



London Borough of Barking and Dagenham

Biodiversity Supplementary Planning Document

Statement of Representations

December 2011

Introduction

This Statement of Representations has been prepared in accordance with Regulation 18(4)(b).

The Draft SPD, Biodiversity, was consulted upon between 11 June 2011 and 23 July 2011. Representations were received from four organisations within this period.

This document includes the following:

1. A list of the four organisations that made representations.
2. A list of the four respondents that made no comment.
3. A summary of the main issues raised in those representations:
 - The first column identifies who made the representation
 - The second column highlights which section of Draft SPD the representation relates to
 - The third column details the representation made
 - The fourth column details the Council's response to the representation
 - The fifth column contains, where it is deemed necessary, the Council's suggested change to the SPD.

*Please note that the paragraph numbering has changed from the draft SPD to the final SPD with the removal of Section 3 (Consultation).

Biodiversity SPD

Organisations that made representations

Title	First Name	Surname	Position	Company. Organisation	Representing on behalf of	Date
Mr	David	Hammond	Planning and Advocacy Adviser	Natural England, London Region		28 June 2011
Ms	Sarah	Green	Regional Landscape Architect	English Heritage		02 August 2011
Miss	Nancy	Young	Planning Liaison Officer	Environment Agency		22 July 2011
	Mandy	Rudd	GiGL Director	Greenspace Information for Greater London (GiGL)		25 July 2011

Organisations that registered no comments

Title	First Name	Surname	Position	Company. Organisation	Representing on behalf of	Date
Miss	Rachael A	Bust	Chief Planner / Principal Manager	The Coal Authority		15 th June 2011
Mrs	Wendy	Dalton	Business Information Officer	Joint Nature Conservation Committee		
	Rose	Freeman	Planning Policy Officer	The Theatres Trust		18 July 2011
	Tefera	Tibebe	Strategic Planning Officer	Greater London Authority		8 June 2011

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Comments

Name / Organisation	Section of Document	Summary of Representation	Council Response	Proposed Changes to the SPD
David Hammond Natural England London Region	Paragraph 1.2	The reference to priority species under paragraph 1.2 is welcomed and provides a useful indicator to potential developers.		
David Hammond Natural England London Region	Section 4	Natural England acknowledges the clear links to relevant and appropriate Legislations in this chapter, such as PPS 1 and PPS 9, the Natural England and Rural Communities Act as well as the London Plan.		
David Hammond Natural England London Region	Paragraph 5.8	Paragraph 5.8 – Has the Council also given consideration to the listing “wet woodlands” under this section, providing an additional habitat opportunity for the Borough?	Agreed	Wet woodland is now referred to in Paragraph 4.9
David Hammond Natural England London Region	Paragraph 6.1	Under paragraph 6.1 the Council refers to Biodiversity as being required to be considered at all stages of development and this is to be welcomed and encouraged. Biodiversity is and should be seen as an integral part of sustainable development and the Council should be commended for adopting this stance.		

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David Hammond Natural England London Region	Section 6	This section also proposes a series of steps to be considered in order to help facilitate development which is welcomed and strongly encouraged.		
David Hammond Natural England London Region	Paragraph 6.4	The requirement for Bat and Bird Surveys, as per paragraph 6.4 is also welcomed and to be supported		
David Hammond Natural England London Region	Paragraph 6.10	A requirement for surveys and advice as provided under paragraph 6.10 is clear and constructive and also welcomed.		
David Hammond Natural England London Region	Section 8	Chapter 8: Green Roofs and Living Walls - The inclusion of this Chapter is acknowledged and welcomed.		
David Hammond Natural England London Region	Section 9	Chapter 9: Green Infrastructure - The inclusion of Natural England's Natural Development advice is acknowledged and welcomed, as is the inclusion of the provision of Green Infrastructure as a development opportunity to be considered as part of application proposals.		
David Hammond Natural England London Region	Section 9	Clear reference to the East London Green Grid is welcomed, providing opportunities for links into this resource as well as practical information for developers.		

