
Local Planning Policies – Ecology

The Yorkshire and Humber (CCS Cross Country Pipeline) Development Consent Order

*Under Regulation 5(2)(a) of the Infrastructure Planning
(Applications: Prescribed Forms and Procedure)
Regulations 2009*

Table 6.9.1 Relevant Local Planning Policies – Ecology & Nature Conservation		
Local Plan	Policy Ref/Title	Details
Beverley Borough Local Plan	E13 – Encouragement of Woodland Tree Planting	Locally native woodland tree planting for amenity or recreation purposes will be encouraged, especially when near to built-up areas provided the planting will not detract from the character or appearance of the area, adversely affect any existing sites of nature conservation or archaeological importance, nor involve, or lead to pressure for, inappropriate development outside development limits.
	E14 – Effects on Nature and Natural Features	All development proposals will be expected to ensure that their effects upon wildlife, natural history, geomorphological and geological features and resources are taken fully into account. Where development is to be approved, any decrease in nature conservation shall be kept to a minimum and compensated for by equivalent habitat creation or other nature conservation measures within the site or local area. The Local Planning Authority will seek to use conditions on planning permissions and its relevant powers to enter into planning obligations to achieve this where appropriate
	E15 – Protection of LNR's and SNCI's	Development proposals which would be likely to have a significant adverse effect on the nature conservation value of a Local Nature Reserve or a Site of Nature Conservation Importance as identified on the Proposals Map will not be approved unless it is demonstrated that compensatory nature conservation benefits provided as part of the proposed development will outweigh the harm to the nature conservation

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		value of the site.
	E16 – Protection of SSSI's	Development proposals which are likely to adversely affect, directly or indirectly, the nature conservation interest of a Site of Special Scientific Interest will be subject to special examination and will only be permitted if harm to the interest can be overcome by conditions or planning obligations or if there are special reasons for granting the permission which outweigh the national importance of the site.
	E18 – Species protection	Development and other land use changes which may have an adverse effect on Badgers, and other species protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981, as amended, will only be permitted where harm to the species can be avoided
	E19 – Protection of Water Environment	Development proposals which will have a significant adverse effect on, or will be significantly adversely affected by, the water environment, streams and associated hedgerows will not be approved.
Boothferry Borough Local Plan	EN22 – Protection of Important Trees	The local planning authority shall continue to protect important trees and woodlands where necessary through: <ul style="list-style-type: none"> a. the use of tree preservation orders by b. imposing conditions on planning approvals

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	EN23 – Protection around Trees	new buildings should be kept a reasonable distance from existing trees where possible, especially where the tree is covered by a preservation order
	EN24 – Protection of Hedgerows	The local planning authority shall continue to use the powers available to it to protect, enhance and create hedgerows within the plan area.
	EN27 – Effect on NNR & SSSI	Development likely to have an adverse effect, either directly or indirectly, on the conservation value of a national nature reserve or site of special scientific interest will only be permitted if it can be demonstrated that other material considerations outweigh the special interest of the site.
	EN27A – Protection of Ramsar sites/SPA's or SAC's	Sites which are designated as or which are potential ramsar sites, special protection areas or special areas of conservation will be given the protection afforded to SSSI's in addition, development proposals likely to have a significant effect upon such sites will be allowed only if there is no alternative and if there are imperative reasons of overriding public interest for them.
	EN28 – Other SNCI's	On other sites of nature conservation importance as shown on the proposals map, and on land in close proximity to the sites identified in policy en27, development which may have a significant adverse effect will only be permitted in exceptional circumstances

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	EN29 – Mitigation measures SNCI's	In the exceptional circumstances where development detrimental to a site of nature conservation importance is permitted, the local planning authority shall expect the developer to sign a section 106 agreement to carry out mitigating conservation works nearby.
	EN30 – Impact on Wildlife/Physical Features	In considering planning applications the local planning authority shall endeavour to minimise the impact of new development on valuable wildlife or physical features.
	EN30A – Species Protection	Development and other land use changes which may have an adverse effect on badgers and other species protected by schedules 1, 5 and 8 of the wildlife and countryside act 1981 will only be permitted where harm to the species can be avoided.
	EN32 – Management of SNCI's & Habitat Creation	The local planning authority will seek management agreements with interested parties to safeguard existing sites of nature conservation importance and to create appropriate wildlife habitats on areas of vacant, derelict or surplus land. Development will be encouraged to create new habitats and set out proposals for management of these as part of their proposal.
	EN33 – Wildlife Conservation on	Where developments leave areas of surplus land in a disturbed state, the local planning authority shall accept and support their natural regression,

