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Judith A Annett
Chair Northern Ireland Biodiversity Group

Response to consultation on the Planning Bill

Thank you for the opportunity for the Northern Ireland Biodiversity Group to respond to the consultation on the Planning Bill.

Northern Ireland Biodiversity Group is a Non Departmental Public Body charged with monitoring progress towards the objective of halting biodiversity loss in Northern Ireland and safeguarding natural ecosystems that provide 'public goods' and underpin the well-being of the population. The chair of the body is appointed by the Minister for the Environment.

We consider the Planning System in Northern Ireland to be one of the most important tools in safeguarding biodiversity both on individual sites and within landscapes and ecosystem where there is a dependency between sites, for example along a river valley, a coastline or areas of continuous wildlife corridor where consistency of policy is required. As we move into a new biodiversity action planning period we need to ensure that the tools we have are fit-for-purpose.

NIBG welcomes the intention of the Bill which is to modernise and strengthen the planning system by providing faster decisions on planning applications; enhanced community involvement; faster and fairer appeals; tougher and simpler enforcement; and a strengthened departmental sustainable development duty. We would also note that as part of the Wildlife and Natural Environment Act the Department already has a duty to conserve and where possible enhance biodiversity in the way that it conducts its own affairs and influences those of others.

NIBG wishes to make an adverse comment however on the proposed introduction of **Clause 6** which we believe is a tautological error. Economic development is already included in the Clause 2 referring to the objective of sustainable development. Sustainable development sits on three linked pillars of economic development, social development and environmental considerations so inevitably involves a consideration of economic advantage and disadvantage and looks at the receptors of those advantages and disadvantages. It considers the impact of development on both private and tradable goods and public goods which need to remain accessible to all. A good planning system deals with all of these in an integrated way and does not need to be reminded that economic advantage and disadvantage is a part of the decision-making process. The only kind of development that is NI Government's policy to promote is sustainable development.

The wording,

"considerations relating to any economic advantages or disadvantages likely to result"

if not removed entirely (which would be our preference as we consider that the matter is covered within Clause 2) should be amended to read

"considerations relating to any public or private economic effects likely to result"

We know, from the National Ecosystem Assessment which has been carried out throughout the UK and includes a detailed chapter on Northern Ireland, that there are important ecosystems within Northern Ireland that need to retain their functions for us to be able to continue to maintain and improve our water quality, air quality, flood water retention, food production, carbon storage and other services to human health and well-being. These natural services may be referred to as public goods and it is one of the functions of the Planning System to retain

these where a development may evidently or on closer scrutiny remove or degrade the services or the species and habitats that underpin their value. In the case where an ecosystem ceases to function optimally there are significant costs to Government and society and sometimes no potential for restoring these services.

Both UK and Ireland are signatories to the Nagoya Protocol (Convention on Biological Diversity – Conference of the Parties 10), and will be required in due course to account for our natural capital in decisions that are made about development. It will be important that this becomes an integral part of the consideration of the benefits and disbenefits of a planning application. At present the use of natural capital is not accounted for in the procedures for making a planning application in the normal event and is poorly covered within current EIA , SEA and Habitats Regulations Assessment guidance that support decisions.

Providing proper guidance on considering the value of public goods, biodiversity and ecosystem services within planning decisions will be of critical importance as we move into this next phase of planning legislation and planning practice and the devolution of planning to local government.

In respect of **Clause 23** of the Bill - one of the factors in the reliance on NIEA, and the slow responses to consultation in planning applications has been the lack of any ecological expertise within the planning system to provide any level of filtering. NIBG recommends that there should be in-house expertise in both the Planning Service and in local authority planning units in ecology, biodiversity and the ecosystem approach.

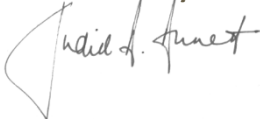
Sometimes opportunities for economic development whilst demonstrably beneficial to the promoter and to a community in terms of short term benefits, lead to the inadvertent loss of something more important to humans in the long term such as temperature regulation services or pollination services. It is the job of planners to know more than developers including about economics so that a long term informed view can be taken on society's behalf. This is why applications for funding are subject to economic appraisal to provide an independent view of the costs and benefits to society from taking a particular course of action.

Furthermore in respect of Clause 23 we agree that there is a difficulty with NIEA as a statutory consultee as part of the DoE and propose that an alternative statutory consultee is charged with commenting on the nature conservation, biodiversity, ecosystem , habitats and species aspects of planning applications as a support to a strong-in-house capacity.

As a final point, this legislation could and should take the opportunity to place on a statutory basis the arrangements for coherence between terrestrial development plans and the marine planning process.

We would value the opportunity to make a presentation to the environment committee on these matters, should you find this useful.

Yours sincerely



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