

Bee Yew-Booth
Warwickshire County Council
Environment and Economy
PO Box 43
Shire Hall
Warwick
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24th December 2012

Your Ref:

Our Ref: WCC_Examination_2012

**WARWICKSHIRE WASTE CORE STRATEGY EXAMINATION;
AMENDMENTS**

Dear Ms Yew-Booth

Thank you for consulting Warwickshire Wildlife Trust on the proposed amendments to the Warwickshire Waste Core Strategy. The Trust has considered the schedule of changes to the strategy and would like to submit the following comments for your consideration:

Policy DM1- Protection and Enhancement of the Natural Environment

- 1) The Trust welcomes the reference to and promotion of the 'protection' and 'enhancement' of the natural environment in policy DM1. We believe this amendment aligns the policy better both with the principles of the National Planning Policy Framework (NPPF), namely paragraphs 109, 114 and 117, and with the strategic objectives of the plan and so we support its inclusion within the plan.
- 2) The Trust is generally supportive of the criteria based approach to the protection of nationally and locally important wildlife sites within the policy. However, we remain concerned that there is currently no threshold for which sub-regional and local sites, habitats and species will be protected. We believe that if the policy is to provide robust protection for such features within the plan, the clause should clearly state where exceptions to this protection would be considered. This would ensure that the local authority has a clear and defensible framework in which to judge developments that affect sub-regional or locally important assets and would thus uphold an appropriate level of protection for them accordingly.

Our suggested approach, which is already outlined for sites of international and national importance in the second clause of the policy, is considered to be consistent with the NPPF which states that:

'Distinctions should be made between the hierarchy of international, national and locally designated sites, so that

protection is commensurate with their status and gives appropriate weight to their importance and the contribution they make to wider ecological networks.'

We therefore recommend that this principle, that should give relevant weight to the sub-regional or local status of the site against the relative merits of a proposed scheme, is incorporated into the third clause of the policy. We believe this will provide a more effective approach to protection of key biodiversity assets and components of ecological networks in the county. It also provides a context for the fourth sentence of paragraph 9.23, in allowing exceptions to policy protection where the merits of a scheme, through for example enhancement of a local or sub-regional asset, would outweigh the reasons for protecting it in the first instance.

- 3) The Trust welcomes the inclusion of the avoid, mitigate and compensate hierarchy within the final clause of the policy. We believe this statement sets out an appropriate framework to addressing adverse effects on biodiversity whilst also ensuring that a mechanism is provided to secure no net loss of biodiversity. The Trust would however, like to see a further amendment to this clause in order to ensure that sufficient consideration is given to the aforementioned protection for international/ national and locally designed sites outlined above. Suggested wording is provided as follows:

'If it is considered that development is justified against the above criteria, proposals will only be permitted where the adverse impacts will be.'

- 4) The Trust welcomes the reference to Biodiversity Offsetting and the sub-regional green infrastructure strategy in paragraph 9.24. We believe that this provides an important context for the delivery of the pilot offsetting scheme and will serve to introduce a more robust approach to securing compensation where it is required. We would however, like it to be emphasised that biodiversity offsetting should only be considered where:

a) the development has been assessed and justified against the criteria protection for international, national and locally designated sites; and

b) the development has clearly demonstrated that every opportunity to avoid and mitigate adverse impacts on biodiversity have been explored in the first instance.

We believe these statements will ensure that developer cannot enter into the biodiversity offsetting pilot in order to justify a development without first rigorously applying the principles of the policy to the location and design of the proposal.

The Trust has no additional comments to make to with regards to polices DM2 and DM6 above and beyond that provided within our initial consultation response.

Please do not hesitate to contact me if you have any queries regarding the context of this response.

Yours sincerely

Richard Wheat
Planning and Biodiversity Officer
Warwickshire Wildlife Trust