

Date: 08 January 2021
Our ref: 337385



Buckinghamshire Council

BY EMAIL ONLY

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Dear Sir or Madam,

Planning Consultation: Aylesbury Vale Local Plan – Further Main Modifications

Thank you for your consultation on the above dated 15 December 2020 which was received by Natural England on the same day.

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.

We would like to thank you for taking our comments from the previous consultation on board. We have reviewed the modifications and in particular Policies NE1-9 and I1, and have no further comments to make.

We have included some advisory comments, which should constitute best practice. Most are minor changes concerned with wording of certain policies.

ADVISORY

Policy D1 - Delivering Aylesbury Garden Town

As the main Policy for the Garden Town, we recommend addition to D1 to require all associated development to conserve the biodiversity on site and provide a biodiversity net gain through multifunctional green infrastructure. This is supported within the NPPF (paras. 170, 175 (d)) and will bring the Policy in line with Policies NE1-9 and I1.

D-WHA001 Shenley Park

Due to the areas of ancient woodland (irreplaceable habitat), deciduous woodland (priority habitat) and 'no main habitat but additional habitats present' (priority habitat) on the site, we advise wording is put in to ensure habitats are not damaged or destroyed. In addition, we advise removal of 'where practicable' in regards to retention of habitats.

D-HAL003 RAF Halton

Wording should be added to the site specific description to highlight the neighbouring sites of ecological value, and to ensure they are not encroached onto.

The 50% green infrastructure on site should focus on providing a similar experience to the adjacent Ancient Woodland to keep people on-site. Mitigation options for recreational disturbance can include

offsite works such as signage, fencing and footpath creation within the protected sites to minimise recreational disturbance such as trampling of vegetation, dog fouling, and disturbance of wildlife.

Site Allocations

Several of our points can be applied across all of the site allocation policies;

- We recommend removal of all mentions of 'where practicable' in reference to the retention of existing habitats, woodland and hedgerows, and creation of linkages of surrounding wildlife assets. In order to comply with the NPPF, para. 175, 'if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'. The NPPF also stresses the importance (para 171) of taking a 'strategic approach to maintaining and enhancing networks of habitats and green infrastructure'. By including the words 'where practicable' you allow for the possibly of destruction of priority habitats and the loss of biodiversity.
- It is Natural England's opinion that the vast majority of the site allocations should require an ecological management plan and subsequent ecological mitigation to be provided. Unless you know there is mitigation required, then remove the 'as required'. The discrepancy on how biodiversity is considered between site allocations is currently inconsistent with NPPF para. 170 and Policy NE1.
- All site allocations should require the provision of a measurable net gain in biodiversity, to remain consistent with para. 170 (d) of the NPPF.

Habitats Regulations Assessment

Natural England provided a response on the 18th November 2020 agreeing with the conclusions reached in the Addendum Habitats Regulations Assessment (HRA) and Appropriate Assessment.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact me at ellen.satchwell@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Ellen Satchwell
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Thames Solent Team