

Environmental Statement: Chapter 7

Technical Appendix 7.3: Local Planning Policy

Land East of Blackmore Farm, Melksham

Gleeson Land Ltd

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1 Wiltshire Core Strategy (adopted 2015)

1.1 Core Policy 50 Biodiversity and Geodiversity

Protection

- 1.1.1 Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.
- 1.1.2 All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.
- 1.1.3 Any development potentially affecting a Natura 2000 site must provide avoidance measures in accordance with the strategic plans or guidance set out in paragraphs 6.75-6.77 where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the Natura 2000 network. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.

Biodiversity enhancement

- 1.1.4 All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the Biodiversity Action Plan (BAP) or River Basin/ Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character.
- 1.1.5 Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:
 - i. cannot reasonably be avoided
 - ii. are reduced as far as possible
 - iii. are outweighed by other planning considerations in the public interest
 - iv. where appropriate compensation measures can be secured through planning obligations or agreements.
- 1.1.6 Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term. The Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of:

- a) loss or damage to important environmental assets, such as buildings of historical or architectural interest, local watercourses, important archaeological sites and monuments and areas of conservation, ecological or landscape value;
- b) harm to the visual character and distinctiveness of a locality, particularly in respect of the design and scale of the development and its relationship to its surroundings;
- c) loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance resulting from the emission of noise, light or vibration;
- d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance;
- e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances.

1.1.7 The Council will seek, as part of a development proposal, to resolve or limit environmental impacts. This may include the submission of a flood-risk/run-off assessment to determine the potential flood risk to the development, the likely effects of the development on flood risk to others, whether mitigation is necessary, and if so, whether it is likely to be effective and acceptable. The Council will also seek remedial measures to deal with existing problems such as land contamination.

2 Joint Melksham Neighbourhood Plan 2 2020-2038

2.1 Policy 12: Green and Blue Infrastructure

- 2.1.1 Development that will result in the creation of new Green and Blue Infrastructure (GBI) and/or contribute to the protection, management, enhancement and connectivity of existing GBI will be supported; the potential for GBI within the Neighbourhood Area is illustrated diagrammatically in Figure 12 of the JMNP.
- 2.1.2 As appropriate to their scale, nature and location, development proposals for major developments must:
- identify the existing GBI within and around the development site, and
 - demonstrate how GBI has been incorporated into the proposal, and
 - assess and address how the proposal will benefit the function and connectivity of GBI through the site and beyond.

2.2 Policy 13: Biodiversity

- 2.2.1 Development proposals, including those for field based solar farms, should deliver at least a 10% improvement in biodiversity value within and, where appropriate, beyond the site to deliver tangible benefits for biodiversity, including specific attention for protected species. Proposals which deliver a higher Biodiversity Net Gain will be particularly supported.
- 2.2.2 Where appropriate, development proposals should demonstrate sensitive responses to statutory and non-statutory nature conservation sites (as shown on Figure 13 of the JMNP), such as accommodating a buffer zone.

2.3 Policy 16: Trees and Hedgerows

Ancient and Veteran Trees

- 2.3.1 To be supported, development proposals should ensure that there will be no loss or deterioration of the irreplaceable habitats of ancient woodlands (as shown in Figure 16 of the JMNP) and ancient or veteran trees found outside ancient woodland, unless the need for and benefits of the development in that location clearly outweigh the loss. A minimum buffer of at least 15 metres in width should be maintained between ancient woodland and any development boundary. A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree.

Other Existing Trees and Hedgerows

- 2.3.2 To be supported, development proposals should ensure that there is no damage to or loss of trees of good arboricultural and amenity value. Existing trees and hedgerows on development sites should be retained where possible and incorporated as placemaking features in new development. Where there is an unavoidable loss of trees on site, the number and type of replacement trees should be informed by the quality and size of trees lost. Integration of existing hedgerows into private curtilage must be avoided where possible.

Increased Tree Canopy

- 2.3.3 Wherever practicable, development proposals on sites outside of the town centre, and greater than 0.5 ha in size, should deliver an increase in site tree canopy cover. This should be demonstrated through a tree planting plan, and should be delivered through the retention of existing trees and /or the planting of new trees in public areas and in private gardens. Where this approach is not practicable, other green infrastructure features (such as green roofs) appropriate to the site should be provided.

3 Wiltshire Council Local Plan Pre-Submission Draft 2020 - 2038

3.1 Policy 88 Biodiversity and Geodiversity

Protection

- 3.1.1 Development proposals will need to clearly demonstrate how the mitigation hierarchy has been sequentially applied. Development proposals must demonstrate how they protect features of nature conservation value, both terrestrial and aquatic, and geological value as part of the design rationale. There is an expectation that such features shall be retained, sufficiently buffered, and managed favourably to maintain their ecological value, connectivity and functionality in perpetuity. Furthermore, development proposals must secure and implement measures, including appropriate compensatory measures where necessary, to ensure no net loss of biodiversity and the local biodiversity resource, and to secure the integrity of local ecological networks and provision of ecosystem services. All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development. Any development potentially affecting a UK National Site Network site must provide avoidance measures in accordance with the strategic plans or guidance set out from paragraphs 5.135 where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the UK National Site Network. Any development that would have an adverse effect on the integrity of a European nature conservation site and where the impacts cannot be satisfactorily mitigated, will not be supported.

Local sites, priority habitat and habitats of principal importance and local ecological networks

- 3.1.2 Development will avoid direct and indirect impacts upon local sites by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:
1. cannot reasonably be avoided;
 2. are reduced as far as possible;
 3. are outweighed by other planning considerations of overriding public interest;
 4. where appropriate compensation measures can be secured through planning obligations or agreements.
- 3.1.3 Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term. Development proposals should avoid negative impacts upon priority habitat, habitats of principal importance, ecological networks, and wildlife corridors, instead promoting their conservation, restoration, and enhancement alongside the recovery of priority species.