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	Surplus Land	after initial landscaping, into a wetland, woodland or other wildlife habitat, as an alternative to a return to their original use. This shall not apply to the best and most versatile agricultural land, which should be restored to its former state.
East Yorkshire Borough Local Plan	EN4 – River Derwent Area of Habitat Protection	<p>Within the defined River Derwent area of habitat protection proposals will only be permitted where they:-</p> <ol style="list-style-type: none"> 1. Will not result in habitat loss, pollution, or disturbance from visitor pressure, which would directly or indirectly threaten important nature conservation interests as defined in policies EN8, EN9 and EN10; and 2. Will not involve works within watercourses which would impede the passage of fish; and 3. will not require external illumination close to important fish spawning grounds; and 4. Retain bank side cover as part of a conservation corridor alongside watercourses.
	EN5 – River Hull Headwaters Areas of Habitat Protection	<p>Within the defined river hull headwaters area of habitat protection proposals will only be permitted where they:</p> <ol style="list-style-type: none"> 1. will not result in habitat loss, pollution, or disturbance from visitor pressure, which would directly or indirectly threaten important nature

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		<p>conservation interests, as defined in policies en9 and en10; and</p> <p>2. will not require external illumination close to important fish spawning grounds; and</p> <p>3. they will retain bank side cover as part of a conservation corridor alongside watercourses</p>
	EN8 – International Conservation sites	On sites which are designated or proposed to be designated because of their international importance for nature conservation, proposals will only be permitted where they are directly connected with or necessary to the management of the site, or, together with other proposals they will not adversely affect the integrity of the site.
	EN9 – National Nature Conservation Sites	Proposals which are likely to adversely affect, directly or indirectly, the nature conservation interest of a site of special scientific interest, national nature reserve or other statutorily designated nature conservation site will be subject to special scrutiny and will only be permitted if harm to the interest can be overcome by conditions or planning obligations or if there are special reasons for granting the permission which outweigh the national importance of the site.
	EN10 – Local Nature Conservation Sites	The nature conservation importance of all development sites will be taken into account. proposals which affect local sites of nature conservation interest will only be permitted where the benefits from development

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		<p>outweigh the nature conservation importance of the site and where planning conditions or legal agreements can be used to:</p> <ol style="list-style-type: none"> 1. minimise any harm arising, or 2. Compensate for any harm through alternative habitat creation or other appropriate nature conservation measures.
	EN11 – Species Protection	<p>Proposals likely to affect a specially protected wildlife species will only be permitted where any potential harm can be avoided by the use of planning conditions or legal agreements which will:</p> <ol style="list-style-type: none"> 1. facilitate the survival in situ of all individual members of the species; or 2. provide adequate alternative habitats to sustain at least current levels of population; and 3. Minimise disturbance to the species during any construction phase and subsequent occupation.
Selby District Local Plan	ENV7 - International Wildlife Sites	<p>Proposals for development within or which may affect a European wildlife site, a proposed European wildlife site or a Ramsar site, will be subject to the strictest control. Development not directly connected with or necessary to the management of the site and which is likely to harm the site's nature conservation interest will only be permitted if there is no alternative solution and there are imperative reasons of overriding public</p>

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	ENV8 - National Wildlife Sites	Proposals for development within, or which may affect, sites of special scientific interest or national nature reserves will be subject to strict control. Development which is likely to harm the site's nature conservation or geological interest will not be permitted unless there are no reasonable alternative means of meeting the development need and the reasons for the development clearly outweigh the value of the site itself and the national policy to safeguard the intrinsic nature conservation and geological value of the national network of such sites.
	ENV9 - Sites of Importance for Nature Conservation	Proposals for development which would harm a local nature reserve, a site of local importance for nature conservation or a regionally important geological/geomorphological site, will not be permitted unless there are no reasonable alternative means of meeting the development need and it can be demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature.
	ENV10 - General Nature Conservation Considerations	Where development proposals, which affect a site of nature conservation interest, are acceptable in principle, any harm to the nature conservation interest should be kept to a minimum. Where appropriate the developer

