Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request:

This freedom of information request relates to the quality and diversity of the natural environment of Rutland and the evaluation of the extent to which the natural environment has been conserved and enhanced over the past six years commencing in July 2011. It also relates to an evaluation of the conditions for biodiversity and to what degree those conditions have been maintained and improved since the Core Strategy was adopted in July 2011. The following questions and references relate to Policy CS21.

Policy CS21 - The natural environment Development should be appropriate to the landscape character type within which it is situated and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features. The quality and diversity of the natural environment of Rutland will be conserved and enhanced. Conditions for biodiversity will be maintained and improved and important geodiversity assets will be protected.

Protected sites and species will be afforded the highest level of protection with priority also given to local aims and targets for the natural environment. All developments, projects and activities will be expected to:

a) Provide an appropriate level of protection to legally protected sites and species;
b) Maintain and where appropriate enhance conditions for priority habitats and species identified in the Leicestershire, Leicester and Rutland Biodiversity Action Plan;
c) Maintain and where appropriate enhance recognised geodiversity assets;
d) Maintain and where appropriate enhance other sites, features, species or networks of ecological interest and provide for appropriate management of these;
e) Maximise opportunities for the restoration, enhancement and connection of ecological or geological assets, particularly in line with the Leicestershire, Leicester and Rutland Biodiversity Action Plan;
g) Respect and where appropriate enhance the character of the landscape identified in the Rutland Landscape Character assessment;
h) Maintain and where appropriate enhance green infrastructure. (see Policy CS23)

The Implementation of CS21 should be consistent with the NPPF Guidance of ensuring no net loss in biodiversity and enhancement where possible. Policy CS21 is consistent with the guidance; however, this FOI seeks to see whether this policy objective is being implemented effectively or not.
Given the LPA states that All developments, projects and activities will be expected to 'maintain and where appropriate enhance other sites, features, species or networks of ecological interest and provide for appropriate management of these sites'.

1. Please explain how applications are vetted, and by whom, to ensure they are evaluated to meet this policy requirement?

   Answer: Incoming planning applications are scoped for biodiversity impacts/issues, mainly by the Rutland planning team when validating applications. As a back-up, LCC ecologists also scan weekly lists of planning applications in case any have fallen through the net.

   LCC ecology service provide RCC with an annually updated ‘Biodiversity Alert layer’ showing locations of locally designated sites, bat roosts, Great Crested Newt ponds and badger setts, to assist RCC planners in scoping applications. LCC manage the database of ecology information for Leicestershire and Rutland, and information from this is used to update the alert map.

   LCC ecologists respond to consultations from RCC planners, or to applications they have identified themselves through scanning weekly lists. LCC ecology service advise RCC’s planners on appropriate actions/requirements with respect to biodiversity – for example: whether ecology surveys are required; whether submitted ecology surveys or biodiversity management plans and mitigation strategies are adequate; what planning conditions are needed; whether applications should be refused/conditionally accepted, etc.

2. What recognised methodology does the LPA or its advisor employ to evaluate the biodiversity value to ensure it is maintained and enhanced as required for ‘All developments, projects and activities’. Was this evaluation carried out in all cases in the last 3 years, and if not on what percentage of cases was it applied?

   Answer: LCC ecologists use detailed guidance for certain species/habitats to determine when ecology surveys needed:


   Completed surveys submitted by applicants are evaluated by LCC against national/local criteria for species/habitats. Rutland County Council does not hold information on percentage of cases.

3. All developments, projects and activities will be expected to ‘maintain and where appropriate enhance other sites, features, species or networks of ecological interest and provide for appropriate management of these sites’. How is this objective demonstrated to the LPA’s satisfaction, and what supporting data is available? Please provide a reference to it.

   Answer: Rutland County Council does not hold this information.

4. Does the LPA require such information to be supplied at the application stage (as implied by the policy expecting All developments, projects and activities) to meet these objectives?
5. What, if any, percentage of major developments have been rejected because the evaluation of the biodiversity loss showed it to be unacceptable.

   Answer: Approximately 1% of decisions contained this as a reason for refusal.

6. What evidence does the LPA monitor to show that the overall ecological value for each large scale development is maintained over the long term?

   Answer: Rutland County Council does not monitor this.

7. In what percentage of sites has the LPA policy led to the enhancement of biodiversity? (If unknown please state so).

   Answer: Rutland County Council does not hold this information.

8. Does the development control section require objective evaluation (such as the Defra Metric) of such features in terms of quality and quantity? If not please give the reasoning.

   Answer: No. Our current arrangements are satisfactory.

9. How many applications have used the Defra Metric when assessing the biodiversity value of a site since 2011?

   Answer: None.

You are free to use any documents supplied for your own use, including for non-commercial research purposes. The documents may also be used for news reporting. However, any other type of re-use, for example by publishing the documents or issuing copies to the public will require the permission of the copyright owner, where copyright exists. Such a request would be considered separately in accordance with the relevant Re-use of Public Sector Information Regulations 2005 and is not automatic. Therefore, no permission is implied in the re-use of this information, until such a request to re-use it has been made and agreed, subject to any appropriate conditions. Any request to re-use the information should be made to me at the address below.

If you are dissatisfied with the handling of your request please contact the Head of Corporate Governance, Rutland County Council, Catmose, Oakham, Rutland LE15 6HP You can also complain to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House, Water lane
Wilmslow, Cheshire
SK9 5AF
Tel: 01625 545700

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council