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**Jane Tucker**

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**From:** Consultations (NE) [consultations@naturalengland.org.uk]  
**Sent:** 21 December 2012 09:55  
**To:** Jane Tucker  
**Subject:** Planning application ref 3/2012/1092  
**Attachments:** 73525 3-2012-1092 NE Response.pdf; Land Use Planning Consultation Feedback form (v.2.1.2)\_pub\_0001.pdf

For the attention of Graeme Thorpe

**Ref: 3/2012/1092 (Outline application for residential development of up to 140 units with primary school access of Henthorn Road, with all other matters reserved)**

Please find Natural England's response in relation to the above mentioned consultation attached herewith.

<<73525 3-2012-1092 NE Response.pdf>> <<Land Use Planning Consultation Feedback form (v.2.1.2)\_pub\_0001.pdf>>

Regards

Annmarie

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**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

21/12/2012

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Date: 21 December 2012  
Our ref: 73525  
Your ref: 3/2012/1092



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**BY EMAIL ONLY**

Dear MrThorpe

**Planning consultation:** Outline application for residential development of up to 140 units with primary access of Henthorn Road, with all other matters reserved.

**Location:** Land off Heathorn Road, Clitheroe, Lancashire

Thank you for your consultation dated and received by Natural England on 19 December 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

From the information provided with this application, it does not appear to fall within the scope of the consultations that Natural England would routinely comment on. The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

We would, in any event, expect the LPA to assess and consider the possible impacts resulting from this proposal on the following issues when determining this application:

#### **Protected species**

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice<sup>1</sup> on BAP and protected species and their consideration in the planning system.

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of this particular development on protected or BAP species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

#### **Local wildlife sites**

If the proposal site could result in an impact on a Local Site<sup>2</sup>, Local Nature Reserve (LNR) or priority

<sup>1</sup> Paragraph 98 and 99 of ODPM Circular 06/2005

<sup>2</sup> As defined in the DEFRA Local Sites guidance

habitat the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application, ensuring that it does so in conformity with the wording of paragraph 168 of the National Planning Policy Framework. For further information on Local Sites, your authority should seek views from your ecologist, or the Local Sites designation body in your area.

### **Biodiversity enhancements**

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

### **Local Landscape**

This proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Yours sincerely

Annmarie Williams  
Customer Service Consultation Team