

**STATEMENT OF RICHARD COWEN TO THE EXAMINATION IN PUBLIC
INTO THE
HARTLEPOOL LOCAL PLAN
RELATING TO MATTER 1, ISSUE 1, QUESTIONS 6 TO 11**

1. I make this statement on behalf of the Durham Bird Club. I note RSPB and Natural England were also originally listed in respect of this matter but are now not listed. While I am also Group Leader for the Durham Group of RSPB, I do not give evidence on their behalf as they have officials who do so.
2. As a result, I have considered whether it is appropriate for me to give evidence in respect of this matter, as opposed to Matter 13. Indeed, I am not convinced that Questions 6 to 11 raise issues that the Club has addressed in its submissions. However, I believe that I have raised issues that may be relevant to Matter 1 and so, ultimately, I have determined to give this statement. However, there will no doubt be an overlap with Matter 13, when I note both RSPB and Natural England will be attending.
3. In reaching this decision, I have considered the Council's responses to my representations in their document Regulation 22 Consultation Statement. Page numbers below come from this document.
4. The thrust of my representations has been that, in the process, the Council has not included provisions relating to
 - a) a requirement that new developments should make provision for green infrastructure, in particular provide "homes for nature".
 - b) the benefits of natural capital as outlined in the Natural Capital Reports and the ways to achieve this
 - c) better guidance on "offsetting".
5. To accommodate this, I make the following suggestions to make the Plan fully sound in these respects

Homes for Nature

I have specifically referred to Policy NE1 in my previous representations.

I note the comments the Council has made at page 498 of its response to my representations. While this is encouraging and I appreciate the provisions of paragraph 118 of the NPPF, I still believe the Development Plan should put more “flesh on the bones” to clarify how this should be carried out. This would then leave developers in no doubt as to what is required. I think it would also be tremendously helpful to improving those parts of the industrial areas where, frankly, green infrastructure is just about non-existent.

While, as I have stated, the Club supports much of this Policy, I continue to believe it should be improved to include the following in point 6

“Development avoids harm to and, where appropriate, enhances the natural environment. This **should include opportunities for wildlife to breed on and near to buildings as outlined in Policies NE2 and QP4 and** could include, for example, creating and/or enhancing habitats to meet the objectives of the Tees Valley Biodiversity Action Plan.”

This will require amendments to Policies NE2 (Green Infrastructure) and QP4 (Layout and Design of Development).

I have previously suggested that the definition of “green infrastructure” be amended to include “homes for nature”. At present, the definition in Policy NE2 states it includes various green spaces but does not include new features that could be incorporated in new developments to address this. I therefore suggest a new paragraph 3 to state

“provision within new developments of opportunities for nature to thrive such as

- Nest boxes or holes attached to or incorporated within new buildings
- Structures such as towers for swifts and similar birds to nest”

In turn, I represent that Policy QP4 be amended to include a new point as follows

- “12. Provide opportunities for nature in accordance with Policies NE1 and NE2”

Clearly, the scale of such provision will vary according to the size of the development but I represent that the Plan should address all new developments, which should include extensions to existing buildings

Natural Capital Report

I believe that my representations above would conform to the recommendations of the Natural Capital Committee in its 4th Report published on 24 January 2017. As such, there may not need to be a reference in a Policy to the Reports of this Committee but I believe the text should refer to it.

I note the proposal the Council has made to my representations at page 439 of their response. I accept that if my suggested amendment above is agreed, this wording satisfactorily reflects my concerns.

Biodiversity offsetting

I believe this is a source of major concern to other environmental organisations. While the final sentence of paragraph 16.23 is noted, my concern is that any offsetting must have a realistic prospect of being attractive to any wildlife that is displaced. There is little point, if a site is used by, say, waders providing an offsetting site that is suitable only for garden birds. That may be an extreme example but hopefully it shows the issue.

I note the comments of the Council in response to this at page 495 onwards. I agree that this helps to resolve my concerns but I remain concerned as to what are “relevant criteria” mentioned on page 498 in assessing a metric.

In order to help to clarify the Club’s concerns, I represent that Policy NE1 be amended as follows

“Biodiversity accounting/offsetting may be considered as part of compensatory measures where on-site compensation is not possible. **However, any site proposed for “offsetting” must**

be suitable for the species likely to be displaced from the original site”

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