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David Hammond Natural England London Region	Section 6	As an additional source of information we would draw the Council's attention to our protected species standing advice, which provides guidance on when protected species may be impacted by a proposal. The advice can be found at: http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx	Agreed	Added to Section 5.6 -"Natural England's protected species standing advice provides guidance on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides advice on survey and mitigation requirements. The advice can be found at: http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx "
Sarah Green English Heritage	Total document	In general terms, English Heritage welcomes the Borough's Biodiversity Draft SPD and the comprehensive background to it that is set out in Section 4 Planning Policy Framework		
Sarah Green English Heritage	Section 4	It is worth noting that the East London Green Grid Area Frameworks form part of a wider, emerging All London Green Grid the draft SPG for which will be put out to consultation later this year.	Agreed	Added to Section 3.14 "The East London Green Grid Area Frameworks form part of an emerging All London Green Grid . The Mayor of London intends to publish supplementary guidance on the All London Green in 2011."
Sarah Green English Heritage	Section 4	The role of the Green Grid as multifunctional green space should be referenced in the draft Biodiversity SPD.	Agreed	The definition of a green grid in Section 3.14 now includes 'multifunctional'.

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Sarah Green English Heritage	Total document	English Heritage has some reservations however, that the part played by the historic environment is not fully recognised in the developing SPD and that the nature of London's landscape in which the interaction of the built and designed environment with the ecological landscape inevitably means that habitats are to a greater or lesser extent the result of human intervention is not referenced.	Human influence on the natural / semi-natural landscape and habitats in the borough is referred to in Section 5.1.	None
Sarah Green English Heritage	Section 5 and Section 7	Many of the spaces which form the larger elements of significance for their biodiversity are also sites of national and local significance for their heritage values. These sites include Barking Abbey Grounds, Barking Park, St Peter's and St Paul's Churchyard, Dagenham and Valence House Gardens and Valence Park.	Agreed	A reference to heritage sites has been added to Section 4.2: "Many Sites of Importance for Nature Conservation in the borough are also important for their heritage. These sites include Barking Abbey Ruins and St Margaret's Churchyard, Barking Park and Loxford Water, St Peter's and St Paul's Churchyard and Valence House Gardens." Added to Section 6.5 "Development proposals that affect sites with heritage value should also consider the historical context in landscape schemes."

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Sarah Green English Heritage	Section 5	<p>A vital tool that will save boroughs a huge amount of time and resource is the London Inventory of Historic Green Spaces prepared by the London Parks and Gardens Trust. This inventory is a comprehensive listing of more than 2000 historic open green spaces – parks, gardens, squares, churchyards, cemeteries, commons and greens in the Greater London boroughs. The existence and usefulness of the inventory must be flagged-up and cross referenced in order to avoid duplication of work.</p> <p>http://www.londongardenstrust.org/</p>	Agreed	<p>A reference to the London Inventory of Historic Green Spaces has been added to Section 4.2: The London Inventory of Historic Green Spaces prepared by the London Parks and Gardens Trust provides a comprehensive inventory of historic open green spaces in the Greater London boroughs. The inventory is available at: http://www.londongardenstrust.org/ “</p>

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Sarah Green English Heritage	Section 5	It is important that the particular management need of these open spaces is established. Their history as managed open spaces means that they are havens of layered biodiversity if cared for appropriately, as opposed to the more limited contribution they tend to make to biodiversity if they are managed inappropriately or indeed left unmanaged.	<p>The management of SINC's is determined by land managers / land owners and as such is outside the remit the Biodiversity SPD.</p> <p>When a planning application is made that may impact on habitats or species developers are required to show how they will protect and enhance biodiversity (see Section 6).</p> <p>An Ecological Management Plan (EMP) may be required where a development site is close to a SINC (see Section 7.3).</p>	None
Sarah Green English Heritage	Section 5	It is also important to consider the overlap between the borough's archaeological resource and areas that are proposed for specific management via this SPD and what care might need to be taken to ensure that particular measures for biodiversity do not conflict with the protection and enhancement of this resource.	The purpose of the SPD is to ensure planning applications protect existing biodiversity and enhance biodiversity. LDF policies already require the protection of archaeological resources in the planning process.	None

