

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: UPDATED BIODIVERSITY AND GEODIVERSITY SPD

REPORT TO:	CABINET
Date of Meeting	31st May 2023
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on an updated Biodiversity and Geodiversity Supplementary Planning Document.

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

- 1 Gives approval to consult on the updated Biodiversity Supplementary Planning Document.**

1. INTRODUCTION

- 1.1** The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.
- 1.2** The Planning & Building Control Service monitors the effectiveness of our policies and guidance on an ongoing basis. In respect of Supplementary Planning Documents, this is to satisfy ourselves that:

- They remain in conformity with national legislation, planning policy and guidance
 - They are helping to ensure that the Local Plan achieves its overall aims and objectives
 - They are enabling decisions to be upheld at appeal
 - They reflect any new social, environmental or economic priorities that may have arisen
- 1.3 Supplementary Planning Documents build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.
- 1.4 As they do not form part of the Development Plan, Supplementary Planning Documents can be more readily updated but in doing so, the comments will be fully considered to ensure that the amendments conform with national planning policy and guidance and that the content supplements existing policies in the plan (rather than replacing them or going beyond their remit) and that the amendments will not result in unnecessary financial burdens.
- 1.5 It is proposed to consult on an updated Biodiversity SPD. The original version was adopted in 2019. The update includes reference to seeking a minimum of 10 % Biodiversity Net Gain. It also provides other updates relating to the Environment Act. Once adopted, the updated SPD will supersede the version adopted in 2019.

2. PROPOSAL

2.1 It is proposed that the draft document is approved for consultation. The updated document is attached to this report as Appendix 1. The changes from the original version are shown in red, underlined text and deleted text is shown as struck through.

2.2 Public Consultation

Public consultation will take place for a minimum of four weeks in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Comments will be considered and a further report will be taken to Cabinet detailing any changes made as a result of consultation, and seeking authority to adopt the final version.

2.3 Appendix 1 contains the draft document.

3 IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).

3.1.2 The cost of the public consultation including printing and publicity costs are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.

3.1.3 No Appendix A is required.

3.2 Legal

3.2.1 Preparation, consultation and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

3.3 Equality

Full Equality Impact Assessment completed

A full Equality Impact Assessment completed. This complements the Equality Impact Assessment that was carried out to support the Local Plan which concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD, to ensure our engagement is inclusive. Where appropriate reasonable adjustments will be considered at venues where documents are available to ensure accessibility requirements for all attendees are met.

4. Sustainability

The sustainability wheel shows the Biodiversity and Geodiversity SPD will have a high positive impact on biodiversity and a positive impact on prevention and adaptation, emissions and land use/ change.



3.5 Employee

There are no employee implications arising from this report.

3.6 Communications

Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

It is proposed to carry out public consultation for a minimum of four weeks on the draft document. Once consultation has taken place a further report will be brought back to Cabinet and Full Council for adoption.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 One alternative approach would be not to update this document. The proposed updates are considered helpful to developers in setting out the local planning authority's expectations and requirements in respect of Biodiversity and Geodiversity.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The draft updated Biodiversity and Geodiversity SPD contains some helpful information that will provide clarity for service users.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

Appendix 1: Draft Biodiversity and Geodiversity SPD

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted <i>Ashley Gray</i>
Legal consultation & sign off	Legal Services officer signed off <i>Bob Power</i>

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 27/2/23