

**TO: EXECUTIVE
17 JULY 2018**

BRACKNELL FOREST BIODIVERSITY ACTION PLAN 2018-2023

Director of Environment, Culture and Communities

1 PURPOSE OF REPORT

- 1.1 To seek approval for the new Biodiversity Action Plan (BAP) 2018 to 2023 for Bracknell Forest Borough.

2 EXECUTIVE SUMMARY

- 2.1 The BAP is reviewed every six years and a new BAP is produced following the review and wider consultation. The previous BAP 2012-2017 established a successful format based on habitats rather than concentrating on a list of individual species, as in the preceding BAP 2006-2011.
- 2.2 The first BAP for Bracknell Forest was published in 1997, and this was also the first produced by any of the boroughs within the Berkshire County area. This was followed by the second BAP in 2001.
- 2.3 The BAP is a valuable evidence base for helping to make and support planning decisions including providing justification for developing Biodiversity Enhancement projects to be secured from s106 Agreements. It provides opportunities for engagement with residents, parish/town councils, landowners, conservation groups and organisations.
- 2.4 This plan has been consulted and approved by partner organisations, the Bracknell Nature Partnership and the public in order to reflect the views of the community.
- 2.5 Having an up to date BAP contributes to the Council's duties under the NERC Act 2006 to have regard to conserving biodiversity as part of its policy and decision making.
- 2.6 All development within the borough since 1997 has been completed alongside a valid BAP, and the role of the plan is to support biodiversity through influence on policy plans and design. It does not add any additional environmental burdens on development which are already required under national legislation, but in part acts as a routemap which can aid developers meet their environmental obligations.

3 RECOMMENDATION(S)

- 3.1 To approve the new Biodiversity Action Plan 2018 to 2023 to be adopted as a Council strategy.
- 3.2 To authorise minor changes to the new Biodiversity Action Plan 2018 to 2023 prior to adoption in (3.1) above be agreed with the Chief Officer: Planning, Transport and Countryside in consultation with the Executive Member for Culture, Corporate Services and Public protection.

4 REASONS FOR RECOMMENDATION(S)

- 4.1 As a unitary authority, Bracknell Forest Council is responsible for protecting and enhancing biodiversity as set out in policy documents including the community strategy, core strategy (Local Development Framework), climate change action plan

and cultural strategy. Successful delivery will involve cross service co-operation; with key roles for the Council as Planning Authority, Highway Authority, Access Authority and as a land manager.

4.2 Approval and publication of BAP will support Council Strategic themes:-

‘A clean, green, growing and sustainable place’

‘Strong, safe, supportive and self-reliant communities’ with particular reference to ‘Levels of volunteering and community action in the borough are increased.’

4.3 At a National level there have been many recent publications from central government which reflect a rapidly changing approach to biodiversity. The most relevant of these is ‘Biodiversity 2020: A strategy for England’s wildlife and ecosystem services’ published in August 2011 which sets broad priorities for the conservation of biodiversity.

The Bracknell Forest BAP aims to contribute towards this wider strategy by reporting to higher levels via the Berkshire Biodiversity Action Plan (now called the Berkshire Biodiversity Strategy 2014-2020) through the Berkshire Local Nature Partnership (LNP).

4.4 The current legislation identified for UK Priority Habitats includes that provided by the NPPF paragraph 117: ‘Planning policies should promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.’

4.5 As a public authority in England, Bracknell Forest has a duty under the NERC Act 2006 to have regard to conserving biodiversity as part of its policy or decision making. Conserving biodiversity can include restoring or enhancing a population or habitat. Having an approved, current BAP provides an essential evidence base, objectives and targets that are specific to Bracknell Forest. The BAP provides added weight to internal planning consultation responses and a valuable reference for officers, members, stakeholders and residents alike.

4.6 The BAP seeks to contribute to the protection and enhancement of biodiversity by: (1) addressing habitat connectivity, (2) developing a system for biodiversity accounting, (3) adopting a green infrastructure and (4) secure biodiversity enhancement projects through s106 funding which will help developers meet their planning obligation. These are all consideration in the planning process.

5 ALTERNATIVE OPTIONS CONSIDERED

5.1 None, for reasons set out in 5.2 and 5.3 below.

5.2 If a new Biodiversity Action Plan is not adopted, this will reduce the effectiveness of and capacity for positive measures to protect and enhance wildlife, including in relation to partnership working to achieve nature conservation objectives. In the absence of a valid BAP which identifies priorities, plans and projects, the local development industry would find it more challenging to meet their environmental obligations required under national and local planning standards.

BAPs play an important role in translating national and regional strategies, priorities and targets into direct local action on the ground, and in identifying which UK priority species and habitats are found in that local area. The UK BAP lists of priority species and habitats remain important and valuable reference sources. Notably, they have

been used to help draw up statutory lists of priority species and habitats in England, as required under: Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

- 5.3 The Council will also be unable to effectively demonstrate compliance with the statutory duty to conserve biodiversity in accordance with the Natural Environment and Rural Communities (NERC) Act 2006.

