

## Policy CS33 – Biodiversity and Geodiversity

**Policy CS33 - Biodiversity and Geodiversity**

The Council will seek to protect and enhance the natural environmental assets of the Borough, including designated biodiversity and geodiversity assets; priority habitats and species; ancient woodland; and aged or veteran trees found outside ancient woodland; and wherever possible provide net gains in biodiversity and retain and enhance coherent ecological networks.

Applications for development likely to affect a biodiversity or geodiversity asset should be accompanied by an ecological assessment that will:

- competently evaluate the value and extent of the assets on or within the vicinity of the development site including their position in the hierarchy of international, national and local sites;
- assess the likely expected impact of the development on the features of biodiversity or geodiversity identified; and
- evaluate the options and opportunities available to enhance the value of the assets and contribute towards wider ecological networks.

Development that could have an individual or in combination effect on a European Site or its supporting habitat, within or outside of the Borough, must provide sufficient information to enable compliance with the Habitats Regulations.

Development will be permitted where the applicant can demonstrate that:

1. there will be no adverse effect on a Site of Special Scientific Interest or on the integrity of a European Site; and
2. the identified assets can be incorporated and enhanced within the layout of the development without any harm or net loss to biodiversity or geodiversity; or
3. where criterion 2 cannot be satisfied, adequate on-site or off-site mitigation can be provided that will secure a net gain to biodiversity or geodiversity; and
4. adequate provision has been secured for appropriate ongoing maintenance and enhancement of biodiversity or geodiversity interests; and
5. the most appropriate options and opportunities available to enhance the value of the assets and contribute towards the wider ecological networks evaluated are taken forward as part of the application.

Sites identified for specific protection, including any necessary mitigation for the impact on European Sites and their supporting habitats, will be identified in a site-specific Local Plan.

- 22.16 The Council has a general statutory duty to have regard to the purpose of conserving biodiversity and a more specific duty to encourage the management of features of the landscape which are of major importance for wild flora and fauna. Policy CS33 will, therefore, be taken to apply to all planning applications likely to affect a designated biodiversity or geodiversity asset; a priority habitat or priority species; legally protected species; ancient woodland; and aged or veteran trees.

## Policy CS33 – Biodiversity and Geodiversity

- 22.18 Local designations for sites of biological and earth science importance are already shown on the existing Unitary Development Plan Proposals Map. The Council has reviewed these sites in association with the Local Wildlife Partnership and Cheshire RIGS Group and has agreed amended lists of locally important wildlife and geological sites. Site boundaries and the reasons for their designation can be viewed on the Council's website. The Local Wildlife Partnership is currently reviewing the selection criteria for wildlife sites, in accordance with national guidance, prior to the Council agreeing a revised list of Local Wildlife Sites for inclusion in a site-specific Local Plan, which will be kept under regular review.
- 22.19 Ecological assessments required under Policy CS33 must be undertaken by suitably qualified people, using current best practice, at an appropriate time of year, in suitable weather conditions to maximise the robustness of their findings. Further guidance on the required content of an ecological assessment may be set out in the Council's Local Validation Checklist and in a relevant Supplementary Planning Document.
- 22.20 Where it is not possible to locate a proposal on an alternative site with less harmful impacts and mitigation (or as a last resort, compensatory provision) is required, this will normally be secured through controls over design and layout, including planning conditions and, where necessary, legal agreements, subject to consultation with appropriate wildlife professionals, before planning permission will be granted. Mitigation on European Sites may include additional off site areas, management of international sites and the monitoring of such measures.
- 22.22 Natural England's website provides guidance on protected species and priority habitats and priority species. The impact of invasive species is considered in Policy CS37 below. Plans to deal with invasive species will be required as part of planning applications, where such species are present.