



## **STATEMENT of COMMON GROUND**

### **Policies CP10 and DM34**

**Matter 5 – Natural, Built and Historic Environment**

**Matter 1 – Question 14 (Supplementary Planning Documents)**

**Wycombe District Council  
and  
Buckinghamshire & Milton Keynes  
Natural Environment Partnership**

## Introduction

- 1.1 This Statement of Common Ground is between Wycombe District Council (WDC) and the Buckinghamshire Milton Keynes Natural Environment Partnership (NEP). The statement is in relation to biodiversity net gain, biodiversity accounting, and green infrastructure mapping, issues which mainly fall under Matter 5, but which also touch Matter 1 (as detailed below):
- 1) Matter 5 - Environment
    - a) Questions 1b – Policy CP10 (Green infrastructure and the natural environment)
    - b) Question 1i – Policy DM34 (Delivering Green Infrastructure and Biodiversity in Development)
    - c) Question 1j – Policy DM35 (Placemaking and Design Quality)
  - 2) Matter 1 – Legal Compliance and Duty to Cooperate
    - a) Question 14 – Supplementary Planning Documents
- 1.2 WDC is a member of the NEP and the NEP is a Duty to Cooperate body who had objected to the plan (REP no 0831). Subsequent discussions narrowed the gap somewhat between WDC and NEP.<sup>1</sup> This statement further closes the gap.
- 1.3 The NEP view is that these modifications are necessary to make the Plan sound. The Council does not agree this point, but agrees that these changes would improve the clarity of the policies. In the Council's view the modifications proposed include material changes to the submitted policies that can only be made if the Inspector finds them necessary to achieve soundness. There are however additional changes and clarifications proposed to the supporting text which the

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<sup>1</sup> See page 62 WDLP8 Wycombe District Local Plan and the Duty to Cooperate Report and WDLP8.3 Duty to Cooperate Report Appendix 3: BMKNEP

Council would in any case be minded to implement as additional 'minor' modifications if the Plan overall is found sound in due course.

### Agreed points

- 1.4 WDC has met the Duty to Cooperate with regards to joint working with the NEP on the strategic issues relating to the natural environment.
- 1.5 DM34 is intended to address the twin aims of **securing a net gain in biodiversity** and **maximising opportunities to enhance green infrastructure** in individual development proposals. The two concepts are related, although different, with biodiversity being an element of green infrastructure, and environmental assets and design features can contribute to both aims. This approach also makes progress towards the broader approach to natural capital and ecosystem services<sup>2</sup>, which retains biodiversity as the core issue, whilst integrating health, recreation and other benefits to the human population that accrue from access to and enjoyment of the natural environment.
- 1.6 In principle, net gain in biodiversity should be required at the scale of individual development proposals, as well as across the District as a whole over the plan period. Any policy reflecting this should be applied proportionately and pragmatically.
- 1.7 Appendix 3 of WDLP8 contained potential modifications to the text of Policy DM34 (Delivering Green Infrastructure and Biodiversity in Development) which we had agreed would implement this objective (supported by SPD – see below).<sup>3</sup> A further development of this text is appended to this statement.
- 1.8 A SPD will be required to set out the technical detail of the biodiversity accounting mechanism. This is already being developed jointly through the NEP, which has recently appointed Warwickshire County Council, which already operates a successful biodiversity accounting scheme, to

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<sup>2</sup> See for example HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment

<sup>3</sup> Previously published as part of WDLP8.3 Duty to Cooperate Report Appendix 3: BMKNEP.

assist. We are conscious of the current DEFRA work around possible mandatory requirements in this area as part of implementing *A Green Future*.<sup>2</sup> . We are also working jointly on large scale GI network mapping (see Policy CP10.3.b), which, will then be developed further at a local level in due course.

- 1.9 Critically, we also agree that Policy CP10 would be improved by the following modifications (overleaf).
- 1.10 Deletions are shown ~~struck through~~, and additions *in red underlined italics*.

