

possible, having regard to other considerations including site size, heritage protection, landscape character, habitat protection, residential amenity, and the need to make the best use of land.

- 7.11 The Council will protect trees of significant amenity value which are worthy of retention and considered to be at risk, through Tree Preservation Orders, Conservation Areas and planning conditions as appropriate, except in woodland subject to a Forestry Commission management agreement. When considering applications to carry out work to trees protected by an Order or Conservation Area, the Council will take account of good arboricultural practice, the effect of the trees on nearby properties, and the contribution they make to the visual quality of the area.

Biodiversity

Policy ENV2: Biodiversity - Designated Sites, Priority Habitats and Species

1. **The highest level of protection will be given to sites of international nature conservation importance (Special Areas of Conservation). Development that is likely to result in a significant effect, either alone or in combination, on such sites will need to satisfy the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).**
2. **Sites of Special Scientific Interest (SSSI) are of national importance. Development that is likely to have an adverse effect on a SSSI (either on its own or in combination with other developments) will only be permitted in exceptional circumstances, where it can be demonstrated that the benefits of the development in the location proposed clearly outweigh any harm to the special interest features and the SSSI's contribution to the local ecological network. In such circumstances, measures should be provided (and secured through planning conditions or legal agreements) that would mitigate or, as a last resort, compensate for the adverse effects resulting from development.**
3. **Development likely to result, either directly or indirectly to the loss, deterioration or harm to:**
 - **Local Wildlife Sites**
 - **Local Nature Reserves**
 - **Priority Habitats and Species**

- Legally Protected Species
- Local Geological Sites
- Ecological Networks (Conservation Target Areas)
- Important or ancient hedges or hedgerows
- Ancient woodland and veteran trees

will only be permitted if:

- i) the need for, and benefits of the development in the proposed location outweigh the adverse effect on the interests;
 - ii) it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the interests; and
 - iii) measures will be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate or as a last resort, compensate for the adverse effects resulting from development.
4. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused planning permission, unless there are wholly exceptional reasons justifying the granting of planning permission.
 5. Where development has the potential to affect a proposed wildlife site the developer must undertake surveys and assessments to determine whether the site meets the criteria for Local Wildlife Site status.

This policy contributes towards achieving objectives 6, 7 & 8.

- 7.12 The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

Policy ENV3: Biodiversity

1. Development that will conserve, restore and enhance biodiversity in the district will be supported. All development should provide a net gain in biodiversity where possible. As a minimum, there should be no net loss of biodiversity. All proposals should be supported by evidence to demonstrate a biodiversity net gain using a recognised biodiversity accounting metric.

2. **Development proposals which would result in a net loss of biodiversity will only be considered if it can be demonstrated that alternatives which avoid impacts on biodiversity have been fully explored in accordance with the mitigation hierarchy*. In the absence of alternative sites or layouts, development proposals must include adequate mitigation measures to achieve a net gain of biodiversity. Where harm cannot be prevented or adequately mitigated, appropriate compensation measures will be sought, as a last resort, through planning conditions or planning obligations (depending on the circumstances of each application) to offset the loss by contributing to appropriate biodiversity projects to achieve an overall net gain for biodiversity.**
3. **Planning permission will only be granted if impacts on biodiversity can be avoided, mitigated or, as a last resort, compensated fully.**

*For more information please refer to section 5.2 of BS 42020:2013

This policy contributes towards achieving objectives 6, 7 & 8.

7.13 Adequate information must be provided, prior to planning decisions being made, to assess the impact on biodiversity where reasonably likely to occur. The use of conditions to require the submission of ecological information, after the grant of planning permission, will only be considered in wholly exceptional circumstances where the need for such surveys could not have reasonably been foreseen by the applicant or the Council.

7.14 South Oxfordshire supports a rich variety of natural habitats and species. Many of these habitats are of national and international significance. These include:

Table 8a: Natural habitats and species

International	4 Special Areas of Conservation (SAC)
National	38 Sites of Special Scientific Interest (SSSI)
Local	150 confirmed or proposed Local Wildlife Sites ³³ 4 Local Nature Reserves 5 Local Geological Sites

7.15 In addition, there are numerous other important natural habitats, which are priority habitats of principal importance for the purpose of conserving biodiversity (under Section 41 of the Natural Environment and Rural Communities Act)³⁴.

7.16 In Oxfordshire a series of Conservation Target Areas (CTA)³⁵ have been identified

³³ A current list of Local Wildlife Sites is available on the Thames Valley Environmental Records Centre website (www.tverc.org/cms/). The list is updated periodically so should be referred to for the most up to date list of conservation sites

³⁴ Natural Environment and Rural Communities Act 2006, available at: www.legislation.gov.uk/ukpga/2006/16/contents

³⁵ www.wildoxfordshire.org.uk/biodiversity/conservation-target-areas/

which form the Ecological Network for the County. The CTA provide the best opportunities for targeted conservation action. They connect and buffer important habitats and species assemblages and have been designed to provide resilience to future climate change. Development proposals that would affect the integrity of these networks will be resisted or discouraged.

- 7.17 Development should contribute to the conservation of ecological networks, protected sites and priority habitats. All development should consider how it can improve biodiversity, and loss can only be permitted when there are unavoidable impacts that cannot be mitigated and compensation is provided to achieve a net gain. We will apply a form of Biodiversity Accounting to help understand if development proposals will achieve no net loss.

Biodiversity: Watercourses

Policy ENV4: Watercourses

- 1. Development of land that contains or is adjacent to a watercourse must protect and where possible, enhance the function and setting of the watercourse and its biodiversity. As a last resort development should provide mitigation for any unavoidable impacts.**
- 2. Development should include a minimum 10m buffer zone along both sides of the watercourse to create a corridor favourable to the enhancement of biodiversity. Where a 10m wide buffer zone is not considered possible by the local planning authority, (for example in dense urban areas where existing development comes closer to the watercourse) a smaller buffer zone may be allowed, but should still be accompanied by detailed plans to show how the land will be used to promote biodiversity and how maintenance access to the watercourse will be created. Wherever possible within settlements a minimum 10m buffer should be maintained.**
- 3. Proposals should avoid the culverting of any watercourse. Opportunities taken to remove culverts will be supported.**
- 4. Outside settlements, proposals for mooring stages will not be permitted. Proposals for posts, earthworks or facing riverbanks with piles and planking will not be permitted except under exceptional circumstances and in agreement with the Environment Agency. Where it is necessary to protect a riverbank from erosion, the protective measures must be designed to maintain and enhance the special**