

TITLE: Hedgehog Recovery Design Guidance Supplementary Planning Document

Committee: Finance and Assets

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1.0 Issue

- 1.1. For Members to determine whether to adopt the Hedgehog Recovery Design Guidance Supplementary Planning Document (SPD). If so, this SPD will then become a material consideration in making planning decisions. A copy of the SPD, proposed for adoption, can be found at Appendix 1.

2.0 Recommendations

- 2.1. Members are requested to adopt the Hedgehog Recovery Design Guidance Supplementary Planning Document, as set out at Appendix 1.

3.0 Background/Options

- 3.1. Members will recall that on 28 March 2024, the Finance and Assets Committee approved, for the purpose of consultation, a draft Hedgehog Recovery Design Guidance SPD.
- 3.2. As a reminder, this is a new SPD of which its primary purpose is to help make sure new development in East Cambridgeshire protects and enhances habitats for hedgehogs. It especially aims to facilitate new development which supports the recovery of hedgehog numbers in East Cambridgeshire.
- 3.3. Hedgehogs are the focus for such an SPD following a public vote in Summer 2023. The draft SPD, as consulted upon, contained a single comprehensive policy, with different expectations placed on developers depending on the development proposed and the likelihood of the development being able to support hedgehogs. In summary, the policy requires all residential development applications (excluding householders) to submit a scheme of hedgehog recovery proposals, irrespective of whether hedgehogs are known to be on the proposal site or not. The SPD provides guidance on what this should cover. The policy also requires that for major residential development an element of hedgehog friendly habitat should be created on any open space to be provided.
- 3.4. For non-residential development a statement has been provided within the policy that requires the provisions set out for residential development to be equally applied to non-residential development if the circumstances of the site, and the proposed

use of the site, provides reasonable prospects for hedgehog habitats to be achieved.

Consultation and Responses

- 3.5. As required by legislation, consultation on the draft SPD took place between 3 May and 31 May 2024. Such consultation was both formal (i.e. compliant with legislative requirements) as well as informal such as via social media.
- 3.6. All 16 of the formal comments received during the consultation period have been carefully considered, and a Consultation Statement has been prepared which includes a response to each of them (see Appendix 2). Whilst most comments were seeking to show support for the SPD, there were some comments suggesting areas for further clarification or suggestions of further detail in the event of development not fitting within the parameters of the required provisions.
- 3.7. In addition to the formal comments received, there was a high degree of social media comments on the SPD. Broadly speaking, such comments applauded the efforts the Council was making (and sometimes copied in their own local council asking them to do the same). However, some social media comments felt the SPD didn't go far enough or had loopholes that developers could exploit. We reviewed such social media comments as and when we were aware of them (though, of course, it is not easy to track all such comments on all platforms). However, such comments are not formal representations (as defined by legislation) and are therefore not captured in the Consultation Statement.
- 3.8. There was also a good degree of press coverage, both locally and wider (such as on the BBC website and regional radio).
- 3.9. Having reviewed all the formal representations, as well as taking account of the broad sentiments from the informal social media commentary, it is not proposed that the SPD be substantially amended. The degree of support for the draft policy was high, and the suggested changes would, broadly speaking, require the drafting of a policy to such a considerable length (to capture all scenarios) that it would be impractical. Future planning decision makers can make judgements on specific planning applications as to whether the policy is being reasonably complied with.
- 3.10. Thus, the SPD is proposed to remain with flexible in its approach yet retains the requirement upon developers to comply with the policy in the SPD, as part of any submitted application.
- 3.11. The only changes between the draft SPD and the recommended final SPD therefore relate to the explanatory text, such as removal of consultation arrangements. The policy itself is unaltered.

4.0 Arguments/Conclusions

- 4.1. Preparation of this SPD is voluntary. Members are therefore free to decide not to adopt the document. If Members decide, as recommended, to adopt the SPD, then the SPD will become an important consideration for planning decision makers when considering planning applications.

- 4.2. By adopting the SPD, the burden placed on developers is considered negligible and helps developers meet their wider responsibilities for good design and the protection and enhancement of our natural environment. For hedgehogs, the benefits of implementing such policy could be considerable, creating urban based habitats to meet their needs. For our residents, the joy and mental health benefits of seeing wild animals such as a hedgehog pottering around in a garden should not be under-estimated, and might go on to trigger a wider desire to understand, appreciate and care for our natural world.
- 4.3. If the SPD is adopted, it will be brought into effect immediately following the end of the call-in period for decisions of this Committee (subject to no such call-in).

5.0 Additional Implications Assessment

Financial Implications Yes	Legal Implications Yes	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) Yes	Carbon Impact Assessment (CIA) Yes	Data Protection Impact Assessment (DPIA) No

- 5.2. An explanation of the ‘Yes’ implications assessment are set out below:

Financial Implications

- 5.3. Minimal financial implications associated with consulting and adopting the SPD, all cover by staff time under current budgets.

Legal Implications

- 5.4. If adopted, the SPD becomes a statutory planning policy document that must be considering when determining planning applications. However, an SPD does not have ‘development plan’ status (unlike a Local Plan or a Neighbourhood Plan, which do have such status). An SPD is therefore a ‘second tier’ policy document, and weight given to it accordingly.

Equality Impact Assessment

- 5.5. If adopted, there is deemed negligible equality implications arising. If any at all, such implications could be positive, such as those groups in the community that have potentially less ability to access the wider natural environment (such as for reasons of disability), for whom there might be a positive mental health impact by virtue of being able to access richer nature closer to home.

Carbon Impact Assessment

- 5.6. If adopted, and policy delivered as intended, there is deemed limited positive carbon impacts arising. The policy seeks native hedgerows which would themselves capture carbon and (better still) would be a considerable emission saving if such hedgerows were planted instead of brick, concrete or steel-based boundary treatments.

6.0 Appendices

Appendix 1 – Hedgehog Recovery Design Guidance SPD – for adoption

Appendix 2 – Consultation Statement

7.0 Background documents

None