## POLICY CP10 – GREEN INFRASTRUCTURE AND THE NATURAL ENVIRONMENT

The Council will promote the conservation and enhancement of the natural environment and green infrastructure of the District through:

1. Conserving, protecting and enhancing the Chilterns Area of Outstanding Natural Beauty and other natural environmental assets of local, national and international importance by:
  - a) Protecting them from harmful development through development management policies in this Plan and the Delivery and Site Allocations Plan including the protection of biodiversity and landscape designations and landscape character based approach to considering proposals;
  - b) Working with the Chilterns AONB Board and other agencies to improve the management of the AONB and other natural assets, and help people's enjoyment of them;
  - c) Taking a landscape character based approach to considering proposals.
2. Ensuring there is a net gain in biodiversity *within individual development proposals and* across the District as a whole over the plan period.
3. *Working with the Buckinghamshire and Milton Keynes Natural Environment Partnership and others to protect* Protecting and enhancing the green infrastructure network of the District by:
  - a) Protecting designated sites and through management plans ensuring their biodiversity value will be enhanced;
  - b) *Proactive, early and strategic planning of green infrastructure to maximise its benefits, including a baseline assessment of what exists (function, location, size, connectivity)*
  - c) *Keeping under review and updating the extent of the Green Infrastructure network and working to identify opportunities for GI in the District in coordination with the Bucks and Milton Keynes Natural Environment Partnership and other agencies;*
  - d) *Ensuring through development management policies that all development is required to maximise the opportunities to protect, enhance, expand, connect, improve and use the existing green infrastructure, including across the border of the development site.*
  - e) ~~Protecting the network through development management policies;~~
  - f) ~~Ensuring green infrastructure is planned into new developments; and~~

~~g) Taking opportunities to enhance the network, providing new or enhanced links in the network, including where appropriate through new development.~~

4. Working in partnership with the Environment Agency, Natural England and the water companies to protect, manage and improve water quality in the District, particularly the quality of water bodies which are currently failing to meet the Water Framework Directive (WFD) requirements as set out in the Thames River Basin Management Plan (RBMP).

### **Supporting text:**

*Changes to selected paragraphs – other paragraphs unchanged*

#### **Para 4.105**

The landscape character and green infrastructure within the District are vital to its sense of place. ~~Planning for and~~ Protecting ***and enhancing*** existing assets ***through planning*** is of strategic importance.

#### **Para 4.111**

These designated sites are ~~the anchor to~~ ***an important part of*** the green infrastructure network. ***By requiring net gain in biodiversity for all development, and long-term management and monitoring plans to secure it, including where designated sites are adjacent to development, an enhancement of the biodiversity value of these sites can be ensured.*** ~~, where these designated sites are adjacent to development, it can be ensured their biodiversity value can be enhanced.~~

## DM34 – Delivering Green Infrastructure and Biodiversity in Development

- 6.137 Policy DM34 sets out our approach to achieving and maximising Green Infrastructure and enhancements to local biodiversity. Part 1 of the policy sets the overall purpose, with Part 2 setting out the approach to follow. Part 3 includes specific minimum requirements to be included as part of the overall package of GI required by Part 2. *This policy is designed to help achieve the aims of CP7, CP9 and CP10 and it should be applied in conjunction with DM11 to DM14 as necessary. Whilst the Policy applies to all development, the application of the Policy requirements will be tailored in proportion to the scale and sensitivity of the individual development proposal. Further guidance may be provided in SPD.*

**POLICY DM34 – DELIVERING GREEN INFRASTRUCTURE AND BIODIVERSITY IN DEVELOPMENT**

1. All development is required to protect and enhance *both biodiversity and* green infrastructure features and networks both on and off site *for the lifetime of the development.*
2. Development *proposals* are required to evidence a thorough understanding of context through the preparation of a proportionate assessment of existing and planned green infrastructure and *biodiversity* features and networks both on the site and in the locality, and demonstrate how:
  - a) Through physical alterations and a management plan *for the lifetime of the development:*
    - i. Existing green infrastructure *and biodiversity assets* will be protected or maintained;
    - ii. Opportunities to enhance existing and provide new green infrastructure *and biodiversity assets will be* maximised;
    - iii. *Development will deliver* long lasting measurable net gains *in biodiversity.*
    - iv. *Where appropriate, a monitoring plan will be put in place to*



*review delivery of i-iii.*

- b) *The mitigation hierarchy has been applied by following a* sequential approach to avoid, minimise, mitigate, and finally compensate (on then off site) for any harm *to biodiversity. If significant harm cannot be avoided in this way, development will not be permitted.*
3. In all cases, development is required as a minimum to:
- a) Secure adequate buffers to valuable habitats;
  - b) Achieve a future canopy cover of at least 25% of the site area on sites outside of the town centres and 0.5HA or more;
  - c) Within town centres and on sites below 0.5HA development is required to maximise the opportunities available for canopy cover (including not only tree planting but also the use of green roofs and green walls);
  - d) Make provision for the long term management and maintenance of green infrastructure *and biodiversity assets*;
  - e) Protect trees to be retained through site layout and during construction.

