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CONSERVATION PLANNER

SPRING 2011 ISSUE 34



Andy Hay (rspb-images.com)

2011 – challenging for planning

This year will be a challenging one for planning. The Localism Bill in England and the long-awaited Planning Bill in Northern Ireland will introduce significant reforms to the planning systems in both countries. While a degree of reform might be necessary, we need to ensure that we maintain robust mechanisms for strategic planning to achieve policy consistency and coherence at various spatial scales. This is essential to: protect and enhance our natural environment at a landscape scale (articles pages 2, 3 and 7),

develop a strong biodiversity offsets system (article page 3), adopt a strategic approach to tackling climate change and particularly to planning and developing onshore and offshore renewable energy (articles page 4) and deliver biodiversity enhancement from minerals site restoration (article page 5).

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Wildlife species such as the nightjar would benefit from the steps recommended in the report, *Making Space for Nature*

Making Space for Nature

In September 2010, Professor Sir John Lawton submitted his long-awaited review of England's wildlife sites and ecological network. Spatial planning is central to enhancing England's natural environment and this influential report outlines a crucial role for planners.

England's suite of SSSIs does not, alone, comprise a coherent and resilient ecological network. Unless action is taken to remedy this, the current decline in wildlife will continue. This matters, both because nature is important in its own right, and also because the natural environment underpins our economy and well-being by providing services from clean water to cultural inspiration.

Most wildlife sites are too small and isolated, and certain habitats so depleted that the area remaining is not enough to prevent further losses of biodiversity without concerted effort. Outside SSSIs and Natura 2000 sites, most of England's important wildlife habitat is insufficiently protected and under-managed. The report concludes that across society we urgently need to take steps to rebuild nature, and summarises these steps in four words: more, bigger, better and joined.

The steps required to enhance England's ecological network are based on a thorough review of available evidence and ecological theory. These are:

1. Improve the quality of current sites by better habitat management
2. Increase the size of current wildlife sites

3. Enhance connections between, or join up, sites, either through physical corridors, or through "stepping stones"
4. Create new sites
5. Reduce the pressures on wildlife by improving the wider environment, including through buffering wildlife sites.

Finally, the report outlines 24 recommendations to help us put these steps into practice. The planning system is fundamental to these. For example, the first recommendation, "Local authorities should ensure that ecological networks, including areas for restoration, are identified and protected through local planning", implies a central role for the planning system. The second recommendation reinforces the need for strong protection for wildlife sites through the planning system, a recommendation that is particularly pertinent during the current period of planning reform.

Overall, the report is an interesting and informative read for anyone involved in decisions about land-use. By taking an overarching view of rural and urban land-use it sets an important context for England's ecological network, and puts planning right at the heart of the bigger picture.

The report, *Making Space for Nature: A review of England's Wildlife Sites and Ecological Network*, can be downloaded from Defra's website, www.defra.gov.uk/environment/biodiversity/.../201009_space-for-nature.pdf For more information contact Alice Hardiman at alice.hardiman@rspb.org.uk



Golden eagles have been given more protection

New European site protection for golden eagles

In October, Scottish Ministers classified six new Special Protection Areas (SPAs), effectively doubling the proportion of Scotland's golden eagle population protected by the Natura 2000 network of European wildlife sites.

The new sites address previous major shortcomings in network coverage of both population and range. Just over a quarter of Scotland's (and the UK's) golden eagles are now protected – and the new sites introduce network coverage to eagle strongholds on mainland Scotland not previously covered.

From north to south the new SPAs are:

- Foinaven
- Glen Affric to Strathconon
- Cairngorms Massif
- Moidart & Ardgour
- Glen Etive to Glen Fyne
- Jura, Scarba and the Garvellachs

The sites are large and have been selected to include areas with high numbers of eagles but which previously had no eagle SPAs. Boundaries have been drawn to include all likely hunting habitat of the eagle pairs within the sites. This means that some large-scale proposals for development or land-use change will be unacceptable in these areas but small-scale changes on the periphery of eagle territories within the SPA could be acceptable, provided these have no detrimental effect on site conservation objectives.

While the immediate purpose of the SPAs is to protect and enhance eagle habitat within them, the long-term goal is that they should bolster the country's golden eagle population across its range.

Scottish Government press release: www.scotland.gov.uk/News/Releases/2010/10/28100843
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Financing Nature in an Age of Austerity – biodiversity offsets

Funding for our natural environment is in short supply, and we need to find new sources of finance for conservation. A strong biodiversity offset market could reduce environmental damage from development, simplify the planning system, and increase funding for conservation. Alternatively, there could be a straightforward levy on housing. Nature conservation is facing a grim challenge – recent government figures have estimated the existing shortfall in funding for the UK Biodiversity Action Plans (BAPs) to be £273 million per year. The UK Government is also planning cuts of around 30% to Defra's budget over the next five years.

