



giving  
nature  
a home

Autumn 2014

# Conservation Planner

**Wildlife guidance  
for solar  
developments**

- Are we fit to frack?
- Hydro-power scheme threatened Snowdonia
- New planning policy for Scotland

# Are we fit to frack?

The UK Government has declared that it is “going all out for shale”. Decisions about the commercial extraction of shale gas – also known as “fracking” – could have major implications for our countryside, wildlife and climate.

Poorly regulated fracking risks harming threatened species and polluting our waterways.

The RSPB came together in partnership with other leading conservation and countryside charities earlier this year, to develop understanding of how serious the risks are and ask the question “Are we fit to frack?” We reached an evidence-based understanding of the environmental risks and made recommendations (in a report of the same name) for how negative impacts can be avoided or at least minimised.

The *Are we fit to frack?* report contains 10 recommendations for making shale gas development safer, as the Government continues its push to get companies to apply for licences to explore and drill for shale gas.

The recommendations include asking for sensitive areas for wildlife to be excluded from licensing for onshore oil and gas exploration; for

Environmental Impact Assessment to be mandatory for all proposals; and for the shale gas industry to pay the costs of its regulation and any pollution clean-ups.

This would ensure that adequate protection is given to our most important natural and historic sites. It would also mean the environmental impacts of shale gas extraction could be better understood before launching into a full-scale commercial industry.

The recommendations are based on a full technical evidence report, independently reviewed by The Centre for Ecology and Hydrology, one of the UK’s leading ecological research institutes. The report concluded that:

- water demand could be locally significant in areas that are already under water stress;
- disposal of flow back fluid to fresh water systems, will be technically challenging;
- there is a risk of water contamination, mainly from

technical failures and surface spillages;

- habitat loss, fragmentation and disturbance to wildlife could be significant, depending on site location;
- the risks will rise with cumulative impacts associated with commercial extraction.

Wherever possible, the report takes a spatial approach to understanding the potential environmental impacts of shale gas development, identifying the areas that are likely to be most sensitive to the types of activity involved. This should be a useful resource for planners assessing the impacts of individual planning applications and provide evidence that can be used to inform local plan making.

Both reports are available to download at [rspb.org.uk/fracking](https://rspb.org.uk/fracking)

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Cerman Elias / Alamy



Drilling equipment at a shale gas drill site, Southport.



The Afon (river) Cwm-mynach. The large boulder in the centre of the image supports colonies of prostrate signal-moss *Sematophyllum demissum*.

# Snowdonia hydro-power

A proposed hydro-power scheme in Snowdonia could have threatened a woodland Special Area of Conservation and rare moss.

A planning application was submitted in Spring 2014 to construct a high-head hydro scheme in a river gorge on land at and near the RSPB's Coed Garth Gell woodland reserve in Snowdonia.

The project would be likely to damage the Meirionnydd Oakwoods Special Area of Conservation and, amongst other things, the UK's third largest population of prostrate signal-moss *Sematophyllum demissum*.

RSPB Cymru lodged an objection to this application to the local planning authority, the Snowdonia National Park. The objection was based upon the likely impacts of the scheme,

and on the fact that no statutory Environmental Impact Assessment was carried out in respect of it. The objection cited the Snowdonia National Park's Supplementary Planning Guidance: *Renewable and Low Carbon Energy*, which assessed the capacity for all renewable energy generation types in the National Park.

We reminded the National Park Authority that a Habitats Regulations Assessment screening would be required, and that planning permission could not be granted without one.

