

CABINET	AGENDA ITEM No. 9
17 JUNE 2019	PUBLIC REPORT

Report of:	Dave Anderson - Interim Development Director	
Cabinet Member(s) responsible:	Cllr Peter Hiller Cabinet Member for Strategic Planning and Commercial Strategy and Investments	
Contact Officer(s):	Richard Kay – Head of Service - Sustainable Growth Strategy James Fisher – Wildlife Officer	Tel. 863795 Tel. 453543

Green Infrastructure & Biodiversity Supplementary Planning Document (SPD)

R E C O M M E N D A T I O N S	
FROM: Interim Development Director	Deadline date: N/A
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Agrees that the Green Infrastructure & Biodiversity SPD be adopted as part of the council's policy framework, subject to Full Council adopting a new Peterborough Local Plan at its meeting of 24 July 2019. If Full Council does resolve to adopt a new Peterborough Local Plan, then this SPD will come into effect at the same time as that resolution. 2. Delegates to officers the ability to make any minor presentational or typographical changes to the SPD, prior to its publication post 24 July 2019, provided any such changes do not materially affect the content of the SPD. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration by the Growth, Environment and Resources Scrutiny Committee on 10th January 2018 and Cabinet 15th January 2018, prior to four weeks public consultation from 2nd March to 29th March 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the City Council's updated Green Infrastructure & Biodiversity Supplementary Planning Document (SPD) for the Cabinet to approve, and bring it into effect if Full Council subsequently adopt the Peterborough Local Plan at the meeting on 24 July 2019.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, 'To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 The Peterborough Green Grid Strategy was published in 2007, though it was not formally adopted by the Council at that time. In addition, various biodiversity planning guidance documents are currently available on the Council's website, having been revised several times during the last 5-10 years.

The SPD aims to:

- Bring together appropriate material, and gain formal Council approval for the document.
- Support the new Local Plan scheduled to be adopted in July. It will not introduce new policy but explains how policies in the new Local Plan should be implemented.
- Act as a material consideration when determining planning applications and is intended to act as a "one stop shop" source of guidance and advice in relation to both biodiversity and green infrastructure (GI).
- Incorporate relevant new Government legislation and policies.
- Include an updated list of Priority GI Projects which have been carefully assessed against relevant criteria to ensure that the limited resources available are focussed on the most deliverable and beneficial initiatives.

5. CONSULTATION

5.1 A four week public consultation on the SPD was carried out in March 2018, following Cabinet approval to do so in January 2018.

5.2 A total of nine consultation responses were received. These comments and observations have been carefully considered and, where appropriate, incorporated within the revised SPD presented. A full report on the consultation process is available on our website (see <https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/supplementary-planning-documents/>), but in summary the vision, benefits and priority projects set out in the draft SPD were widely supported. However a few minor revisions were recommended including the wording regarding delivering biodiversity net gain to reflect the recently updated National Planning Policy Framework (NPPF).

5.3 A number of consultees also wished to see landscape issues more comprehensively addressed in the SPD, with a desire to have "special character areas" designated. However, after consideration of this matter, it was concluded that such matters are more appropriately addressed within the Landscape Character Area document and so have not been incorporated into this SPD.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that Cabinet will approve the Green Infrastructure & Biodiversity SPD, bringing it into effect subject to Full Council adopting the Peterborough Local Plan at the meeting on 24 July 2019. By adopting the SPD, the council will have a "one stop shop" document, enabling developers and decision makers to have clear guidance in relation to appropriate consideration and implementation of biodiversity and green infrastructure requirements in Peterborough.

If Full Council does not adopt a new Local Plan as anticipated in July, then this SPD should not be brought into effect because it is policy which is in support of the new Local Plan. An SPD cannot be adopted and brought into effect if a 'parent' Local Plan policy is not in place to set the framework for an SPD to be adopted.

7. REASON FOR THE RECOMMENDATION

7.1 There is no statutory duty to prepare SPDs, though the preparation and adoption of an SPD is

clearly defined in legislation (should a council choose to prepare one).

Accordingly, there is no strict requirement for Cabinet to approve a Green Infrastructure and Biodiversity SPD. However, without this “one stop shop” document, developers could be confused or misinformed in relation to appropriate consideration and implementation of biodiversity and green infrastructure requirements in Peterborough. This could have an impact on development coming forward as additional time would need to be spent on applications where biodiversity and GI issues occur.

In addition, this SPD provides a focus for identifying and driving forward delivery of priority GI projects in partnership with a wide range of environmental organisations and community groups within Peterborough.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Alternative options considered were:

Option 1 - do not update the 2006 Green Grid Strategy and various biodiversity guidance notes available on the Council’s website. This would represent a missed opportunity to simplify the process for those requiring advice in relation to both biodiversity and green infrastructure, as such this is not the preferred option.

9. IMPLICATIONS

Financial Implications

9.1 The SPD is not intended to introduce financial implications for the council or developers, but instead to provide guidance to assist with meeting current legislative and policy requirements.

Legal Implications

9.2 Once adopted, this document will be used as a material planning consideration in the determination of planning applications.

The SPD is not intended to introduce legal implications for the council or developers, but instead to provide guidance to assist with meeting current relevant environmental legislation.

The SPD has been prepared in accordance with the wide ranging legislation covering the preparation of planning policy documents, though of particular relevance is The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Equalities Implications

9.3 There are no anticipated equalities implications arising from this decisions.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Biodiversity 2020: A strategy for England’s wildlife and ecosystem services, Defra 2011

Making Space for Nature: a Review of England’s Wildlife Sites and Ecological Network, Defra 2010

The Natural Choice: Securing the Value of Nature, Defra 2011

11. APPENDICES

11.1 Appendix A - Green Infrastructure & Biodiversity SPD - Final Version for Adoption

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