

REFERENCE NUMBER	ORGANISATION	COMMENTS	OFFICER RESPONSE
ST36 - Biodiversity And Geodiversity			
REF115	Canal and River Trust	The Chesterfield Canal does benefit from a designation as an SSSI within the District. Welcome consideration given towards the protection of SSSI habitats within policy ST36, which should help ensure that consideration is given towards the protection of such habitats. Opportunities exist for new development to provide for net improvements to biodiversity in line with the aims of paragraph 170 (part d) of the NPPF, and part E of policy ST36 could assist in ensuring these aims are met.	Support noted and welcome.
REF187	Councillor, Bassetlaw District Council	8.5.10 The Council will ensure development within or adjoining the Habitat Network maintains the integrity and continuity of the network and protects the biodiversity value of the land affected. New development within and adjacent to the Habitat Network should consider opportunities to enhance and expand its functionality and biodiversity particularly for the four main habitat networks: woodland, heathland and acid grassland, other grassland and wetland. Proposals that lead to fragmentation will be resisted. Trees and woodland 8.5.11 Bassetlaw benefits from extensive tree cover, including veteran trees and woodland. Trees provide many benefits, such as producing oxygen, capturing and storing carbon, removing pollutants from the air and slowing storm water run-off. On that basis, Policy ST36 protects quality trees which are not protected by statutory designation and resists development which threatens them. Through the Council Plan3, tree planting is part of the Council's commitment to carbon offsetting. New community woodlands will be secured through Policy ST45.	Noted, thank you for your comments.
REF201	Severn Trent	Severn Trent are generally supportive of the principles behind policy ST36, however given the importance of the underlying Geology and Hydrogeology for providing water for drinking, it is felt that a statement should be added highlighting the need to protect groundwater resources: Any new development must demonstrate that development: · will not result in adverse impacts on the quality of waterbodies, groundwater and surface water, · will not prevent waterbodies or groundwater from achieving a good status in the future · contributes positively to the environment and ecology Where development has the potential to directly or indirectly pollute groundwater then a groundwater risk assessment will be needed to support a planning application.	Protecting water quality for drinking is an important issue for the Local Plan particularly given the District's underlying geology. But it is considered these issues would be more appropriately addressed by Policy ST48: Water Quality.
REF248	Fred Walter & Sons Ltd	Reviewed the 'Policies Maps' and note that there are proposals to further extend the extensive Local Wildlife Site ('LWS') designation, covered by Policy ST36, onto our land. Have not been directly consulted about this and can find no clear justification in the Draft 2020 Plan or evidence base as to why this is deemed necessary. It is our view that the proposed extensions are somewhat arbitrary given the status of the land they affect. 'Policies Map Comparison' attached which shows an extract from the adopted 2011 map and an extract from the draft 2020 map. Annotated the 2020 map extract to show the areas of our land that are affected by the LWS extension. These areas are ringed in orange and numbered 1-4; most of the land comprises commercial agricultural land that forms a vital part of our business and a smaller part is essentially an extension of garden. None of the areas are considered to have a degree of agricultural value that justifies the LWS designation. Specific comments on each area (1-4) are provided below: 1. Known as 'Silt Ponds', this was a silt settling area, which are proposing to return to arable rotation in approximately two years. The nature of the rotation and commercial use of the land means that ecological value is somewhat diminished. 2. This is a small park and fishing lake in front of my home, which is regularly used by my family. The size of the park and nature of the fishing lake means that do not see why any significant ecological value has been attributed and why is included in the LWS. 3. Known as 'Belmore Grassland', this area comprises an agricultural field of approximately 10.5 ha is currently used for grazing. It is intensively farmed and offers limited biodiversity value. Planning permission for development of a solar farm (Ref: 13/01126/FUL) lapsed in December 2016. The ecological assessment that accompanied the planning application concluded that the land is "...a pasture field of negligible ecological value...The species composition is not considered to be of significant ecological value e.g., not classified as local or UK Biodiversity Action Plan habitat." 4. This approximately 11.8 hectare piece of land is currently in arable rotation and, similarly to Belmore Grassland, is intensively farmed. The nature of the farming operation means that ecological value is limited. The extension of the LWS onto the above areas could adversely affect the future commercial productivity of land that forms a valuable part of our farming operation. Given the current focus on carbon reduction and renewable energy, may revisit the solar farm proposal, the stringent requirements of Policy ST36 could be an	Notts Biological & Geological Records Centre try to keep up to date with changes to land use and the boundary has been changed regularly. This site has undergone considerable restoration of former gravel pits and silt lagoons to improved grassland and arable. These areas were mapped as wetland habitats at the time and have in many cases since been restored, while areas been expanded to include new areas of wetland habitat. The boundary has been changed to reflect the representation made. Area 1. the area of improved grassland has been removed from the boundary. Areas 2. and 3. removed. Area 4. This is a lake and part of 5/3470 Tiln North and Conservation Lake designated for bird interest. It does not include any arable land as shown on OS Master map and recent aerial photos.

