



Sent by email to: planningpolicy@southkesteven.gov.uk

25th April 2024

Dear South Kesteven Local Plan Team,

CONSULTATION RESPONSE TO: South Kesteven District Council Regulation 18 - Draft Local Plan 2021 – 2041.

Thank you for the opportunity to consult on the Regulation 18 draft of the South Kesteven Local Plan. The following is a response prepared by Lincolnshire Wildlife Trust. Some of the following comments may also reflect our joint response with Natural England and the Greater Lincolnshire Nature Partnership, but the commentary below may go beyond this joint response.

2041 Vision for South Kesteven

We are encouraged to see the inclusion of climate change within the vision for South Kesteven and highlight the need for the addition to include the importance of high integrity environmental principles that would seek to enhance our natural environment and recovery nature. As recognised by the UK Government in their 25-Year Environment Plan (2018), where they state protecting is not enough anymore, we need to recover nature and natural environment so it functions to deliver all the ecosystem services we require. This was further recognised by the Government in the Environmental Improvement Plan (2023), where the apex goal is, 'We will halt the decline in our biodiversity so we can achieve thriving plants and wildlife.' This is then underpinned by some ambitious legal environmental targets, which have to be met by all public bodies. A greater emphasis on developing South Kesteven with core principles on enhancing the natural environment would reflect the underpinning of the Environment Act and Chapter 15 of the NPPF.

Suggested wording for inclusion in the Vision, following on in the paragraph on climate:

"...and the impacts of disruptive weather. The natural environment will be playing a critical and greater role than now in enabling our communities to adapt to climate change, which will also go a significant way to recovering nature, with connected wildlife corridors throughout South Kesteven."

Chapter 5 Climate Change and Energy

Lincolnshire Wildlife Trust are supportive of renewable energy generation, providing it also contributes to the enhancement of the natural environment and biodiversity in general.

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and is registered as a
charity, no. 218895
VAT no. 613 9067 44*

RE1: Renewable Energy Generation

We understand the Councils criteria as laid out in the consultation, but there is no recognition that renewable energy developments also have the potential to recover nature and deliver multiple benefits if designed correctly, such as, deliver natural flood management.

For example, South Kesteven, and Lincolnshire as a whole, has seen a significant increase in the number of proposed solar farms which present an opportunity to develop areas of multiple land-uses. The large areas such project often require present an opportunity to recover biodiversity at a landscape scale while increasing habitat connectivity, and delivering natural carbon capture through introduction of hedgerows or tree screening. These areas can also still contribute to food production, via grazing flocks and/or intercropping. Developers should be pushed to be as innovative as possible in regards to addressing public concern about national food production, and securing nature's recovery.

Proposed Development Land Allocations

These areas were cross-referenced by the Trust to assess their proximity to designated sites, particularly Local Wildlife Sites (LWSs), Roadside Nature Reserves and Verges as well as the Trust's own reserves. We are an active organisation in consulting on planning applications and want to see development not only minimise its impacts of sites but to contribute to them through connectivity or enhancement through the strategic placement of biodiversity opportunity areas.

Proposed Mixed-Use Allocation SKPR278 is adjacent to Whalebone Lane Verges and Old Somerby Road Verge. It is also in close proximity (within 2km) to four other LWSs of Aveling Barford's Industrial Site; River Witham, Little Ponton and Saltersford Valley.

Proposed Mixed-Use Allocation SKPR65 is adjacent to Cold Harbour Road Verges, Cold Harbour Road Verges East and Blue Harbour Road Verges. The site is also near to Ropsley Rise Wood, Old Somerby to Ropsley Rise Wood Road Verges.

Proposed Employment Allocation SKPR262 is in close proximity to The River Witham (LWS) and Long Bennington.

We wish to see any associated applications with the above allocations provide measures to reduce any potential impacts on these sensitive sites, as well as opportunities to integrate them into the recovery of the local environment by securing management for the LWSs if presently not under positive management and through building nature corridors within development between such sites as listed above.