6 SUPPORTING INFORMATION

6.1 The origin of Biodiversity Action Plans

UK BAP was the UK government's response to the Convention on Biological Diversity, opened for signature at the Rio Earth Summit in 1992. The UK was the first country to produce a national Biodiversity Action Plan. It was published in 1994 and created action plans for priority species and habitats in the UK that were most under threat so as to support their recovery. The regional response to national guidelines published in 1995 led to 162 Local Biodiversity Action Plans (LBAPs) being produced for England, Wales and Scotland, with further action plans later produced for Northern Ireland.

6.2 Bracknell Forest Biodiversity Action Plan

In April 1997, Bracknell Forest Borough Council, in partnership with Parish and Town Councils and local organisations, launched its first local Biodiversity Action Plan. Bracknell Forest was the first local authority in Berkshire to publish a Local BAP demonstrating the commitment of the Council and local people to lead nature conservation in the borough. The second plan, launched in 2001, built upon the first and was then updated with publication of the plan covering 2006-2011. Following the landscape approach, this plan established a successful format based on habitats rather than concentrating on individual species.

The former plan for 2012-2017 continued this format. It was drafted with involvement from local people and addresses key changes in policy and nature conservation. Thanks to the community involvement, the Council can take into account their opinions about nature management and their preferences for conservation actions, enabling us to identify objectives and develop targets that deal with public concerns.

The new plan for 2018-2023 also continues this approach, taking over the plan's aim, expanding the objectives and proposing new actions that will continue Bracknell Forest's commitment to safeguarding biodiversity into the future. The key changes include: updated legislation (e.g. Bracknell Local Plan and new National Planning Regulations); enhanced links between Local Plan and BAP (supporting developments targets while caring for natural capital) and updating objectives, for instance to better reflect what can reasonably be achieved (e.g. reducing new heathland target, but increasing veteran tree surveying target.) Some objectives have been removed where they were already achieved (e.g. use habitat mapping to identify potential heathland sites) and new targets have been created for new needs (e.g. exploring the ecological connectivity within the borough, involving education institutions to monitor biodiversity.)

6.3 Legislation: The Natural Environment and Rural Communities Act 2006

Responsibilities relating to wildlife extend back to the National Parks and Access to the Countryside Act 1949 which introduced the powers for local authorities to create nature reserves. The Countryside Act 1968 and Wildlife and Countryside Act 1981 subsequently set out duties to conserve natural beauty and manage local authority land to take account of

wildlife interest. Under the Natural Environment and Rural Communities (NERC) Act 2006, all Local Authorities have a statutory duty to conserve biodiversity (expanding on responsibilities set out in the Countryside and Rights of Way Act 2000). This BAP demonstrates how BFC will meet a significant part of this duty by setting out key actions for biodiversity.

6.4 Policy

Bracknell Forest Council Climate Change Action Plan 2013 – Updated 2016

A6 Plan for impacts of climate change on species and habitat conservation and migration

Sustainable Community Strategy 2015-2018

Section 4: The Borough has experienced pressures on housing, infrastructure services and environmental assets including sites designated as being important for nature conservation at an international, national and local level.

A desirable place: The Borough is proud and protective of its green character, with a third of our area comprising woodland. The Borough also has one of the highest ratios of publicly accessible open space to its population, and much of this open space is maintained at a high standard.

Section 5: Preserving our green heritage will be key to the future development of the area, integrating environmental concerns into all activities.

Core Strategy Development Plan Document (DPD) 2008

Policy CS1: Sustainable Development Principles

Development will be permitted which;...Protects and enhances:...

vii. the quality of natural resources including water, air, land and biodiversity; and

Policy CS7: Design

95 Development proposals will be permitted, which;...

iii. enhance the landscape and promote biodiversity;

Policy CS14: Thames Basin Heaths Special Protection Area

The Council will carry out an assessment of the effects of a development proposal on the conservation objectives of the Thames Basin Heaths Special Protection Area (SPA) where there is a risk of the proposal having a significant impact on the integrity of the site, either alone or in combination with other proposals. Proposals leading to a net increase in residential dwellings, within a straight-line distance of 5 kilometres from the SPA boundary, are likely to have a significant effect. The Council will not permit development which, either alone or in combination with other development, has an adverse effect upon the integrity of the SPA.

Development outside the 400-metre zone will be permitted where it can demonstrate that it can remove any adverse effect by contributing towards avoidance and mitigation measures in line with the SPA Technical Background Document.

The effective avoidance and/or mitigation of any identified adverse effects must be demonstrated and secured prior to approval of the development.

