

■ INTRODUCTION

- 4.1 In its White Paper 'This Common Inheritance' the Government made a strong commitment to conserving the natural heritage. This has been carried forward in PPG9 'Nature Conservation' which puts more forcefully than ever before the need to take account of nature conservation interests in all developments.
- 4.2 The Council will seek to protect and enhance the wildlife heritage of the Plan area and ensure that there is a properly balanced consideration of nature conservation interests against the need for development and economic growth. The Council's approach is based on protecting the wildlife heritage of the District wherever it is found. Considerable weight will be given to the protection of the most important sites such as SSSIs. Wherever possible, sites important at a more local level will also be safeguarded.
- 4.3 The commitment of the Council to the concept of sustainable development also makes the enhancement of existing wildlife habitats and the creation of new habitats an important part of its approach. Where possible, opportunities will be taken to enhance the ecological diversity of the District.
- 4.4 Sites of nature conservation value have been defined on the Proposals Map and Inset Maps. These were identified through a Phase I Habitat Survey. Reference to sites of nature conservation value includes sites of geological as well as ecological value.

OBJECTIVES

- 4.5 The Nature Conservation Policies of the Plan have the following main objectives:
1. To protect sites and habitats of nature conservation value from inappropriate development.
 2. To protect the nature conservation heritage of the District wherever it is found.
 3. To improve the number and diversity of sites and habitats of nature conservation value in the District.

POLICY NC1

GENERAL NATURE CONSERVATION CONSIDERATIONS

In considering development proposals throughout the Plan area the effects upon wildlife, their habitats and upon geological features will be taken into account and proposals which would be seriously harmful to them will not be permitted. Where appropriate, the creation of new habitats and features of wildlife interest will be encouraged in new developments and elsewhere.

If development is permitted which would result in a loss of or significant alteration to a site or habitat of nature conservation value, an agreement from the developer will be sought to carry out works to mitigate the effect by safeguarding as much of the nature conservation value of the site as possible and/or by implementing a scheme of habitat creation or improvement on, or in the locality of, the development site.

JUSTIFICATION

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| <p>4.6 This Policy will apply across the whole of the Plan area not just to designated sites. Where appropriate, in the interests of sustaining habitats for wildlife, it could be used to reinforce landscape policies for the retention of trees or hedgerows, to resist the needless straightening or culverting of streams, or to require indigenous species in a developer's landscaping scheme.</p> | <p>commitment of the Council to the concept of sustainable development makes the creation and enhancement of wildlife habitats a consideration in proposals for development. This is particularly important if a development will harm a habitat of nature conservation value.</p> |
| <p>4.7 In addition to the protection of existing features of nature conservation value the</p> | <p>4.8 The retention of an established habitat is almost always preferable to the creation of new or replacement features. If the works of mitigation are inadequate permission for the development may be refused.</p> |

POLICY NC2

STATUTORY SITES OF NATURE CONSERVATION INTEREST

The nature conservation value of all designated or proposed Sites of Special Scientific Interest, statutory National Nature Reserves or statutory Local Nature Reserves and any defined protection zone about such sites will in most cases be given priority over all other planning considerations. Development which would adversely affect, directly or indirectly, the nature conservation value of such sites will not be permitted.

JUSTIFICATION

- 4.9 Sites of Special Scientific Interest (SSSIs) are examples of the best remaining natural or semi-natural habitats. They are all of at least regional importance, some are of national or international importance. PPG9 'Nature Conservation' requires that particular regard is paid to these. English Nature recommends that all SSSIs should receive the highest protection. The Council will give very strong protection to these sites from development that would adversely affect their special interest.
- 4.10 The number and area covered by SSSIs in the Plan area is very small and that rarity makes their protection all the more important. There are in fact just four designated SSSIs in the Plan area, these are:
- Dalby Bush Fen
 - Snape Hill Quarry
 - Langbaurgh Ridge
 - Pilmoor.
- 4.11 There are no other statutorily designated sites in the Plan area, however it is possible that within the lifetime of the Plan such sites could be identified.

POLICY NC3

LOCAL NATURE RESERVES

In consultation with English Nature, suitable sites will be designated as statutory Local Nature Reserves. The establishment of non-statutory nature reserves will also be encouraged.

