

# Chichester Local Plan Examination

## Matter 5: Other Policies

Statement on behalf of **Rolls-Royce Motor Cars Ltd (RRMC)**

**POLICY NE4 STRATEGIC WILDLIFE CORRIDORS*****Q.117 Is the extent of protection proposed to be afforded to Strategic Wildlife Corridors consistent with national policy as set out in the NPPF?***

- 1.1 Rolls-Royce Motor Cars (RRMC) supports the principle of draft Policy NE4 and its intention to protect the district's network of Strategic Wildlife Corridors.
- 1.2 RRMC recognises the important role these corridors play in facilitating wildlife connectivity and movement. Indeed, Paragraph 185 of the National Planning Policy Framework (NPPF) specifically requires local planning authorities to "*identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks (including] wildlife corridors and stepping stones that connect them*".
- 1.3 The emerging Local Plan identifies a Strategic Wildlife Corridor based on a technical consultation undertaken in 2021. Draft Policy NE4 (as amended through the Council's Suggested Modifications Schedule) then affords a high level of protection, stating that development proposals "*will only be permitted where they can demonstrate they would not lead to an adverse impact upon the ecological value, function, integrity and connectivity of the strategic wildlife corridors, and protects and enhances its features and habitats.*" The principle of this approach is strongly supported.
- 1.4 However, RRMC is concerned that draft Policy NE4 (as amended) does not sufficiently capture the NPPF's approach to protecting wildlife corridors. In particular, Paragraph 186 of the NPPF states the following:
- "When determining planning applications, local planning authorities should apply the following principles:*
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), **adequately mitigated**, or, as a last resort, **compensated for**, then planning permission should be refused" (**emphasis added**).*
- 1.5 This highlights the NPPF's resolve to providing a mechanism for mitigating against or compensating for any assessed adverse impact. This approach is consistent with other parts of the NPPF, including Paragraph 32 which enables unavoidable adverse impacts on the Local Plan sustainability objectives to be mitigated or compensated as appropriate.
- 1.6 The protection of wildlife corridors is crucial, but it is unclear whether the draft Policy provides the flexibility afforded through national policy to deliver mitigation and/or compensation where adverse impact is unavoidable. The policy as drafted and amended would instead have the consequence of stifling development and/or sterilising land, including

that outside but "*in close proximity*" of the defined corridor (where mitigation/compensation/enhancement could otherwise be provided).

- 1.7 While this may not be the Council's intention, it is important that further clarity is provided to ensure that the policy is effective, justified and consistent with national policy. RRMC suggests that the draft Policy clearly sets out a hierarchy that reflects paragraph 186 of the NPPF – i.e. that development will be permitted where there is no adverse impact, but where this is not possible, proposals will be expected to mitigate or, as a last resort, compensate for any adverse impact.

***Q.119 What is meant by 'in close proximity' and in this regard would the Policy be effective?***

- 1.8 It is currently unclear when Policy NE4 will be triggered for development located outside the Strategic Wildlife Corridor. This is likely to result in confusion at the validation and determination stages of an application and could lead to protracted discussions regarding whether the policy is applicable for the relevant development. This part of draft Policy NE4 as currently drafted is therefore ambiguous and not considered to be effective.
- 1.9 It would therefore be beneficial for the Local Plan to define "*in close proximity*", setting out the buffer within which development would be considered to 'affect' the Strategic Wildlife Corridor. This buffer zone should be based on evidence and appropriately justified.

***Q.121 Are the suggested Main Modifications necessary for soundness?***

- 1.10 RRMC supports the Council's Proposed Modifications to draft Policy NE4. This provides additional clarity regarding the Council's approach to protecting wildlife corridors.
- 1.11 However, as stated in our response to Q117 above, it is not considered that the suggested Main Modifications sufficiently capture the intention of the NPPF. Therefore, the following additional amendments should be made to ensure that the draft policy meets the tests of soundness:
- The draft Policy should clearly set out a hierarchy that reflects paragraph 186 of the NPPF – i.e. that development will be permitted where there is no adverse impact, but where this is not possible, proposals will be expected to mitigate or, as a last resort, compensate for any adverse impact; and
  - The draft Policy should clearly define the term "*in close proximity*", setting out a buffer zone based on evidence.