No other proposed land allocation was found to be adjacent or close by designated sites

The Trust understands that previous discussions had taken place to minimise the number of proposed development land allocations which may impacts on designated sites. It is evident these conversations have indeed led to the desired outcome highlighting the value of pre-consultation work and Lincolnshire Wildlife Trust are always happy to engage early in discussions about such matters.

Chapter 10 – Protecting and Enhancing the Natural and Built Environments

EN2: Protecting Biodiversity and Geodiversity

This policy is generally supported.



Paragraph 10.9

The inclusion of this paragraph is supported, but it is felt that it needs to be updated following the commencement of mandatory biodiversity net gain (BNG).

The paragraph should include the date from which BNG condition came into effect for small and major development sites.

New policy 4: Biodiversity Opportunity and Delivering Measurable Net Gains

The inclusion of this policy is welcome. We would however suggest that amendments are made following secondary legislation and recently published guidance (<https://www.gov.uk/guidance/biodiversity-net-gain>).

- Suggest change for paragraph 4 to “Statutory Biodiversity Metric” as opposed to “Natural England’s Biodiversity Metric”.

Given the publication of the biodiversity net gain hierarchy, it is felt that the wording of paragraph 5 should be altered to reflect this. The following is the suggested change also detailed in our joint response.

“Adverse impacts on high distinctiveness onsite habitat should be avoided or mitigated against, where this is not possible it should be compensated for through biodiversity net gain alongside all other habitat. Biodiversity net gain must be achieved according to the following, in the order they are given:

a) through onsite habitat enhancement

b) where onsite enhancement is not possible, through onsite habitat creation

c) where onsite habitat creation is not possible offsite biodiversity units should be sought. These should be locally sourced relating to the development location, i.e. within the District or the relevant National Character Area.

d) as a last resort, where it can be evidenced that biodiversity units could not be arranged, statutory biodiversity credits should be purchased.

Where possible biodiversity net gains should be consistent with the Greater Lincolnshire Local Nature Recovery Strategy.”

Paragraph 6 refers to biodiversity gain plans and what they should include with regard the minimum level of ecological information, e.g. habitat baseline values pre and post development. This is where developers will be required to demonstrate that they can meet the minimum 10% required by the net gain condition which has changed since the latest draft of the Local Plan. While these plans are no longer part of the planning application stage, we suggest rewording this paragraph following the aforementioned secondary legislation and recently published guidance. Wording could be as follows:

“Once planning permission has been granted, unless exempt, a Biodiversity Gain Plan must be submitted and approved prior to the commencement of that development. This Plan is the mechanism to ensure that the biodiversity gain objective is met and in particular should evidence that:

- the post-development biodiversity value of the development’s onsite habitat is accurate based on the approved plans and drawings
- any offsite biodiversity gains have been registered and allocated to the development; and biodiversity credits, if they are necessary for the development, have been purchased.”

We wish to highlight that the BNG condition is now a post permission mechanism and the guidance states planning permission cannot be refused if the application does not evidence how the proposal will meet the condition.

As such, we suggest changes are made to paragraph 7 relating to the determination of planning applications based in a biodiversity net gain. The following change is also described in our joint response and reflects the latest guidance and secondary legislation.

“Demonstrating the value of the habitat (pre and post-development) with appropriate and robust evidence ~~will be the responsibility of the applicant at the application stage is preferred, especially where net gains contribute to wider planning objectives, such as, creating healthy places to live, adapting to climate change or flood alleviation. Proposals which do not demonstrate that the post development biodiversity value will exceed the predevelopment value of the onsite habitat by a minimum of 10% net gain~~ ~~will be refused~~ run the risk of delays prior to development starting.

Concerns over the ability of a development to achieve the minimum 10% biodiversity net gain will prompt further discussion with the developer before a decision is made.”