In a report, *Financing Nature in an Age of Austerity*, the RSPB highlighted options to address this deficit, and raise more funding for nature from the private sector. One option was a biodiversity offsets system. Biodiversity offsetting, or "conservation credits", would require that developers pay to restore and manage an amount of biodiversity equivalent to that damaged by their development. Government would need to create a market for offsets, where credits for

biodiversity restoration could then be bought and sold. The RSPB estimates that such a market could generate around £53 million for biodiversity in the UK.

A development levy, could serve a similar purpose. This would involve a levy on the construction of houses in areas where high-value biodiversity is identified, such as in the Interim Planning Framework in Dorset heathland, introduced in 2007. Although this is a more blunt measure, a fee of £500 per house, and a similar fee for commercial and industrial developments, could raise approximately £80 million.

However, policy makers would have to ensure that biodiversity would not suffer a net loss but rather that a net gain was achievable. An oversimplified, under-regulated system could have, at best, little impact, and at worst, a negative effect on biodiversity in the UK.

www.rspb.org.uk/Images/Financingnature_tcm9-262166.pdf
For more information contact Dominic Molloy at dominic.molloy@rspb.org.uk

Planning for Climate Change – a new guide

While we need to work nationally and internationally to secure progress on climate change, we also need to galvanise local action. A coalition of planners, local authorities, developers and environmental organisations, including the RSPB, has launched a planning and climate change guide. *Planning for Climate Change Guide: guidance and model policies for local authorities* is designed primarily for local authorities and Local Enterprise Partnerships who want both to tackle climate change and to reap the benefits that renewable energy and effective adaptation can bring. It draws explicitly on the draft Planning Policy Statement (PPS) on climate and energy (*Consultation on a Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate*, March 2010) and builds on the wide-ranging consensus that document commanded. The Planning and Climate Change Coalition www.tcpa.org.uk/pages/climate-coalition has recently won a prestigious Royal Town Planning Institute award for its contribution to planning. The guide is available to download from the Town and Country Planning Association website at www.tcpa.org.uk/data/files/pccc_guidance_web.pdf



Andy Hay (rspb-images.com)

A new guide, *Planning for Climate Change*, will help local authorities

Renewables SEAs

The RSPB has long lobbied for a strategic approach to the planning and development of both on- and offshore renewable energy. We were delighted when the Minister for Enterprise, Trade and Investment, Arlene Foster, announced strategic plans would be developed for both in Northern Ireland, and would be subject to Strategic Environmental Assessment (SEA).

The RSPB responded in June 2010 to the consultation on the SEA scoping report for an onshore renewable electricity generation Strategic Action Plan (SAP) and we look forward to a consultation on the full SEA and draft SAP this year.

The offshore plan is more advanced and is currently being finalised by the Department of Enterprise, Trade and Investment (DETI). This will provide the framework for The Crown Estate to launch a leasing round in Northern Ireland waters in spring this year. DETI is also preparing Regional Locational Guidance, which will identify potential opportunities for commercial and test sites, while addressing interactions with the environment and other marine users.

The RSPB will contribute to the newly established Offshore Renewable Energy Forum through the Northern Ireland Marine Task Force. This will ensure that environmental expertise is brought to the discussions.

For more information contact Claire Ferry at claire.ferry@rspb.org.uk



Nick Upton (rspb-images.com)

Renewable forms of energy should be subject to Strategic Environmental Assessment

Minerals Development Frameworks: central to delivery of BAP targets

A new generation of minerals plans presents opportunities for aspirational and forward-looking policy frameworks to be embedded in them, and to facilitate the delivery of environmental, social and economic benefits through habitat creation on a bigger scale than ever before.

Nature After Minerals (NAM) – a partnership between the RSPB and Natural England with support from the Minerals Products Association – commissioned David Tyldesley and Associates (DTA) to report on whether a positive framework for delivery of Biodiversity Action Plan (BAP) targets through Mineral Development Framework (MDF) policy has emerged or is emerging over the transitional period between minerals local plans and MDFs. In order to contextualise this assessment, current statutory and non-statutory guidance on protecting and enhancing biodiversity through MDF preparation was reviewed. But despite the plethora of available guidance relating to planning and biodiversity, the review found little or no guidance specifically assisting preparation of MDFs in respect of BAP habitat creation objectives.

Currently, MDFs across England are at various stages of development so, for the report to have resonance with planners, NAM commissioned the consultants to assess MDF policies from adopted MDFs and those at advanced stages of preparation in England, in relation to the above objectives.