Contextual Indicator

COI 8: Change in areas and populations of biodiversity importance, including:

i. change in priority habitats and species (by type); and

- ii. change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance (CS14)

Target: No reduction in areas of priority habitat, species, or areas designated (ha)

Bracknell Forest Council Local Transport Plan 3: Core Strategy and Implementation Plan 2011-2026

- i. Protect and enhance the quantity and quality of natural resources including water, air quality and the natural environment.
- 8. Enhance the street environment.

Bracknell Forest Council Local Plan 2002

Chapter 2. Built and Natural Environment

2.1 [...] the majority of the Borough is more rural in character. There are many attractive areas of countryside, containing mature woodland and tree belts. These areas are important not only for their visual qualities, but also for their role as wildlife habitats.

BFBLP Policies Saved beyond 27 September 2007

Policies:

EN1 - Protecting tree and hedgerow cover

EN2 - Supplementing tree and hedgerow cover

EN3 - Nature Conservation

EN4 - Local Nature Reserves, Wildlife Heritage Sites and Regionally Important Geological Sites

EN14 - River corridors

EN15 - Floodlighting

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 There are no specific legal implications arising from the report.

Borough Treasurer

- 7.2 The plan will be delivered through a combination of partnership funding, use of external grants and from within approved council budgets. Any variation to budgets will require separate approval through the budget monitoring/budget setting process.

Equalities Impact Assessment

- 7.3 The BAP will not have a negative impact on equality.

Strategic Risk Management Issues

- 7.4 Due to duties under the NERC Act, also requirements of the NPPF there is therefore a level of service provision that has to be achieved, and this applies both to the physical environment and to the legal / regulatory functions.
- 7.5 The new BAP builds on the provisions of the previous four BAPs, and does not create any strategic risks. It incorporates more up to date and reliable data about species and habitats, as well as results of a wide consultation process. There is a greater strategic risk in not having an up to date BAP.

Other Officers

7.6 Chief Planning Officer

The Biodiversity Action Plan will provide useful evidence to support planning and other decisions in tandem with other policies, strategies and guidance to protect and enhance existing biodiversity features and provide new features throughout the Borough.

8 CONSULTATION

Principal Groups Consulted

- 8.1 The new plan has been drawn up in consultation with the Bracknell Forest Nature Partnership, a group of interested individuals, partner organisations, Town and Parish Councils and volunteer groups. General public were able to give feedback about the draft BAP via an online questionnaire.

Method of Consultation

- 8.2 Directly targeted email consultations to stakeholders. Bracknell Forest Nature Partnership (BFNP), through a series of subject-based workshops, as well as email consultation over the BAP review and the content of the newly drafted BAP. Conservation groups, landowners and parishes are represented in the membership of the BFNP.

Public consultation on Council's website. An online, public, anonymous consultation was run from the 5th of March until the 16th of April 2018. It consisted of a short questionnaire; it was advertised on council website and local press, and hosted on the consultation portal of Bracknell Forest Council's website.

Representations Received

- 8.3 7 partner organisation responses were obtained during the consultation process (Bracknell Horticultural Association, Bracknell Forest Natural History Society, Warfield Environmental Group, Binfield Badger Group, Warfield Environmental Group, Ascot Wildlife, Hedge & Woodland Conservationist). Only one group (Binfield Badger Group) suggested changes in the content and they were implemented in agreement of both parties. The general request from the other organisations was positive, asking to increase their number of collaborations in the BAP.
- 8.4 A total of 6 respondents completed the survey, of which 4 were residents, 1 landowner and 1 public body. 67% of the respondents considered that the BAP did not effectively deal with the main pressures on wildlife within Bracknell Forest Borough, being urbanisation and development the main concerns. Changes in the BAP draft were implemented after the consultation. The survey form and consultation results are appended in the BAP (Appendix A7).

9 BACKGROUND PAPERS

- 9.1 Bracknell Forest Biodiversity Action Plan 2018-2023

- 9.2 Bracknell Forest Parks & Open Spaces Strategy, especially section 1.4 priority 6, section 2.2, and a total of 41 references to biodiversity.
- 9.3 Berkshire Biodiversity Strategy 2014 to 2020
- 9.4 Biodiversity 2020: A strategy for England's wildlife and ecosystem services
- 9.5 Natural England: Nature Nearby, Accessible Natural Greenspace Guidance published March 2010
- 9.6 Play, Open Space and Sports study (POSS) 2017
- 9.7 Thames Basin Heaths Special Protection Area Supplementary Planning Document 2018
- 9.8 Planning Obligation Supplementary Planning Document 2015

Contact for further information:

Stephen Chown, Head of Parks & Countryside - 01344 351226

stephen.chown@bracknell-forest.gov.uk

Rocio Martinez Cillero, Biodiversity Officer – 01344 354125

Rocio.Martinez-Cillero@bracknell-forest.gov.uk

Graham Pockett, Parks & Countryside Development Manager – 01344 354107

graham.pockett@bracknell-forest.gov.uk