6.138 *This Policy refers to both Biodiversity and* Green Infrastructure. *These are distinct concepts and policy objectives, but they relate to many of the same features of the environment. Green Infrastructure* refers to all of the natural or semi-natural components of the environment at whatever scale, everything from the Chilterns escarpment to individual gardens or trees, whether carrying a formal designation or not. It includes land and water habitats (sometimes called blue infrastructure) essential for biodiversity, areas and features important to our appreciation of the landscape, and areas created or managed for human enjoyment which bring us closer to nature, such as parks and cycle ways, and greenspaces. Green Infrastructure is hugely valuable – it provides us with multiple benefits from ecological to social and economic. These are known as “ecosystem services” and need protecting and enhancing. *Biodiversity refers to the diversity of species and habitats in the environment and biodiversity assets are those parts of the*



*environment that contribute to biodiversity.*

- 6.139** DM34 acts as an umbrella over Policies DM11 - DM16 of the Delivery and Site Allocations Plan, which also address matters of Green Infrastructure. These policies identify designated and undesignated assets, which are to be taken into account in DM34. Assets will be accorded a weight proportionate to their importance. The evidence gathering may reveal other assets not identified in these policies, and these must also be taken into account.
- 6.140** The NPPF defines Green Infrastructure as “...a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities”. The NPPG expands on this and explains that: "Green infrastructure is not simply an alternative description for conventional open space. As a network it includes parks, open spaces, playing fields, woodlands, but also street trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls."
- 6.141** Houses and gardens provide opportunities through provision of e.g. hedgerow boundaries, wildflower turf and garden walls; streets can incorporate trees, wildflower-rich verges and SuDS schemes including biodiversity; and spaces such as woodland, allotments or local play areas can be managed for wildlife with appropriate planting and a range of habitats. Layouts should be planned so that new and existing trees are not only a significant feature of open spaces but they are also incorporated into streets, gardens, parking courts and other publicly accessible areas. Trees must be given adequate space to allow for future growth of both roots and crown.
- 6.142** Wycombe District Council is an active member of the Buckinghamshire & Milton Keynes Natural Environment Partnership (the NEP). The NEP is a Partnership bringing together a wide variety of individuals, businesses and organisations that have an interest in driving positive change in the local natural environment. Our NEP forms one of 49 Local Nature Partnerships (LNPs) in Britain, which work to highlight the importance of the natural environment and develop and ensure a

more joined up approach through linking environmental objectives with social and economic goals.

**6.143** This Policy has been shaped by the NEP's 2016 Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes. The key points of the NEP Vision for the whole of Buckinghamshire and Milton Keynes by 2030 are working together towards a landscape-scale network of green and blue infrastructure that is:

- Well-designed, accessible, used and valued by our residents
- Connected together at the landscape scale
- Wildlife-rich
- Recognised as a necessity into the long-term to provide benefits for sustainable growth
- Delivered - through support, commitment and adequate funding ensuring additional, bigger, better and more joined up and connected green and blue infrastructure to provide multiple benefits is a priority.

**6.144** The policy also complements existing Policies DM11 to DM14 in the Delivery and Site Allocations Plan, which should be read alongside this policy.

**6.145** Part 2 of the Policy sets out the essential principles to follow – understanding context, delivering improvements, and following a mitigation hierarchy. The Policy applies to all scales and types of development, but as with some of the other policies in this chapter, the Council will only require a proportionate approach. A proposal for a house extension, for example, will typically only require consideration of any existing trees affected by the proposal. A strategic housing proposal would consider a far wider and deeper assessment, including in some cases an Environmental Statement under the EIA regime.

**6.146** In assessing net gains in biodiversity, a best practice methodology for biodiversity accounting is expected to be used, *for example based on the Defra metric, unless or until a local approach is set out in a future Supplementary Planning Document.* Gains in other types of green infrastructure are likely to be measured both qualitatively and quantitatively.