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		unnecessary risk to development. Request that the proposed boundaries on the draft 2020 map are amended to remove the additional pieces of land, reinstating the boundaries established by the 2011 map.	

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REF252	IDP Planning	<p>Policy ST36 seeks to prevent harm to biodiversity and geodiversity from direct impacts such as land take. Indicates the Council will seek to protect and enhance the biodiversity and geodiversity of Bassetlaw, for International Sites, National Designations, Local Designations and Locally Important Ecological Features. Criterion E relates to 'Biodiversity Net Gain': "All new development of 50 dwellings or more should make provision for at least 10% new biodiversity gain preferably on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution". Support the general thrust of Policy ST36 in seeking to provide protection to designated biodiversity and geodiversity sites and recognise the important role that biodiversity and geodiversity play in delivering sustainable development. Object to criterion (E) of the emerging policy. Do not agree it is appropriate to set a 10% requirement for net biodiversity gain. It is recognised the Draft Environment Bill (2019) proposes the mandatory requirement for net biodiversity gains in development, whilst the NPPF (2019) also references biodiversity net gain, with para 174 noting plans should protect and enhance biodiversity and geodiversity by pursuing opportunities for securing measurable net gains for biodiversity. It is unclear how the proposed 10% net biodiversity gain has been reached. The NPPF does not necessitate a percentage requirement for net biodiversity gain and the proposal to do so appears to be at odds with the NPPF in setting an arbitrary figure with little justification of how this figure has been reached and no flexibility in recognition of where this may be unachievable on certain sites. The 10% net gain requirement goes significantly beyond the requirement in both the Draft Environment Bill and the NPPF and sets an onerous requirement for development. The Draft Plan sets out that this requirement has been considered as part of the Bassetlaw Whole Plan Viability Assessment, a review of the Assessment it is unclear where the requirement for 10% net biodiversity gains has been factored into development costs. The NPPF requires that local plans are aspirational but 'deliverable' (para 16) and that to be 'sound' they are effective and justified, providing an appropriate strategy which is based on proportionate evidence (para 35). Unclear whether Policy ST36 is justified or viable - of the view that it proposes an onerous and arbitrary approach which offers little flexibility for consideration of site characteristics or viability, whereas the provision of an element of net gain would still be in accordance with the NPPF. Not of the view that Policy ST36 is deliverable, particularly given viability considerations for many new development. Reference to 10% net biodiversity requirement should be removed from Policy ST36 which should be amended to reflect the wording of the NPPF to provide flexibility to ensure that development is deliverable. Suggest the following wording: "All new development of 50 dwellings or more should seek to promote opportunities for securing net biodiversity gains preferably on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution".</p>	<p>Policy ST36 is in line with the latest update to the forthcoming Environment Bill which requires development to deliver a mandatory 10% net gain in biodiversity. It is expected that the bill will become legislation before the Local Plan is adopted. So that the Local Plan is not out of date Policy ST36 will continue to include the requirement. The policy requirements have been taken into account in the viability assessment but as measures can be incorporated through good design and other Local Plan requirements it is not considered that this will add such a significant cost to development to adversely affect viability.</p>
1196824	Resident	<p>Please think about adding as many wildflower areas as possible, and also keep in mind that drainage will be needed to help alleviate flood water</p>	<p>Comments noted.</p>
REF273	Anglian Water	<p>Anglian Water is generally supportive of the principle of development proposals providing biodiversity net gain. The policy as drafted says this would apply to residential developments of 50 dwellings or more only. However the Environment Bill refers to all development requiring planning permission and is not limited to residential developments. Policy ST36 should be amended for consistency with the provisions of Environment Bill.</p>	<p>Policy ST36 will be amended to reflect the principles of the updated draft Environment Bill, and will refer to all development.</p>