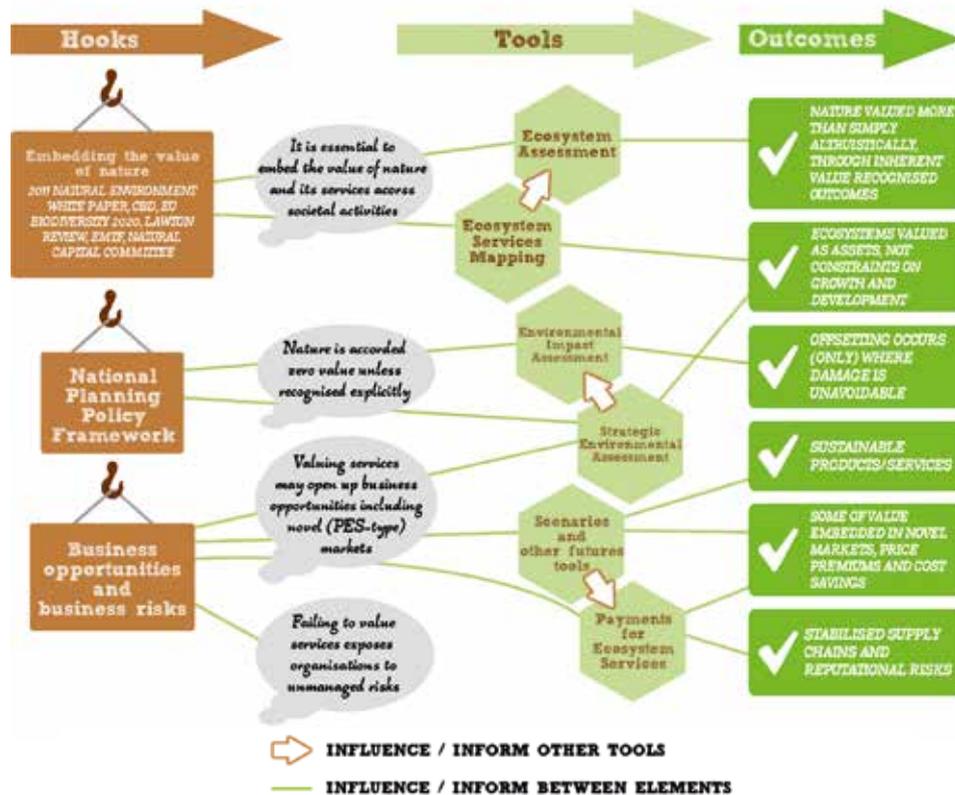
On 3 July 2014, the applicant withdrew the application. This is an example of our all-nature casework

safeguarding Wales' internationally important bryophytes – some of the oldest land plants on earth.

This case raises important planning questions about bryophyte conservation in Wales, and the Environmental Impact Assessment screening process in respect of hydro-power projects. It also highlights the need for a strategic approach to spatial planning for hydro-power, which maximises its potential, whilst protecting and enhancing biodiversity in the vicinity of schemes.

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## Natural Environment: Hooks, Tools & Outcomes



# UK NEA follow-on project

The 2011 UK National Ecosystem Assessment (UK NEA) had an immediate and significant policy impact through its influence in shaping the key commitments set out in the 2011 Natural Environment White Paper, and the National Planning Policy Framework (NPPF).

Feedback from key stakeholders, including planners, highlighted a need for the findings of the UK NEA to be made more relevant to practitioners. This is so that they can implement paragraph 109 of the NPPF, which requires planners to “recognise the value of ecosystem services.” This included developing practical tools to enable the knowledge to be used to improve decision-making.

The UK NEA follow-on project is a collaborative effort involving stakeholders from across the public and private sectors, including NGOs like the RSPB. The final report, published in June 2014, provides new information on the range of practical tools that can be used to apply the lessons of the UK NEA and embed the value of nature’s services in decision-making across

multiple sectors and scales.

When it comes to ensuring that we manage ecosystems sustainably, local development planning is key. Yet, ecosystem thinking is the exception rather than the rule when it comes to the planning profession. Why? Communication is clearly a key barrier; the use of “ecosystem service” jargon can hinder effective communication and engagement, resulting in low levels of awareness and understanding, and a sense that these issues are not relevant to planners. But these issues are relevant! Indeed, paragraph 109 of the National Planning Policy Framework requires planners to use ecosystem mapping and assessments as part of their local plan evidence base.

A key output from the UK NEA

follow-on project that is relevant to planners is the development of bespoke guidance for existing planning tools. This includes how ecosystem service thinking can be embedded in their use, alongside case studies showing how several local authorities are already starting to use these approaches. These resources are available via an independently produced online resource, the National Ecosystem Approach Toolkit. It’s a user-friendly guide to using these tools, allowing nature to become a vital planning asset for delivering multiple benefits to society.

All reports can be accessed and downloaded at <http://uknea.unep-wcmc.org/Resources/tabid/82/Default.aspx>

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# The battle for Lodge Hill

In Autumn 2012, we reported on the battle to save the population of nightingales at Lodge Hill in North Kent.

The battle is ongoing but the implications have grown as, since then, the site has been designated as a Site of Special Scientific Interest (SSSI). Losing this fight would set an extremely dangerous precedent – leaving every SSSI vulnerable to development.

The RSPB, Kent Wildlife Trust and Buglife, as well as local opposition, are fighting the proposal of up to 5,000 homes on the single most important site for nightingales in the country. Lodge Hill is the only SSSI notified specifically for nightingales and is estimated to hold more than 1% of the national population, which has suffered a huge decline in recent years.