Paragraph 8 should be amended to reflect secondary legislation by explaining that only significant on-site enhancements need to be secured and managed for 30 years. This is a key document as the stated biodiversity gain of the application is predicated on those areas being managed appropriately in order to achieve the stated habitat type and condition. Wording could be as follows:

“Ongoing management of any new or improved significant onsite enhancements or any offsite habitat enhancement or creation, together with monitoring and reporting, will need to be secured and funded for 30 years after completion of a development.”

EN3: Green Infrastructure

The inclusion of this policy is supported by the Trust, and could be expanded to consider and emphasise the multiple benefits of green infrastructure. A growing number of studies have highlighted an increase of, or enhancement of, green infrastructure to bring about improvements in individuals, physical and mental health, social wellbeing, built environment aesthetics, local food production, skills and employment as well as nature-based tourism and leisure. Policy should ensure that green (and blue) infrastructure:

- Maximises health and wellbeing outcomes particularly in deprived areas and for disadvantaged groups.
- Addresses issues of inequality in access to quality natural greenspace and routes.
- Delivers indirect benefits such as urban cooling, noise reduction, flood risk management and air quality improvements which can improve health outcomes.
- Provides access to nature benefiting physical and mental health through enabling meaningful people-nature connections.
- Creates links between urban areas and surrounding countryside to improve access to nature for all including through improved Public Rights of Way (PRoW), access by public transport and active travel routes.
- Reduces any potential of increased, inappropriate recreational use and disturbance to designated sites that have sensitive features e.g. dog disturbance of breeding birds or trampling of rare plant species.
- Applying the standards within Natural England’s Green Infrastructure Framework: Principles & Standards, can help to deliver good green infrastructure networks locally, which provide multiple benefits.

Including standards on green infrastructure such as Accessible Greenspace, Urban Nature Recovery, Urban Greening Factor, Urban Tree Canopy Cover, as well as strategic Sustainable Urban Drainage (SuDS), within the Local Plan, will offer developers greater certainty about what green infrastructure is required on site

when used in conjunction with the Green Infrastructure Mapping developed by the GLNP and Green Infrastructure Principles in Appendix 2.

EN5: Water Environment and Flood Risk Management

SuDS are internationally recognised as the most effective way of managing both surface water flood risk and storm-related pollution. The recent implementation of Schedule 3 of The Flood and Water Management Act 2010, establishes a process to ensure that any new development includes high quality SuDS, and removed developers' automatic right to connect to public sewers. Implementation is essential to addressing growing surface water flood risk, tackling the sewage pollution problem and is complementary to Biodiversity Net Gain (BNG) and nutrient neutrality.

It is felt that paragraph 4 of this policy should state that SUDS should be designed in accordance with Schedule 3 of the Flood and Water Management Act and any other relevant legislation. This should include that an active management regime is in place, and that multiple benefits from the design of the SuDS has been sort.

The policy should also refer to the role of nature-based solutions in flood management at a wider catchment scale. Promoting their use over more traditional 'grey' infrastructure where appropriate and feasible.

Suggested wording:

“Within South Kesteven it is recognised that issues relating to reducing flood risk and addressing other problems, such as poor water quality, can be addressed through nature-based solutions. Where appropriate natural flood management, water polishing habitats, increasing carbon capture through restoring natural floodplain connections with riparian corridors, should be sort as a more holistic, integrated approach to water resource and level management. The catchment-based approach (CaBA) is now nationally accepted best way forward and there are partnerships for all catchments within South Kesteven that can support through the expertise within them.”

Concluding Remarks

Thank you for the opportunity to consult on the South Kesteven Local Plan. The Lincolnshire Wildlife Trust hopes these comments are helpful and welcomes further discussion relating to the points covered. We are keen to discuss any of the above points further with the Local Planning Authority as a joint endeavour to achieve more for the natural environment in South Kesteven.

Yours sincerely,

Ashley Reaney
Conservation Officer for SKDC and Central Lincolnshire Local Plan Areas