1197036	Woodland Trust	<p>Support the strong protection given to ancient woodland in this policy although would prefer to see the wording used as in Para175c of the NPPF; rather than saying "usually be protected", say "protected other than in wholly exceptional circumstances." Like to see ancient or veteran trees given the same level of protection, which again would be in line with the NPPF.</p>	<p>To be found sound, it is important that the Local Plan aligns with national policy. As such the Local Plan will ensure the provisions of Para 175c and other requirements for trees are appropriately reflected.</p>
REF282	National Trust	<p>National Trust supports Policy ST36 Biodiversity and Geodiversity. There may need to be a slight adjustment in relation to ancient woodland which may not be considered a national/statutory designation, but is nevertheless classed as irreplaceable and should be highlighted as of major importance.</p>	<p>To be found sound, it is important that the Local Plan aligns with national policy. As such the Local Plan will ensure the provisions of Para 175c and other requirements for trees are appropriately reflected.</p>

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REF285	Home Builders Federation	Policy ST36 Bullet Point (E), all new development of 50 dwellings or more should make provision for at least 10% net biodiversity gain preferably on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution. The Government's Environment Bill requires a mandatory 10% biodiversity gain from development. The Council should not deviate from Government proposals. Before the pre-submission Local Plan consultation, Policy ST36 should be modified to align with Government proposals. The Council's viability evidence set out in the Bassetlaw Interim Whole Plan & Community Infrastructure Levy dated August 2018 does not include any costs for Policy ST36. The DEFRA Impact Statement estimated an average cost of £19,000 per hectare to achieve 10% biodiversity gain. Before the pre-submission Local Plan consultation, the Council should undertake further viability work.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain, and will refer to all development. Policy ST36 has been viability tested - this is set out in the 2019 Whole Plan Viability Assessment (which is the most up to date assessment of viability and not the 2018 document) - which shows that 10% net gain can be achieved on sites of 50 or more units as part of a deliverable scheme. However, the Whole Plan Viability Assessment will be updated prior to Publication to ensure all development requirements are deliverable.
1197091	William Davis	Policy ST36 Bullet Point (E), all new development of 50 dwellings or more should make provision for at least 10% net biodiversity gain preferably on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution. The Government's Environment Bill requires a mandatory 10% biodiversity gain from development. The Council should not deviate from Government proposals. Before the presubmission Local Plan consultation, Policy ST36 should be modified to align with Government proposals. The Council's viability evidence set out in the Bassetlaw Interim Whole Plan & Community Infrastructure Levy (CIL) Viability Assessment August 2018 does not include any costs for Policy ST36. DEFRA Impact Statement estimated an average cost of £19,000 per hectare to achieve 10% biodiversity gain. Before the pre-submission Local Plan consultation, the Council should undertake further viability work.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain, and will refer to all development. Policy ST36 has been viability tested - this is set out in the 2019 Whole Plan Viability Assessment (which is the most up to date assessment of viability and not the 2018 document) - which shows that 10% net gain can be achieved on sites of 50 or more units as part of a deliverable scheme. However, the Whole Plan Viability Assessment will be updated prior to Publication to ensure all development requirements are deliverable.
REF293	Nottinghamshire Wildlife Trust	Section 8.5.14 states: 'Biodiversity net gain aims to leave the District's biodiversity assets in a better state than currently exists. All development in Bassetlaw will be encouraged to deliver measurable improvements for biodiversity by creating or enhancing habitats through development.' and, Section 8.5.15 states: "Reflecting the emerging principles of the draft Environment Bill 2019, developments of 50 or more dwellings will be expected to secure a 10% net gain in biodiversity." Welcome that BDC are leading by example by setting a target of 10% net gain in biodiversity for developments of 50 or more dwellings. This indicates real intent and shows BDC in a positive light. Wish to see BDC establish an even more ambitious target of 20% in order to deliver greater habitat creation and climate change resilience in the face of a climate and biodiversity crisis.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain, and will refer to all development. Using 'at least' means that should a development wish to provide for more than the 10% requirement it will be supported by policy. The 2019 Whole Plan Viability Assessment shows that 10% net gain is the maximum level that can be achieved as part of a viable development in the District, when other policy requirements are taken into account.