The proposed development would destroy the majority of nightingale habitat and constitute one of the largest ever losses of a SSSI to development. It would set a dangerous precedent that would seriously undermine the National Planning Policy Framework (NPPF) and leave other SSSIs vulnerable. The NPPF allows for development on Sites of Special Scientific Interest in exceptional circumstances. These include where there is no alternative and where the need for the development clearly outweighs the impacts on the SSSI in question and the network of SSSIs as a whole. In 2013, an independent Planning Inspector decided that this was not the case for Lodge Hill and Medway Council withdrew their Core Strategy on the basis of these findings.

Disappointingly, the Ministry of Defence (MoD) and its delivery partner, Land Securities, submitted a revised Outline Planning Application

at the end of February 2014 and remains committed to developing Lodge Hill. Furthermore, Medway Council and the MoD continue to promote the site as previously developed land (PDL) or brownfield, based on its former military use. This is despite the Inspector for Medway's Core Strategy concluding that the proportion of PDL on the site is likely to only be 15%. The Inspector also found the site to be of "high environmental value" where the presumption in favour of development on brownfield land doesn't apply. You can see from the aerial photo below that it's almost impossible to tell where surrounding greenfield land ends and the MoD site starts.

The application was considered by Medway Council in September 2014. Despite the implications for



John Bridges (rspb-images.com)

## Lodge Hill – a SSSI for its nightingales

SSSIs nationally, Medway voted to approve Lodge Hill subject to referral to the Secretary of State. Given the proposal's conflict with national planning policy and the ruling to that effect by an independent government Inspector, the Secretary of State should "call in" this application. Lodge Hill must be subject to examination at public inquiry. We will be urging the Secretary of State to "call in" this autumn.

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Lodge Hill – the proposed site for 5,000 homes

# Solar guidance for wildlife

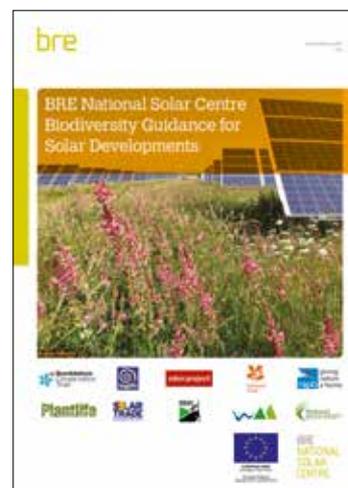
The National Solar Centre recently published Biodiversity Guidance for Solar Developments.

Solar farms may appear as a sea of panels, yet they have important wildlife potential, adding to their environmental benefits of renewable energy production. A partnership of industry and conservation organisations has published guidance to get the best from the burgeoning solar industry.

A solar farm's panels only oversail 25–40% of the site and even this area is mostly partly-shaded. So there are big opportunities for wildlife, especially as this is farmland without fertilisers or ploughing. Wildflower meadows can be established, ponds created and hedgerows grown to provide

food and shelter for wildlife. Parts of the solar farm can be uncultivated to help rare plants, or seeded to provide winter food for birds.

Adopting the guidance will help solar developers make a valuable contribution to wildlife. And with aspirations for 60,000 hectares of solar farms over the coming decade, these benefits contribute to a significant overall gain, helping to reverse biodiversity declines as well as to combat climate change. Renewable energy, developed in harmony with nature, will not always be the cheapest energy source. But the benefits for people and wildlife are surely worthwhile.



The guidance is available to download from BRE's website at [bre.co.uk](http://bre.co.uk)

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## Protecting and restoring the Flow Country

The Flow Country is a treeless, open landscape of bogs and pools in the far north of mainland Scotland, but it faces threats from proposed windfarms.

As well as being a huge and vital carbon store, this globally rare bog habitat is home to a range of fantastic wildlife, including golden eagles, hen harriers and greenshanks. The importance of the area is such that it has been put forward as a potential World Heritage Site.

During the 1970s, some large areas of the peatland were ploughed and planted with conifer trees, damaging the habitat. Fortunately, in the 1980s and 1990s, tree planting was halted and the area was designated and protected as a Special Protection Area and Special Area of Conservation under the EU Birds and Habitats Directives. However, areas planted with trees were excluded from the designations even though the underlying peat

was still of considerable potential conservation value. Recognising the scope to restore these unique habitats, a range of charities and government bodies, including RSPB Scotland, Plantlife, the Forestry Commission and Scottish Natural Heritage, came together and have been working to restore the damaged bogs. Trees have been removed and thousands of hectares of bog restored.