The DTA report specifically cites Mineral Planning Authorities (MPAs) such as Cumbria, Cambridgeshire, Surrey and Rutland as strong examples of current best practice, within the first tranche of emerging MDFs. One of

the central messages of the review is that, from the plans that have at least reached an advanced stage, there are very few if any explicit barriers to delivery of BAP habitat targets within minerals site restoration policy. Furthermore, most of the plans sampled included strategic level aspirations for biodiversity enhancement from minerals site restoration within a Vision or Strategic Objectives. MDFs clearly present a positive framework for the delivery of habitat creation at a landscape scale. **For a copy of the full report, please contact Charlie Butt at: charles.butt@rspb.org.uk**



Andy Hay (rspb-images.com)

Ouse Washes, Cambridgeshire – the county's Mineral Planning Authority is an example of best practice

Your views on the RSPB

In our last issue we asked you to take part in a short on-line survey about the RSPB's planning work. Thank you to everyone who took part, as feedback helps us to do a better job for planning and nature, which is important in times of budget cuts.

Here are some highlights.

Most of you are local authority planners or ecologists from all around the UK, who first heard about our work through an RSPB consultation response (29%), Conservation Planner or in a meeting with RSPB staff (14% each).

After the statutory environmental bodies, if you wanted advice about planning and the natural environment, you would turn to the local Wildlife Trust (20%), the RSPB or Friends of the Earth (8% each).

Most of you think that the RSPB is a trusted source of advice on planning and birds and understands how planning works (78% and 61% respectively agree or agree strongly).

Many of you are familiar with our guidance on Strategic Environmental Assessment (SEA), but only 15% have

heard of our guidance on the appropriate assessment of spatial plans and only 4% of our Saving Special Places blog (www.rspb.org.uk/community/blogs/specialplaces/default.aspx).

The top three types of advice that you would like from us are on renewable energy and biodiversity, Natura 2000 sites and the Habitats Regulations, and habitat creation and management, although environmental assessment and species' requirements came not far behind.

Planning Bill in Northern Ireland

After a long wait, the Planning Bill has been introduced to the Northern Ireland Assembly. This is the outcome of several years of consultation to bring much-needed reform to the planning system. The NI Executive has made it clear that its priority is economic growth. The RSPB wants to make sure that this is managed without harm to our environment.

We are pleased to see inclusion of a sustainable development duty on those exercising planning functions. This Bill provides the basis for reforms but the real work will be in the subordinate legislation and guidance for those implementing the new practices.

The Bill gives effect to the Review of Public Administration (RPA) transfer of many planning functions from the Department of Environment (DOE) to local councils. It is not yet clear exactly how this will work, or what the transition arrangements will be, particularly as there is as yet no announcement on the new council boundaries.

The signs are encouraging for public involvement in the planning system, with new "statements of community involvement" to set out how authorities intend to get local people involved, pre-application community consultation to be encouraged, and a right to be heard at examinations and hearings. Still, it will be the guidance that determines how consultation is actually carried out and whether it will be meaningful.

There is stronger legislation to support enforcement of breaches of planning control, widely called for in consultations.

Sustainability appraisals will be required for new development plans, but it is not yet clear how this will run alongside Strategic Environmental Assessment and assessment under the European Habitats Directive for plans affecting internationally designated wildlife sites.

The RSPB responded to the Environment Committee consultation and will scrutinise the Bill as it progresses through the Assembly.

For more information contact Claire Ferry at claire.ferry@rspb.org.uk



Will sites such as Portmore Lough be given more protection by Northern Ireland's Planning Bill?

Andy Hay (rspb-images.com)

Localism or parochialism?

The Government's Localism Bill is a long and complex piece of legislation. It includes elements that we have long campaigned for, like abolishing the Infrastructure Planning Commission and returning decisions on major infrastructure to an elected person, the Secretary of State.

But the focus of the Bill is on new arrangements for strategic planning, and new neighbourhood plans. We welcome proposals to engage local people in planning, but there must be checks to ensure that localism does not become parochialism, and that the planning system delivers for the environment.

We have six key requests for the Bill. It should:

- Ensure that sustainable development, delivered within environmental limits, remains the purpose of planning, including neighbourhood planning
- Provide a statutory basis for the national planning policy framework
- Introduce new and effective arrangements for strategic

planning across local authority boundaries, which deliver for the environment

- Ensure that neighbourhood plans provide a fair and transparent approach to community participation and local decision-making, and protect and enhance local environments, whether protected by statutory designations or not
- Provide a limited community (third party) right of appeal as a safeguard against development not in accordance with the development plan
- Ensure that decisions on nationally significant infrastructure projects in Wales are consistent with the planning policy of the Welsh Assembly Government.