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		will be expected to incorporate compensatory measures including the implementation of schemes for habitat creation and/or enhancement within the site or locality, and proposals to ensure future management.
	ENV11 - Ancient Woodland	Development will not be permitted where it is likely to cause loss of, or damage to, an ancient woodland, unless the reasons for the development outweigh the nature conservation value of the woodland.
	ENV12 - River and Stream Corridors	Proposals for development likely to harm the natural features of or access to river, stream and canal corridors will not be permitted unless the importance of the development outweighs these interests, and adequate compensatory measures are provided.
	ENV13 - Development Affecting Ponds	Proposals for development which would harm the landscape, townscape, historical or wildlife value of a pond will not be permitted unless: <ol style="list-style-type: none"> 1) The need for a particular development outweighs the particular value of the pond; 2) An equivalent habitat can be created on site or elsewhere in the locality which will provide the same landscape, townscape or wildlife value of the existing pond; and 3) Appropriate management measures are incorporated in the scheme.

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	ENV14 – Protected Species	<p>Development and other land use changes which may harm badgers and other species protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981, as amended, or the EC Habitats and Species Directive will not be permitted.</p> <p>To avoid harm to the species the local planning authority may consider the use of conditions and planning obligations which seek to:</p> <ol style="list-style-type: none"> 1) Facilitate the survival of individual members of the species; 2) Reduce disturbance to a minimum; and 3) Provide adequate alternative habitats to sustain at least the current levels of population.
East Riding of Yorkshire Local Plan Draft Strategy Document (January 2014)	ENV4 - Conserving and enhancing biodiversity and geodiversity	<p>A. Proposals that are likely to have a significant effect on an International Site will be considered in the context of the statutory protection which is afforded to the site.</p> <p>B. Proposals that are likely to have an adverse effect on a National Site (alone or in combination) will not normally be permitted, except where the benefits of development clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites.</p> <p>C. Development resulting in loss or significant harm to a Local Site, or habitats or species supported by Local Sites, whether directly or</p>

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		<p>indirectly, will only be supported if it can be demonstrated there is a need for the development in that location and the benefit of the development outweighs the loss or harm. Where loss or harm cannot be prevented or adequately mitigated, as a last resort, compensation for the loss/harm must be agreed.</p> <p>Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for.</p> <p>D. Proposals should further the aims of the East Riding of Yorkshire Biodiversity Action Plan (ERYBAP), designated Nature Improvement Areas (NIAs) and other landscape scale biodiversity initiatives.</p> <p>To optimise opportunities to enhance biodiversity, proposals should seek to achieve a net gain in biodiversity where possible and will be supported where they:</p> <ol style="list-style-type: none"> 1. Conserve, restore, enhance or re-create biodiversity and geological interests including the Priority Habitats and Species (identified in the ERYBAP) and Local Sites (identified in the Local Sites in the East Riding of Yorkshire). 2. Safeguard, enhance, create and connect habitat networks in order to: <ol style="list-style-type: none"> i. protect, strengthen and reduce fragmentation of habitats; ii. create a coherent ecological network that is resilient to current and

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		<p>future pressures;</p> <p>iii. conserve and increase populations of species; and</p> <p>iv. promote and enhance green infrastructure.</p>
	Policy ENV5 - Strengthening green infrastructure	<p>A. Development proposals should:</p> <ol style="list-style-type: none"> 1. Incorporate existing and/or new green infrastructure features within their design; and 2. Capitalise on opportunities to enhance and/or create links between green infrastructure features such as those listed in Table 10 (of the Local Plan Document). Links should be created both on- site and, where possible, with nearby green infrastructure features. <p>B. Development proposals within, or in close proximity to, a green infrastructure corridor should enhance the functionality and connectivity of the corridor.</p>