14) identified potential for some parts of the site provide suitable habitats for a number of species and the policy includes criteria requiring ecological assessment to be undertaken as part of any planning application. This requirement is highlighted in the development brief and will need

to be addressed as part of any future planning application. The development brief also includes reference to a number of other environmental considerations that will need to be taken account of as part of any future planning application.

5. Conclusion

The WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief provides a framework for the implementation of site allocation policies in two Local Plans for East Suffolk. Both Local Plan were subject to Sustainability Appraisal including Strategic Environmental Assessment.

It is considered by East Suffolk Council that it is not necessary for a Strategic Environmental Assessment to be undertaken of the WLP2.14 – Land North of Union Lane, Oulton, Residential Development Brief to ensure compliance with SEA legislation.

The draft Screening Opinion was published for consultation alongside the draft development brief. The responses of the consultation bodies are contained in Appendix 1.

Signed:



Dated: 8th July 2021

Desi Reed
Planning Policy and Delivery Manager
East Suffolk Council

Appendix 1: Responses from Statutory Consultees

Environment Agency

Good Morning

Thank you for your consultation. I can confirm that we have read the draft development brief and have no comments to make. There are no constraints within our remit. We note the comments in relation to ground contamination and would echo that the necessary ground investigations are completed.

Kind Regards

Liam

Liam Robson

Sustainable Places Planning Advisor – East Anglia Area (East)

Environment Agency | ~~Iceni House, Cobham Road, Ipswich, Suffolk, IP3 9JD~~

Please be aware that due to COVID-19 – any post will not be picked up. Please direct all correspondence electronically.

Historic England



Mr Ben Wright
East Suffolk Council
Riverside
4 Canning Road
Lowestoft
Suffolk
NR33 0EQ

Direct Dial: 01223 582751

Our ref: PL00749364

21 June 2021

Dear Mr Wright

Land North of Union Lane, Oulton Broad, Suffolk

Thank you for your letter regarding the above Strategic Environmental Assessment. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely,

Lynette Fawkes
Inspector of Historic Building and Areas
lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.

Natural England- Full response to draft development brief

Date: 23 June 2021
Our ref: 352582
Your ref:



planningpolicy@eastssuffolk.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 8GU

T 0300 060 3900

Planning consultation: Residential Development Brief for WLP2.14, 150 homes.
Location: Land north of Union Lane, Oulton

Thank you for your consultation on the above dated 10 May 2021 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation a development in this location would:

- have an adverse effect on the integrity of the following European sites:
 - Benacre to Easton Bavents Lagoons Special Area of Conservation (SAC)
 - Benacre to Easton Bavents Special Protection Area (SPA)
- damage or destroy the interest features for which Pakefield to Easton Bavents SSSI Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- We advise that an upfront financial contribution of £321.22 per dwelling should be secured to contribute to the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'), to mitigate the recreational disturbance impacts to designated sites by this development.
- As this development is within the RAMS 13km zone of influence and is for 50+ units, we advise that the development brief should include the provision of well-designed open space/green infrastructure (GI) that is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the development site boundary. Please refer to Annex I which details the minimum provisions that on-site open space/GI, should include.

We advise that an appropriate obligation is attached to the development brief to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. We advise that the mitigation requirements are clearly labelled within the development brief to ensure that developer expectations are appropriately aligned with the mitigation measures identified by the Appropriate Assessment.

Further advice on mitigation

It has been identified that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new residential development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

The RAMS has been put in place to ensure that the additional recreational pressure due to increasing levels of housing across the county is not likely to lead to an adverse effect on European designated sites on the Suffolk coast. The strategy allows mitigation to be dealt with on a strategic level, so that the relevant councils, Natural England and relevant stakeholders are able to work together to provide the best outcomes for the designated sites. It also has the benefit of streamlining the process, so reducing the amount of time taken to process individual residential planning applications for the councils and Natural England.