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Sarah Green English Heritage	Section 5	When planning changes to any of these spaces which are identified as important for biodiversity it is important that any assessment identifies areas of archaeological interest as part of the planning process. (These should be identified and information is available from the Greater London Sites and Monuments Record held by the Greater London Archaeology Advisory Service at English Heritage). Archaeological priority areas and conservation area should also be identified by reference to borough Development Plans	Borough Wide Development Policy BP3 Archaeology states that an appropriate assessment and evaluation of archaeological remains should be submitted as part of the planning application for any developments in areas of known or potential archaeological interest and refers to the Greater London Sites and Monuments Record held by the Greater London Archaeology Advisory Service at English Heritage.	None
Sarah Green English Heritage	Section 6	We would suggest that provision is made in Section 6.2 for cross referencing to other matters that have to be considered in the planning application process so that a holistic view for the development of a particular site is guaranteed.	The Summary, Section1 and Section 4 explain the position of the SPD within the LDF.	None
Sarah Green English Heritage		English Heritage would strongly advise that the local authority's conservation staff are involved throughout the preparation and implementation of the Report, as they are often best placed to advise on: local historic environment issues and priorities, sources of data; and consideration of options relating to the historic environment.	Ranger Services have been consulted on the SPD.	None

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Miss Nancy Young Environment Agency	Section 4	We are pleased to see that the Water Framework Directive and the Thames River Basin Management Plan have been mentioned.		
Miss Nancy Young Environment Agency	Section 5	We strongly support the sentence within section 5.1 which states: "Redevelopment of disused industrial land alongside the river should provide the opportunity to significantly improve the river's biodiversity."		
Miss Nancy Young Environment Agency	Section 7	However, we feel that this document should go further in specifically requiring development to restore and enhance watercourses and should emphasise the importance of naturalising any culverted watercourses on site.	Agreed	Added to Section 6.4: "Naturalisation of culverted watercourses." Added to Section 6.5, under Landscaping: "Development should seek, where feasible, to restore and enhance any watercourses on and adjacent to the development site. The naturalisation of culverted water courses should be investigated and measures to enhance the natural habitats alongside watercourses considered. Measures may include the removal of invasive species and planting of suitable native species."
Miss Nancy Young Environment Agency	Section 6.20 to 6.22	We support sections 6.20 to 6.22 regarding invasive species. It is important that any invasive species are identified at an early stage and dealt with appropriately.		

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Miss Nancy Young Environment Agency	Section 7.1	We strongly support section 7.1 regarding a S106 agreement if it is not feasible to create biodiversity enhancements on site. It would be worth mentioning that S106 agreements can also be used for river restoration works.	Agreed	Added to Section 6.1 "Section 106 agreements can also be used for river restoration works".
Miss Nancy Young Environment Agency	Section 7.4	Within section 7.4, a bullet point should be added to state that biodiversity can be enhanced by the restoration of habitats e.g. watercourses.	Agreed	Added to Section 6.4 "Restoring habitats, such as watercourses, that have been degraded or neglected by previous development"
Miss Nancy Young Environment Agency	Section 7.5	We support the bullet points in section 7.5 especially those regarding buffer zones along watercourses, use of native species, naturalistic SUDS and opportunities to link habitats.		
Miss Nancy Young Environment Agency	Section 7.5	For consistency with the Trees and Development SPD, we would recommend that the wording is altered in the bullet point regarding the use of 50% native species from: "However, all non- native plants, grasses, shrubs and trees used in landscape schemes should be valuable for wildlife." To: "However, all non- native plants, grasses, shrubs and trees used in landscape schemes should be valuable for native wildlife."	Agreed	Changed to: "However, all non- native plants, grasses, shrubs and trees used in landscape schemes should be valuable for native wildlife."