JUSTIFICATION

- 4.12 There is a need not just to protect but also to take steps to improve the number and diversity of sites of nature conservation value in the District. The designation of Local Nature Reserves (LNRs) is recognised as being an important initiative for nature conservation. There are no LNRs in Hambleton at present.
- 4.13 The Council will seek to promote the creation of Local Nature Reserves by entering into management agreements with private landowners and/or conservation bodies where financial assistance from other sources can be obtained.

POLICY NC4

NON-STATUTORY SITES OF NATURE CONSERVATION INTEREST

Development will not be permitted which would have a material adverse effect upon, directly or indirectly, a Site of Importance for Nature Conservation (SINC) or a Non-Statutory Nature Reserve, as shown on the Proposals Map and Inset Maps or as subsequently identified. Exceptions will be made where it can be demonstrated that:

- 1. The social and economic benefits of the scheme to the community outweigh the total or partial loss of the nature conservation value; and**
- 2. The loss can be compensated for by habitat creation/site enhancement on the site or elsewhere and there are satisfactory arrangements to achieve this.**

JUSTIFICATION

- 4.14 In addition to statutory sites of international, national and regional importance, there are many others which whilst of lesser nature conservation importance, are nonetheless significant at a more local level and worthy of protection. The Phase I Habitat Survey has enabled the Council, in conjunction with English Nature and North Yorkshire County Council, to identify such sites. All known SINCs are shown on the Proposals Map and Inset Maps and are listed in Appendix 4. Additional sites may be identified from time to time and these will be afforded the same protection.
- 4.15 Occasionally it may be acceptable for some development to be permitted on a SINC despite the effects it would have on wildlife. However, in accord with principles of sustainable development and Guiding Principle 1 the approval may be subject to a legal obligation for the creation of new habitats or other works to improve nature conservation interest.

POLICY NC5

SPECIES PROTECTED BY LAW

Development will not be permitted which would adversely affect, directly or indirectly, animal and plant species protected by law. Where development is permitted the developer will be required to take steps to secure the protection of such animals and plants.

JUSTIFICATION

- 4.16 This Policy applies to important wildlife species protected under legislation such as the Badger Act and the Wildlife and Countryside Act. It is inappropriate for planning permission to be granted in the knowledge that its implementation would be detrimental to the habitats of protected species.
- 4.17 PPG9 'Nature Conservation' advises that the presence of a protected species is a material planning consideration and urges that precautions be considered such as conditions or planning obligations to secure their protection. Consultation with English Nature will be undertaken on all occasions when development may affect protected species.

POLICY NC6

SEMI-NATURAL HABITAT PROTECTION

Semi-natural habitats important for nature conservation such as ancient semi-natural woodland, heathlands, unimproved grassland, ponds and other wetland features will be protected from any development which may adversely affect their value for nature conservation.

JUSTIFICATION

- 4.18 The wildlife heritage of the Plan area is not confined to statutory and non-statutory sites. There are many other areas, which whilst not specifically identified, make a vital contribution to sustaining wildlife. This Policy is intended to protect those habitat types, not protected by other policies, which in general are known to be important for wildlife.
- 4.19 The Policy is not intended to prevent development in the specified habitats but to ensure that any such development is carefully considered to prevent harm.

POLICY NC7

WILDLIFE CORRIDORS

Development likely to destroy or impair the integrity or continuity of wildlife corridors formed by woods, hedgerows, green wedges, green lanes, rivers and streams will not be permitted.

The wildlife value of such corridors will be consolidated and strengthened and new developments within or adjacent to wildlife corridors will be encouraged, or where necessary required to make a positive contribution to this aim.

JUSTIFICATION

- 4.20 Linear landscape features can act as corridors along which wildlife can move and live. Continuity of habitat is an important factor for many species; the more isolated the site the more restricted the range of species able to colonise it. Corridors can be damaged or rendered unviable by reduction in their width or any severance.
- 4.21 This Policy applies equally to linear open spaces in urban areas, including green wedges, verges to roads, tracks and footpaths, as it does to woodland, hedgerow and river and stream corridors in more rural locations (see also Policies G5 and L12).

POLICY NC8

PUBLIC ACCESS TO NATURE CONSERVATION SITES

Public access to sites of nature conservation value, including wherever possible access for people with mobility problems, will be encouraged and where appropriate ensured through the control of development, except where access would be detrimental to wildlife or land use interests.

JUSTIFICATION

4.22 Sites of wildlife value are important as habitats, but are also important for the opportunities for research, education and recreation. The Council will ensure that

developments within or close to sites of nature conservation value do not inhibit existing access and wherever possible and appropriate, improve site accessibility.