There is a new threat to the bogs though. Some windfarm developers are applying to build windfarms on the remaining undesignated forested areas. Neighbouring proposals at Strathy South (47 turbines) and Strathy Wood (28 turbines), in the heart of the Flow Country, are of particular concern. If given consent, trees would be

removed from the site, but replaced with turbines. The peatland would partly recover, but the turbines would be a collision risk to birds and, even if turbines are eventually removed, a legacy of tracks and turbine bases would remain so the habitat couldn't be fully restored. The Flow Country's nomination as a World Heritage Site would also be jeopardised.

The RSPB supports the development of windfarms but only if they avoid our most important places for nature. The Flow Country is one of the most important places for wildlife in the whole of Europe. It is not the right place to build windfarms.

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The Treehouses at Chewton Glen Hotel and Spa.

# RTPI Awards for Planning Excellence 2014

Here we highlight the biodiversity related projects that were shortlisted in the natural and built heritage section.

## **Biodiversity and Development: A Green Infrastructure Approach. Supplementary Planning Guidance – Bridgend County Borough Council**

This Biodiversity and Development Supplementary Planning Guidance (SPG) seeks to introduce, inform and empower developers and residents to incorporate Green Infrastructure (GI) delivery and solutions through the planning process. The SPG has been developed in conjunction with Natural Resources Wales who realise that this SPG forms part of the evidence base supporting the emerging Environmental Bill for Wales and demonstrates GI delivery at the local level. The guidance supports Bridgend County Borough Council's commitment to GI delivery and is exemplified by the inclusion of a GI policy within its Local Development Plan (LDP).

This is the first GI policy contained within a LDP in Wales.

## **More From Trees: The Mersey Forest Plan –The Mersey Forest**

The Mersey Forest Plan is a long term plan and strategic guide to the work of The Mersey Forest team and partners.

It was prepared by the Mersey Forest team in collaboration with seven local authority partners. The plan has been designed within the context set by the National Planning Policy Framework under which Community Forest plans can be a material consideration. In particular, it provides spatial guidance for tree planting consistent with partner statutory plans, demonstrates cross-boundary working, and is underpinned by a robust process of community consultation.

## **The Treehouses at Chewton Glen – Terence O'Rourke**

The Chewton Glen Hotel decided to develop its accommodation with the construction of 12 luxury treehouse suites set amongst the trees and overlooking the Chewton Bunny stream and wooded valley.

Overcoming a number of environmental and planning constraints, and implementing numerous sustainable design techniques, the treehouses also provided the catalyst for ecological enhancements, long-term improvements to local biodiversity and allowed the retention of important mature trees.

**To see the full list of winning and shortlisted projects please visit: [rtpi.org.uk](http://rtpi.org.uk) and click on RTPI Planning Awards for Excellence.**

# New policy for Scotland

In June, Derek Mackay, Minister for Local Government and Planning in the Scottish Government, launched the third National Planning Framework for Scotland (NPF3).

At the same time, a new version of Scottish Planning Policy (SPP) was published. This represented one of the most comprehensive reviews of Scottish Government planning policy ever carried out.

In very broad terms, NPF3 provides national spatial based planning policy, while SPP provides the criteria-based policy. They are primarily planning documents, but it is clear the NPF in particular is intended to be a bit more than that. It describes itself as the "...spatial expression of the Government economic strategy". It could therefore have a major impact on how Government spending priorities affect the natural environment.

RSPB Scotland and several other environmental groups had some major concerns with early drafts of the SPP in particular, which in

our view focused too heavily on delivering sustainable economic growth at the potential expense of environmental protection. However, during the consultation the Government and the Scottish Parliament both rose to our challenge to make the balance tilt more equally between development and protecting the best areas for wildlife. They recognised that if these documents were to set out a vision for the sort of place we collectively want Scotland to be in 20–30 years, they needed to be about more than just growth at any cost. They also needed to recognise the importance of a high quality natural environment to our future prosperity and quality of life. By protecting and enhancing our most important places, by ensuring that development is genuinely sustainable and delivered to the highest standards.

Both documents are now quite positive – there is lots of recognition of the value of biodiversity, for example, and the positive contribution it makes to quality of life in Scotland. The SPP and NPF3 are worth looking through, even for non-planners, and are available on the Scottish Government website.

This is very positive from the Scottish Government. Many other Government documents would do well to take on board some of the messages in NPF and SPP. As with all policies though, the real test will be in the implementation and RSPB Scotland will be contributing, but also monitoring this very closely over the coming months and years.

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As a charity, the RSPB depends on the goodwill and financial support of its members and people like you. Please visit [rpsb.org.uk/supporting](http://rpsb.org.uk/supporting) or call **01767 680551** to find out how to join.

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The RSPB is a member of BirdLife International, a partnership of nature conservation organisations working to give nature a home around the world.