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Miss Nancy Young Environment Agency	Section 8	<p>We support section 8, although the statement regarding brown roofs is slightly misleading: “A brown roof is one where plants are allowed to colonise naturally rather than being planted.”</p> <p>Both brown and green roofs can be left to colonise naturally. Brown roofs typically have more in common with brownfield habitat and utilise local soil and spoil in the substrate.</p>	Agreed	<p>The following had been changed / added to Section 7.3:</p> <p>“A brown roof is one where uncontaminated soils and spoil from the development site are used in the brown roof substrate to help recreate brownfield habitat that previously existed on the site. Both types of roof can be left to colonise naturally rather than being planted.”</p>
Miss Nancy Young Environment Agency	Section 10	Section 10 – Permitted Development, should mention that development will not normally be permitted within 8 metres of a watercourse (16 metres if tidal). It should also mention that certain works within this distance will require a Flood Defence Consent.	Noted although this section relates specifically to permitted development where planning consent is not required. Have added a paragraph stating that permitted development rights may be removed. Have also included a sentence on the need for a Flood Defence Consent.	<p>Added to Section 9.1 “Permitted development rights may have been removed or restricted under an Article 4 direction and in Conservation Areas. Further information about permitted development rights is available from planning staff and on the council’s web site www.barking-dagenham.gov.uk</p> <p>Certain works within 8 metres of a watercourse (16 metres if tidal) will require a Flood Defence Consent”</p>

Name / Organisation	Section of Document	Summary of Representation	Council Response	Proposed Changes to the SPD
Mandy Rudd Greenspace Information for Greater London	Section 6.10	<p>Under 6.10 iii:</p> <p>Our official description is: Greenspace Information for Greater London, the capital's environmental records centre.</p> <p>Biological Records in Essex (BRIE) doesn't operate within Greater London. All local environmental records centres around Greater London operate to the administrative area they were funded to cover – BRIE only operates in the modern county of Essex, GiGL is the only records centre operating in London.</p> <p>GiGL aims to hold data on behalf of all the other organisations listed. It is already the custodian for the available London Bat Group and London Natural History Society datasets.</p>	Agreed	<p>Under 5.10.</p> <p>The survey should be informed by the results of a search for ecological data from Greenspace Information for Greater London (GiGL), the biological records centre for London, and other environmental organisations, as appropriate. These may include:</p> <ul style="list-style-type: none"> • London Bat Group • Essex Bat Group • Biological Records In Essex (BRIE) or the relevant • Essex County Recorder. • London Natural History Society (LNHS)” <p>Changed to:</p> <p>“The survey should be informed by the results of a search for ecological data from Greenspace Information for Greater London (GiGL), the capital's environmental records centre.”</p>

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Mandy Rudd Greenspace Information for Greater London	Section 6.10	Under 6.10 5 Please change our description to that listed above	Agreed	Change made.
Mandy Rudd Greenspace Information for Greater London	Footnote to Tale 6.1	Page 35. Footnote on table regarding when surveys will be required. The footnote starting ‘**Confirmed as present by either a data search...’ – GiGL is the local environmental records centre, it’s not an either/or option	Agreed	Under Footnote to Table 5.1 “* *Confirmed as present by either a data search (for instance via GIGL / local environmental records centre)” Changed to: “* *Confirmed as present by either a data search (for instance via Greenspace Information for Greater London, the capital’s environmental records centre)”
Mandy Rudd Greenspace Information for Greater London	Section 6.19	6.19 please amend our description to that listed above.	Agreed	Change made
Mandy Rudd Greenspace Information for Greater London	Total document	We’re really pleased that our work is so embedded in the SPD.		

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<p>Separate letter from Greenspace Information for Greater London dated 15 September 2011.</p>	<p>Section 6.15</p>	<p>Some consultancies and their clients are choosing to use data obtained via the National Biodiversity Network (NBN) Gateway to inform their applications in preference to the services provided by GiGL.</p> <p>Consultants are only able to access GiGL data at a generalised resolution via the NBN Gateway but by utilising the GiGL data search service directly and accepting our terms and conditions, they gain access to all GiGL partnership data at a more detailed resolution as per our accessing data policy. GiGL is also the only resource of up to date information on Greater London's habitats, designated public open spaces, local geological sites, and sites of importance for nature conservation and provides access to over 2 million species records⁴, including protected and invasive species.</p>	<p>Agreed</p>	<p>Added to Section 5.15 :</p> <p>“Note that publically available data obtained from the National Biodiversity Network (NBN) Gateway does not provide sufficient detail and cannot be considered as a substitute for a data search by GiGL.”</p>