



Avon Wildlife Trust

PLANNING AND WILDLIFE - WHAT YOU
CAN DO



INTRODUCTION

A healthy natural environment rich in wildlife provides many benefits to local communities. Wildlife and green spaces around our cities, towns and villages add to our quality of life. New development done properly can have a positive net benefit for wildlife, by creating new habitats or providing resources to manage previously neglected wildlife sites. Done badly, development can harm habitats and important species.

On a local level we don't have the resources to respond to all planning applications but we want to support you to do this where there is a strong case. Local Planning Authority planning systems welcome people to comment on applications. You can help protect and enhance your local environment by influencing planning decisions to ensure that they benefit rather than harm wildlife and protect important habitats and species.

This leaflet will help explain:

- The planning system
- When wildlife concerns may impact a planning application
- What you can do if you are worried about a planning application's impact on wildlife



THE PLANNING SYSTEM

LOCAL PLANS

Local Plans are documents prepared by councils to present a planning strategy for their area. They contain policies against which planning applications will be tested and identifies specific areas for development. Local Plans are used by councils when considering individual planning applications. If applications are for sites identified in the Local Plan they still need planning permission but there is a presumption they will go ahead if they conform with the plan.

NEIGHBOURHOOD PLANS

Neighbourhood Plans are created by communities, choosing where they want new homes, shops and offices to be built, outlining what they want these new buildings to look like and what infrastructure should be a part of that. These plans are used alongside Local Plans in determining planning applications. Neighbourhood Plans are a mechanism for granting planning applications, rather than blocking proposed development. However, they still need to be considered when opposing a planning application as they can be legal if voted so by the local authority.

PLANNING APPLICATIONS

Once your Local Planning Authority has received a formal planning application it will display public notices and/or write to homes and businesses near the proposed site inviting comments. They will publish details on their website and, with larger developments, advertise in local newspapers. There will be a set time period to consider comments received and they usually consult a large number of expert organisations in this time.

Many large planning application sites automatically require ecological assessments but many smaller sites do not. Local authorities have a duty to consider wildlife when making decisions about planning applications. The more that is known about the wildlife on a site the more likely it is that it will be taken into account. As part of the Natural Environment and Rural Communities Act, local authorities must "have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".



WILDLIFE CONCERNS

LEGAL PROTECTION FOR SPECIES AND HABITATS

Some sites, habitats and species have specific protection under the law which can influence a planning application and the presence of any of these means that an ecological survey can be required before the planning application is considered. The survey should clearly state what methodology was used, what was found and how the planning application will impact the important features. If necessary, it should also suggest compensation or mitigation measures.

SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)

SSSIs are nationally important sites and are protected under law. Everyone must get approval from Natural England before carrying out any operations which may damage an SSSI. You can find out where there are protected sites close to you by visiting the Defra's MAGIC website at magic.defra.gov.uk.



WILDLIFE CONCERNS

LOCAL WILDLIFE SITES

A Local Wildlife Site is a non-statutory designation used to identify areas of high conservation importance at a county level. This does not confer legal protection on the site, or right of access, however for any significant change of land use the planning authorities will expect the wildlife interest to be taken into account alongside other normal planning considerations.

UNDESIGNATED SITES

Most land has no specific designation. Planning applications on undesignated land are unlikely to be turned down on nature conservation grounds unless they are found to contain species protected by law. In these circumstances the presence of species such as bats or great-crested newts will usually only affect when and how the development takes place, not whether it takes place.

HEDGEROW REGULATIONS (1997)

These protect certain hedgerows from being removed or destroyed without permission from the local planning authority.

WILDLIFE CONCERNS

TREE PRESERVATION ORDERS

These can be issued by the local authority and can only be issued on trees or groups of trees, that have historical, landscape or amenity value.

TREE FELLING ORDERS

A felling licence from the Forestry Commission is required to fell trees. It is an offence to fell trees without a licence if an exemption does not apply.

PROTECTED SPECIES

Some species of plants and animals are given special legal protection. This must be taken into account before planning permission can be granted. Lists of legally protected species are available on the UK's Joint Nature Conservation Committee website jncc.gov.uk and include:

Bats	Ground pine
Badgers	Otters
Barn owls	Water voles
Field cow wheat	Reptiles
Firecrests	Great crested newt

WHAT YOU CAN DO

PLAY AN ACTIVE ROLE

The main ways you can get involved are:

- Have your say during public consultation periods for Local Plans
- Have your say on planning applications affecting your community
- Seek the creation of new wildlife habitat in your Neighbourhood Plan
- Check that planning conditions are being followed by the developer

The first thing to do is collect as much information as possible about the wildlife value of the site and the application itself. Read through the application and supporting documentation and be aware of the deadline for responses. Also investigate whether there have been any planning permission proposals on the same site and whether the site has been allocated for development within the Local Plan.



WHAT YOU CAN DO

WAYS TO ACT

- Write a response to a planning application
- Talk to other local residents
- Contact your MP to ask for their support - find them at members.parliament.uk/members/Commons
- Send your letter to the Councillor for the ward, local parish and town council in which the site is located
- Attend the relevant planning committee meeting
- Contact the local media

THINGS TO CONSIDER

- A written response will be more effective than a telephone call
- Address your letter to the case officer and state the application number
- Be clear about whether you are objecting to or supporting the application
- Keep your letter brief, calm and polite
- Avoid using emotive language
- Include information about important habitats and wildlife which have been found at the site
- Attach supporting evidence such as photographs if necessary
- Base your letter on planning issues rather than your personal opinion

WHAT YOU CAN DO

THINGS TO CONSIDER

- It may be more appropriate to object on grounds other than wildlife, if these are more likely to affect the decision
- Include any relevant policies from the Local Plan or national legislation
- State how the application could be changed to address your objections
- If mitigation would be possible suggest how it could be done

TRY TO AVOID

- Including any information you are unsure about
- Making any unsubstantiated criticism of the applicant or the council
- Exaggerating your claims
- Unrelated information
- Mentioning issues which are not considered in planning matters

