



Garstang Town Council

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Planning Committee Meeting, 16th September 2024 Agenda

Planning Committee Members and members of the press & public

You are summoned to attend the meeting of the Planning Committee to consider the items detailed on the attached agenda.

The meeting will be held at Garstang library,
Windsor Road, Garstang, PR3 1EX
on Monday, 16 September 2024 **at 7.15pm**

If you are unable to attend please could you submit an apology to the Clerk.

Please contact the Clerk by 13.00, Monday, 16 September 2024, to express your interest in attending the meeting, so that arrangements may be made for you to attend.

Recording of Public Council Meetings

Please be aware that the public meeting may be recorded for the accuracy of the minutes.

As per standing orders 12g; for any meeting that has been recorded the recording will be kept for a period of 6 months after the minutes have been approved as accurate before the recording is deleted.

E Parry

Town Clerk,
11th September 2024

Agenda

- 1) **Apologies for Absence**
To receive apologies for absence.
- 2) **Declaration of Interests and Dispensations**
To receive disclosures of pecuniary and non-pecuniary interests and dispensation requests from Councillors on matters to be considered at the meeting.
- 3) **Public Participation**
The Chairman will ask Councillors to agree to adjourn the meeting to allow non-Councillors to speak and will ask Councillors to agree to reconvene the meeting on the conclusion of the public participation.
- 4) **Minutes of the last meeting – for decision**
Councillors are asked to approve, as a correct record, the minutes of the Committee meeting held on 19th August 2024.
- 5) **Wyre Council Application – for decision**
 - a) **Application Number: 24/00595/FUL**
Proposal: Change of use from private medical practice to residential apartments
Location: 14-16 High Street Garstang
- 6) **SLCC guidance - Biodiversity Net Gain– for information**
An emerging perspective on local council response to planning applications April 2024.

The Acts' broad principle is to enhance biodiversity to require 10% of an application site, submitted after 12/02/24, to be for biodiversity purposes (with restrictions and conditions of course).

Background

The Environment Act 2021 incorporated a broad principle of enhancing biodiversity. Proposals for biodiversity net gain of at least 10% on existing site levels in England are now required as part of the following:

- Generally, any planning applications for a single dwelling or more (but not housing extensions), submitted since 12th February 2024
- Commercial development of more than 1,000 square metres or 1 hectare
- Minerals or waste related development
- Nationally significant infrastructure projects (thresholds are defined under Sections 15-30A of the Planning Act 2008) – but not yet, date to be confirmed.

The Department for Environment, Food and Rural Affairs (DEFRA) has published a [statutory biodiversity metric](#) for calculating biodiversity value, as a baseline for a 10% increase.

Points to check in planning applications

Further to [Government guidance for planning authorities](#) the following points in a developer's application may be looked for:

| Planning application detail | Potential response |
|--|---|
| Confirmation that biodiversity net gain is applicable. | If not, why not? See definitions above |
| Calculation of the biodiversity value of the site | Have they missed anything - including saying there is none? NB If unauthorised degradation has taken place, calculations can be based on a previous value as far back as January 30th 2020. |
| Description of any irreplaceable habitat | Is there really no alternative to destroying a habitat? |
| A habitat plan of the whole site | Is it accurate? See considerations below. |
| To what extent the net gains are to be provided on-site and off-site | It will be important for local councils to take a view on these points, as developers may be asking to buy “statutory biodiversity credits” rather than enhance local biodiversity. |
| A draft habitat management plan for on-site biodiversity | |
| Plan for any off-site biodiversity gain | |

There will also be a biodiversity net gain plan (the Government template for which is not mandatory), but this is usually only agreed AFTER planning permission has been given, and local councils are not asked to be involved in those discussions. It will be appropriate therefore to make any comments on that plan as soon as the planning application comes in.

The agreed and signed plan is intended to be enforceable by the planning authority for 30 years, so some points to review:

- If the plan includes a biodiversity credit for an area outside the planning authority’s jurisdiction, that may make future monitoring difficult.
- If the plan includes biodiversity net gain within the gardens of new houses, that may prove difficult to enforce on future householders.
- The potential for using the same off-site location for biodiversity net gain for more than one development should be prevented by a planned national database of such locations.

Considerations

Local councils may like to consider:

- contacting local wildlife or conservation groups for their advice
- identifying local experts in either habitats or locations

- noting areas outside development sites that might benefit from enhancement, to potentially add to the local planning authority's credit list.
- building up over time a biodiversity map of the council area, adding in the details discovered for each development proposal. including such site information in a Neighbourhood Development Plan.
- See also guidance on responding to planning applications and a model biodiversity policy at www.slcc.co.uk/climate-action/