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Protecting and enhancing Oxfordshire’s biodiversity

Oxfordshire supports a diversity of wildlife habitats and species, ranging from the chalk grasslands and beechwoods in the Chilterns, through pockets of rare fen, to the scarce flood meadows along the Thames. However, less than 10,000 hectares (ha) of Oxfordshire retains any special value for wildlife; around 4% of the total land area. Oxfordshire is also home to around 80 protected species and more than 200 species recognised as being a priority for conservation.

The Berks, Bucks & Oxon Wildlife Trust (BBOWT), Oxfordshire County Council and the Thames Valley Environmental Records Centre (TVERC) have worked in partnership to produce this guidance document, to help those involved in planning in Oxfordshire ensure that development within the county protects and enhances this valuable local biodiversity.

Some of the important sites and species in Oxfordshire are protected by legislation, others by planning policy. National and regional planning policy identifies the need to protect existing biodiversity and deliver enhancements to achieve a net gain in biodiversity. Here we bring together legislation and planning policy, alongside information on the biodiversity of Oxfordshire, to help identify when and where biodiversity will need to be protected by the planning system, as well as how to identify opportunities to deliver biodiversity enhancements in the most effective way.

How to use this guidance

This guidance has been arranged to align with national Planning Policy Statement 9 on biodiversity and geological conservation and is similarly divided into sections dealing with various biodiversity features which should be protected and enhanced through the planning system. In general Sections 2 and 3 outline those features which should be protected, and Section 4 outlines opportunities to deliver biodiversity enhancements.

A page of information gives an overview of each feature and locally specific information. The column on the right hand side of the page provides a summary of relevant legislation or planning policy. Boxes on ‘Further Information’ provide sources of more detailed information and guidance. In the bottom right hand corner you will find ‘Key Organisations’ who you might wish to contact in relation to a particular issue.

For each biodiversity feature, a map identifies the distribution of that feature in Oxfordshire. It should be noted that these maps (produced by TVERC) are intended to provide a strategic overview and only show the situation at time of publication. More detailed and updated site-specific information is available directly from TVERC or, for those working in local authorities, much of this information will be available on GIS layers within your authority.

To reduce environmental impact, a limited number of hard copies of this document are available. An online version is provided on the Oxfordshire County Council website (www.oxfordshire.gov.uk), which will be kept up-to-date with changes in legislation and policy. The online version provides links to the documents and websites mentioned in the ‘Further information’ boxes; key legislation is outlined in Section 5. Appendix I and Appendix II are also on the Oxfordshire County Council website. Key contacts are provided in Section 6.
1 Biodiversity in the planning process

This flow diagram illustrates the importance of taking biodiversity into consideration at all stages of the planning application process, highlighting the key features to take into account.

- Discussion with local authority and other relevant organisations (e.g. Natural England, Environment Agency and local organisations) regarding biodiversity issues, including the need for an Environmental Impact Assessment (EIA) or Habitat Regulations Assessment (HRA)
- Desktop survey from TVERC to identify presence of designated sites, protected species and priority habitats and species
- Follow Natural England standing advice to determine survey requirements for protected species

Development proposal

Biodiversity survey and report including EIA or HRA if needed

- Revise as necessary
- Identify locationally appropriate biodiversity gains
- Identify impacts and mitigation measures

Application for planning permission

- Local authority considers validity of surveys and determines application in light of planning policy and legislation
- Consider Section 4 of this guidance, including: Oxfordshire Wildlife and Landscape Study, Conservation Target Areas, Green Infrastructure, Biodiversity in developments
- Consider Sections 2 and 3 of this guidance, including: Designated sites, Biodiversity Action Plan habitats and species, protected species and ancient woodland
- Consultation with Natural England, Environment Agency and local organisations

Application refused

- Refusal due to insufficient biodiversity survey, unacceptable biodiversity impact or insufficient biodiversity enhancement
- Conditions or obligations are attached as appropriate to ensure biodiversity protection and enhancement

Application approved

Consultation with Natural England, Environment Agency and local organisations
The importance of up-to-date information

Planning Policy Statement 9 requires that development plan policies and planning decisions are based upon up-to-date information about the environmental characteristics of their areas, including the relevant biodiversity resources of the area (see right).

In submitting a planning application, the standard planning application form requires that applicants identify any protected or priority species, designated sites, important habitats, or other biodiversity features on, or adjacent to, the application site. This guidance document gives an overview of these features in Oxfordshire; more detailed site level information is available from TVERC.

Where it is likely that a proposal will impact on any of these features, up-to-date biodiversity information will need to be provided with a planning application. The type of assessment needed will vary from a biodiversity survey and report to Environmental Impact Assessment and Appropriate Assessment if a European Site is involved.

It is not within the scope of this guidance to explain how or when to undertake such assessments, there is other national and regional guidance available on this — see the ‘Further Information’ box opposite. It is important to bear in mind that the survey work needed to inform such assessments will be seasonally restricted.

Discussion of biodiversity survey needs at pre-application stage can help reduce the likelihood of delays resulting from requirements for survey being identified at a late stage.

All ecological reports should include the following:

a) What biodiversity is present
b) How biodiversity impacts can be avoided
c) If it is not possible to avoid impacts, how they can be mitigated
d) If there is no way of mitigating impacts, compensation measures should be identified
e) The report should demonstrate how the application can result in an overall enhancement in biodiversity

Avoidance, mitigation, compensation and enhancement measures must be clearly stated to enable report recommendations to be conditioned and enforced.

Planning policy

Planning Policy Statement 9, first key principle:

‘Development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.’

Further information

► Construction Industry Research and Information Association — Guidance on Optimal Timing for Carrying Out Specialist Ecological Surveys and Mitigation
► Ecological Impact Assessment Guidelines (IEEM)
► Habitats Regulations Guidance Notes:
  1. Appropriate Assessment
  2. Review of Existing Planning Permissions and Consents
  3. Determination of Likely Significant Effect
  4. Alone or In Combination
► Natural England Standing Advice for Ancient Woodland
► Natural England Standing Advice on Protected Species