Biodiversity in the built environment

- 3.1.4 In addition to features required as part of biodiversity net gain, mitigation or compensation, all proposals are required to incorporate features of biodiversity value tailored to the specific proposals, relevant local receptors and in accordance with best practice to maximise potential benefits. As a minimum, the following are required within new proposals:
1. integrate integral bird nest bricks (e.g., swift bricks) at a minimum of two per dwelling;
 2. provision of integrated bat boxes;

3. provision of overhanging eaves suitable for nesting house martins in all major development, supplemented by the provision of nest cups; and
4. hedgehog highways integrated throughout the design of development (e.g., suitable gaps in all garden fences) between gardens and the wider ecological network to facilitate movement of protected species.

3.1.5 Other features that should be included (but are not limited to):

1. provision of wildflower verges and meadows throughout the development managed to ensure their longevity (e.g., provision of suitable native seeding and topsoil provisions);
2. undertake nature friendly native planting schedules throughout development (e.g., planting wildlife friendly show gardens, incorporating native hedgerows and tree planting);
3. design site lighting to avoid harm and optimise nature conservation (e.g., designing in dark corridors);
4. optimise the ecological value of sustainable urban drainage systems where required (e.g., through the provision of swales and pools, connected to the wider ecological network, planted with native vegetation);
5. incorporate features within the public realm to facilitate nature recovery and access to nature (e.g., bat walls/lofts, swift towers, log piles, insect hotels, invertebrate/bee bricks, reptile hibernacula, green and brown roofs / walls).

3.2 Policy 89 Biodiversity Net Gain

- 3.2.1** Development must achieve a minimum of 20% Biodiversity Net Gain, or higher as stipulated in national legislation and/or policy or supplementary guidance, over the pre-development biodiversity value as measured by the latest Biodiversity Metric. Exempted development must achieve no net loss of biodiversity and should achieve appropriate net gains, aspiring to deliver at least 20% biodiversity net gain. Biodiversity net gain must be delivered in the following hierarchical manner: 1. Onsite delivery: where delivered on site habitats should be functionally linked to the wider habitat network creating coherent ecological networks. 2. Off-site delivery: should prioritise contributing to nearby habitat recovery and creation strategies as identified within adopted mitigation strategies, strategic wildlife corridors, Local Nature Recovery Strategy and, Green and Blue Infrastructure Strategy. 3. Off-site delivery: on an alternative suitable site, prioritising strategic delivery in the Local Nature Recovery Strategy area. 4. Credits: as a last resort, and where it is agreed by the Local Planning Authority no suitable alternatives exist, through the purchase of an appropriate amount of national biodiversity units/credits. Planning applications subject to mandatory Biodiversity Net Gain must submit a Biodiversity Gain Plan at the application stage that should include: how the mitigation hierarchy has been adhered to; justification for the baseline date and assessed value of the site prior to development, including a brief synopsis of the site's historic biodiversity value and appointing strategic significance in metric; pre and post-development biodiversity value of onsite habitats and created off site habitats; demonstrate how net gains are achieved through on site, off site or purchased credits, clarifying and explaining the predicted biodiversity outcomes both qualitatively and quantitatively; how a positive proportionate contribution has been made to the ecological networks and priorities as outlined within the Local Nature Recovery Strategy and regional Nature Recovery Networks and for maintaining or creating local ecological networks through habitat creation, protection, enhancement, restoration and management. The assessments underpinning, and the Biodiversity Gain Plan itself, must be undertaken by a suitably qualified and/or experienced ecologist and be

submitted together with baseline and proposed habitat mapping in a digital format with the application.

- 3.2.2 Sites where net gain is provided (on or off site) must be managed and monitored by the applicant or an appropriate body funded by the applicant for a minimum period of 30 years. Annual monitoring reports detailing the sites condition must be submitted to the Council each year over this period. A management plan must be provided at the application stage detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed, and monitored in perpetuity. Where there is evidence of neglect or damage to any of the habitats on development sites reducing their biodiversity value their deteriorated condition will not be taken into consideration and steps will be taken to establish the previous ecological baseline of the site in order to decide the acceptability of any development proposals. Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle.

3.3 Policy 90 Woodland, Hedgerows, and Trees

- 3.3.1 Proposals for major development shall make provision for the retention and enhancement of Wiltshire's woodlands, hedgerows, and trees, and shall incorporate these assets into development design as part of the wider Green and Blue Infrastructure (GBI) Network, by:
1. contributing to the tree planting targets of Wiltshire Council's Climate Strategy and Woodland, Hedgerow and Tree Strategy , following the principles of 'Right Tree, Right Place;
 2. supporting the economic benefits of woodland and tree planting from agroforestry, leisure, tourism as well as wider ecosystem services such as natural flood management and climate resilience;
 3. where applicable, supporting the aims and objectives of the Great Western Community Forest;
 4. where applicable and acceptable in highway terms, ensuring on major developments that tree lined streets, community orchards and garden tree planting, are fully integrated into proposals;
 5. seeking, where applicable, to increase woodland and street tree cover in existing urban areas in Wiltshire to create shade, mitigate storm water runoff, improve air quality, sequester carbon, and improve the health and well-being of local communities;
 6. ensuring the long-term sustainability of woodland, hedgerow, and tree planting, through the appropriate specification of plants, planting accessories, soil volumes, and long-term management to ensure the establishment to maturity of planting schemes in Wiltshire and minimise wastage.



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