Natural England worked collaboratively with all the relevant councils to set up the strategy. We fully support the aims of the strategy; in our view it is the best way to provide appropriate avoidance and mitigation or measures for the European sites in question. As such, we advise that a suitable contribution to the Suffolk Coast RAMS should be sought from this residential development to ensure that the delivery of the RAMS remains viable. If this does not occur then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded. We therefore advise that you should not grant permission for any related application until such time as the implementation of this measure has been secured.

Furthermore, it is considered that for larger residential developments (50 units +, or equivalent, as a guide) within the 13 km Suffolk Coast RAMS zone of influence, or some smaller residential developments that are in very close proximity (200m or less) to designated sites are not able to fully mitigate the adverse impacts on European designated sites with a RAMS payment alone. Natural England recommends therefore that these developments include the provision of well-designed open space/green infrastructure (GI) that is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the development site boundary.

Please refer to Annex I which details the minimum provisions that on-site open space/GI, should include.

Site of Special Scientific Interest (SSSI)

Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

In addition, Natural England would advise on the following issues.

Protected Landscapes

The proposed development is for a site within or close to a nationally designated landscape namely The Broads National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider GI. Relevant aspects of local authority GI strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access.

Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Biodiversity Net gain

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. We draw your attention to Para 170, point d and Para 175, point d of the National Planning Policy Framework which states that:

Para 170: *"Planning policies and decisions should contribute to and enhance the natural and local environment by:*

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Para 175: *"When determining planning applications, local planning authorities should apply the following principles:*

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".

Natural England considers that all development, even small scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to [Technical Note 2](#) of the CIEEM guide which provide useful advice on how to incorporate biodiversity net gain into developments.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex II.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on 07768 237040.

Should the proposal change, please consult us again.

Yours sincerely

Sam Kench
Norfolk and Suffolk Team

Annex I – Natural England’s recommendations for larger scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (50 units +, or equivalent, as a guide)

Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale.

Whilst recreational disturbance has a number of impacts on designated sites (i.e. trampling, litter), one of the most significant impacts is the visual and noise disturbance of birds for which the SPAs are designated (although other site features are also affected). These birds are sensitive to disturbance from recreational walkers, cyclists etc. and in particular dogs off leads. With this site in close proximity to the European designated sites, it is considered that residents are likely to use these designated sites for undertaking regular recreational activities such as dog walking. Dog owners require space to walk their dogs off lead close to home and away from traffic, once or twice per day. If the onsite green space does not give adequate dog walking provision, most owners will travel elsewhere. Well-designed GI should positively accommodate off-lead exercising of dogs, in areas where this causes the least conflict with other resident’s interests such as cycling, children’s play equipment, sports activities and people seeking to minimise contact with dogs. We recommend that the developer consults relevant guidance and best practice documents such as [Planning for Dog Ownership in New Developments: Reducing Conflict – Adding Value](#) and incorporates these principles within proposed application designs.

The applicant may wish to consider to benchmark standards for accessible natural greenspace, the TCPA have published [Guides and Principles for Garden Communities](#), and Guide 7, Principal 9, references 40% GI as a target quantum. The [Suitable Accessible Natural Green Space \(SANGS\)](#) guidance can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. GI design should seek to achieve the Natural England Accessible Natural Greenspace Standards, detailed in [Nature Nearby](#), including the minimum standard of 2ha informal open space within 300m of everyone’s home.

Such provisions can help minimise any predicted increase in recreational pressure to the European sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance here can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km¹ within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available here.

- However, the unique draw of the above European sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential

¹ Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

development within reach of the coast is considered together 'in combination'. We therefore advise that consideration of 'off-site' measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.

Annex II - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under [s28G of the Wildlife & Countryside Act 1981 \(as amended\)](#). The [National Planning Policy Framework \(paragraph 175c\)](#) states [that development likely to have an adverse effect on SSSIs should not normally be permitted](#). Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Protected Species

Natural England has produced [standing advice](#)² to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found [here](#)³. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.

- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, GI or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).