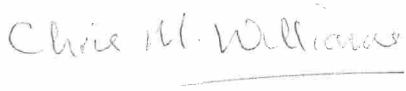

- 6.147 Trees, woodlands and hedgerows are valuable assets which provide Environmental, Economic, Social and Climate Change benefits. They are an important element of green infrastructure, are of particular importance for what they add to landscape character in the District and are also exceptionally important for their role in making urban areas more sustainable places to live and work.
- 6.148 ~~Wooded areas account for 18.8% of Wycombe District; this represents over 32,000ha of woodland.~~ **Woodland areas account for some 19% of the District, amounting to some 6,245HA, and overall there are estimated to be 1.1M trees providing 25% canopy cover.** [Commentary note for this statement: This is a factual correction the Council would in any case be minded to make as an additional 'minor' modification. Included here for context and completeness.] In both urban and rural areas woodlands play an important role in defining the Chilterns landscape and supporting Chilterns ecology, and, particularly in rural areas, in supporting the economy. Trees, woodlands and hedgerows also help to secure sustainable development, through air quality enhancement, storm water control, habitat provision and helping to reduce the rate of global warming by trapping carbon dioxide. They can also be used as a resource for both recreation and education, and, historically, influenced the development of the furniture industry in the District.
- 6.149 Incidental open spaces such as small landscaped areas within housing or commercial developments provide important visual contrasts, soften the hard edge of buildings, and provide space for biodiversity. They provide opportunities for soft landscaping, and generally contribute to amenity. Typically less than 0.1 hectares in area, they are generally too small to identify on the Policies Map, but their importance to amenity throughout the District's built environment is such that they should be protected.
- 6.150 Where existing trees are on or adjacent to a site and have significant amenity value the District Council may use its powers to protect the trees with Tree Preservation Orders (TPOs). Where trees on or adjacent to a site could be affected by development the District Council will expect planning applications to follow the

process set out in British Standard 5837:2012 Trees - in relation to design, demolition and construction (or subsequent revisions), with the use of buffers which exclude damaging activity or other suitable protective measures. The Council will require a tree survey and an Arboricultural Impact Assessment (AIA) to be submitted. Where special techniques and tree protection methods will be necessary for successful implementation, details of them must also be included in the form of a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). Details of foundations, services and levels may also be required to enable a properly considered decision to be made on the impact of development on retained trees.

- 6.151** Part 3 of the Policy specifies a number of design solutions that are required as a minimum on relevant developments. The Council may publish a Supplementary Planning Document to provide further detailed guidance on the measures set out. Until this guidance is adopted developers should work with the Council's Natural Environment and Arboricultural Officers to agree the approach to their scheme.
- 6.152** Protected habitats are highly vulnerable to direct and indirect impacts from development and adequate buffers are necessary to ensure their continued protection. Some of these are already well established in national guidance or best practice (e.g. 10 metres for *most* streams or rivers, *a minimum of* 15 metres for *irreplaceable habitat, including* Ancient Woodland).
- 6.153** Canopy cover within urban areas provides a range of ecosystem services including biodiversity and climate change benefits such as increased habitat, increased rainwater control, and improved air quality. It also improves the quality, amenity value, and sense of place of an area. In most cases trees will be the optimum solution for increasing canopy cover, but alternatives such as green roofs and green walls will have an important role to play in more constrained sites, especially in town centre locations. Sufficient space above and below ground for trees and other plants to meet their potential must be provided.
- 6.154** Effective management and maintenance are essential to ensure that biodiversity and green infrastructure benefits are long lasting. Specific requirements will be

tailored by the Council according to the scale and complexity of the scheme.

- 6.155** There is a strong link to Policy DM35 Placemaking and Design Quality. To accord with the objectives of DM35 the detailed design and specification of the hard and soft landscaping elements that make up the new or improved green infrastructure assets must be high quality and must be fully integrated with the overall placemaking approach.

Signature  	Signature  
Name  Chris M Williams	Name  Cllr David Johnson
Position  Chair	Position  Cabinet Member for Planning
Representing  Buckinghamshire and Milton Keynes Natural Environment Partnership	Representing  Weymouth District Council
Date  20 <sup>th</sup> July 2018	Date  24 July 2018