If the coalition government is to succeed in being the "greenest government ever" it needs to ensure that we have sustainable development and strategic planning that is fair and effective for all.

For more information contact Simon Marsh at simon.marsh@rspb.org.uk



The Tana River

Northern
carmine
bee-eater

Strategic Planning for Tana River Delta, Kenya

At a time when strategic plans are becoming rarer in the UK, the RSPB is working hard to support our BirdLife partner Nature Kenya advocate for and facilitate preparation of a strategic conservation and development plan for the spectacular Tana River Delta on Kenya's coast.

The 130,000-ha Delta has a rich mosaic of habitats such as seasonally flooded grassland and forest fragments and is home to 350 species of birds, endangered primates, crocodiles and hippos. But it's not just the wildlife; the Delta (one of the poorest regions in Kenya) is also vital to the 80,000 people who depend on it for their survival – it provides dry season grazing for enormous herds of animals, a major fishery for the local and export markets, and subsistence and cash crops.

The Delta currently has no formal protection and lacks a strategic plan to provide a framework for development. It is highlighted in Vision 2030, the Kenyan Government's national development plan, as a priority site for the expansion of irrigated agriculture. As a result, it is at the centre of a new "scramble for Africa" with Kenyan and international developers, including from the UK, competing for land to grow food and (encouraged by the European Union's Renewable Energy Directive) biofuel crops such as sugar cane and seed oils. This has enormous implications for the already scarce water resources. It would seriously affect local people's livelihoods and irreversibly destroy Kenya's largest and most ecologically diverse wetland

before it could be recognised as a wetland of international importance under the Ramsar Convention.

We are assisting Nature Kenya in their efforts to secure the long-term conservation and sustainable management of the Tana River Delta. The local communities have taken the Kenyan Government to court, seeking to block the proposed large-scale developments, which we hope will buy some time to reach agreement on a shared master conservation and development plan for the Delta.

In September 2010, Nature Kenya held a national workshop to discuss a draft strategic plan prepared with significant input from communities in the Delta. More than 50 stakeholders attended from government departments and agencies, developers and the media. The meeting concluded that a strategic plan would be a valuable mechanism to develop a sustainability vision for the Delta and it was agreed that a Steering Group would be convened to take the planning process forward, with Nature Kenya facilitating the process. The meeting had wide coverage in the Kenyan media.

This is a fantastic start, but money and time are needed to complete the process and until this happens, the future of the Tana Delta is in jeopardy.

For more information visit
www.rspb.org.uk/ourwork/casework/details or contact
Helen Byron at helen.byron@rspb.org.uk



Swifts depend on us for suitable nest sites



Exeter plans for 12,000 new homes

Exeter's vision for a future with wildlife

Exeter is a prosperous and diverse city with an expanding population, which, over the next 20 years is likely to grow by 30%.

The Proposed Submission Core Strategy includes specific policies on sustainable design and green infrastructure with plans for 12,000 new homes. The challenge the Local Authority faces is how to:

- Retain the existing character of the City
- Accommodate these numbers and the necessary ancillary accommodation to service them within the existing City Boundaries
- Retain, create and manage the green infrastructure
- Cater for the potential effects of climate change
- Comply with the Guidance for Local Authorities on Implementing the Biodiversity Duty set out in the NERC Act 2006 and Planning Policy Statement 9.

The City Council's recently adopted Residential Design Guide Supplementary Planning Document (SPD) covers all aspects of residential design:

- Comprehensive design guidance

for the layout and design of new developments

- Creation of high-quality private, communal and public open spaces
- Design to reduce the impact of extreme weather events
- Provision and maintenance of suitable habitat for urban flora and fauna with links to existing green spaces and the wider countryside.

These principles should provide a firm foundation for new development, particularly as the Council will expect developers to integrate biodiversity into their layout, landscape and building designs.

Appendix II of the SPD provides detailed guidance developed in conjunction with the Devon Wildlife Trust, Bat Conservation, Buglife and the RSPB with regard to the city's key habitats and species, for example, swifts.

It's worth having a look at www.exeter.gov.uk/resiguidespd – Exeter should still be a fine place for people and wildlife in 2030!

For more information contact Stephen Fitt at stephen.fitt@rspb.org.uk

As a charity, the RSPB depends on the goodwill and financial support of its members and people like you. Please visit www.rspb.org.uk/supporting or call **01767 680551** to find out how to join.

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The RSPB speaks out for birds and wildlife, tackling the problems that threaten our environment. Nature is amazing – help us keep it that way.

We belong to BirdLife International, the global partnership of bird conservation organisations.

The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654.

Cover photo: Andy Hay (rspb-images.com) 270-0678-10-11