REF299	Gladmans	5.5.1 Whilst acknowledging the good intentions of Policy ST36, submit criterion E requires further modification prior to pre-submission. Concerned that Policy ST36(E) as drafted deviates from the Government's Environment Bill which requires a mandatory 10% biodiversity gain from development. Policy ST36 should therefore be modified to align with Government proposals.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain, which requires all development to deliver a mandatory 10% net gain in biodiversity.

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REF300	Natural England	Support this policy which comprehensively covers the protection of designated sites, species and ecological and biodiversity interest across the District. 8.5.4. The Sherwood ppSPA has not yet reached the stage of a “candidate site” which is why it is termed a possible potential SPA. 8.5.9. Welcome the paragraphs on the Bassetlaw Habitat Network and the reference to the Nottinghamshire Biodiversity Opportunity Maps. Suggest this section should refer to the Nature Recovery Network which is a major commitment in the government’s 25 Year Environment Plan and is intended to expand and connect habitats to address wildlife decline and provide wider environmental benefits both for nature and people. 8.5.11. The commitment to tree planting in this paragraph is welcome though it should be ensured that the right tree species are planted in the most appropriate locations for maximum benefit to biodiversity. 8.5.14. The paragraphs covering Biodiversity Net Gain are welcome. Acknowledge that the 10% net gain development of 50 or more houses reflects the emerging principles within the Environment Bill, however net gain is likely to be relevant to all development that requires planning permission. 8.5.16. Note the use of the new Defra metric 2.0 has been included which is advocated by Natural England. Welcome the intention to provide a Greening Bassetlaw SPD and would welcome the opportunity to work in partnership with this document. 8.5.7. Would also be happy to work proactively with the Council, stakeholders and developers to ensure Biodiversity Net Gain is achieved. 8.5.18. The inclusion of this paragraph on Ecosystem Service is welcome but suggest that natural flood management should be specifically mentioned. Have the following detailed points on Policy ST36: B – The Sherwood ppSPA has not yet reached the stage of a “candidate site” which is why it is termed a possible potential SPA. D(a) – The mitigation hierarchy should be applied to all sites not just local designations. E – Biodiversity Net Gain we understand will apply to all development. D(b) – With mandatory net gain being introduced this sentence should ensure net gain is achieved (i.e. no net loss is no longer acceptable).	Comments made in relation to the supporting text and Policy ST36 are noted. Changes will be made accordingly and will reflect the principles of the update draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain relating to biodiversity net gain, which requires all development to deliver a mandatory 10% net gain in biodiversity. The Council would welcome the opportunity to work with Natural England on the Greening Bassetlaw SPD and the approach to biodiversity net gain.
1197222	Resident	The construction of the Peaks Hill site will mean the destruction of some woodland which will contradict the councils policy on biodiversity ,air quality and climate change	Policy 15 seeks to retain woodland and trees on site. But inevitably there will need to be the selected loss of some trees to ensure the site can be appropriately planned. The loss of any trees, woodland or hedgerows will need to be replaced on site as part of the development. There will also be a requirement for 10% biodiversity net gain to be secured on site. Together this should reinforce the approach to biodiversity, air quality and climate change advocated elsewhere in the Local Plan.
REF346	Doncaster Council	Paragraph 8.5.2 states that the NPPF seeks net gains in biodiversity where possible. It is considered that this not in line with the NPPF (para 170 including point d). This needs strengthening by removing the phrase ‘where possible’. Paragraph 8.5.15 and Policy ST36 point E states a threshold of 50 dwellings before applications will be expected to deliver a 10% net gain in biodiversity. This is a very high threshold, as sites of 49 dwellings could easily result in very significant losses in biodiversity. This threshold should be lowered substantially. The reference to dwellings does not allow for potentially significant impacts on biodiversity from other types of development which could equally be damaging to biodiversity. The scope of how net gain principles will be applied to other types of development should be explained.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain, and will refer to a 10% requirement from all development. Paragraph 8.5.2 will be amended to reflect comments made.
REF346	Doncaster Council	Section D should be strengthened by removing the reference to ‘no net loss’. The NPPF is clear in its requirement for a net gain in biodiversity and at present the policy contradicts this.	Policy ST36 will reflect the principles of the updated draft Environment Bill or any subsequent relevant legislation relating to biodiversity net gain. As such reference to 'no net loss' will be deleted.