

Hedgehog Recovery Design Guidance – draft for consultation

Committee: Finance and Assets Committee

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Author: Strategic Planning Manager

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Contact Officer: Richard Kay, Strategic Planning Manager,
richard.kay@eastcambs.gov.uk, Room 12, The Grange, Ely

1.0 ISSUE

- 1.1. To approve for public consultation a draft planning policy document relating to hedgehogs, with the aim to assist the recovery of hedgehog numbers as part of new development.

2.0 RECOMMENDATION(S)

Members are requested to approve, for the purpose of public consultation, the draft Hedgehog Recovery Supplementary Planning Document, with such consultation taking place for a minimum of four weeks post May 2024 Police and Crime Commissioner election.

3.0 BACKGROUND/OPTIONS

- 3.1. On 23 November 2023, this Committee approved the principle of preparing a draft Hedgehog Recovery Supplementary Planning Document (SPD). Such a document is intended to form part of a package of initiatives by the Council following the ‘people’s vote’ in summer 2023 which determined that hedgehogs should be the priority species for the council to support.
- 3.2. This agenda item brings to Committee a draft of the SPD for approval. If approved today, it must next be subject to a minimum of four weeks of public consultation, followed by a consideration of the representations received, and then finally adoption by this Committee in the Autumn. Once adopted, it will become a material consideration to be used to assist in decision making on planning applications.
- 3.3. The draft SPD is attached at Appendix 1. It is intentionally a short document, with a single ‘design guide’ style policy, which requests developers to undertake certain simple measures to aid hedgehogs to live and thrive within the new urban development proposed to be created.
- 3.4. The single policy contains a number of measures such as creating ‘hedgehog highways’ via gardens through simple measures such as small holes created at the bottom of fences. For larger developments, the policy seeks wider habitat creation suitable for hedgehogs.
- 3.5. As a reminder, SPDs cannot require developers to do something which they are not already obliged to do via national policy or the Local Plan, but can strongly steer what is expected of developers in order to help developers meet broader

policy requirements. In this case, developers already have, via local and national policy, a broad requirement to protect and enhance biodiversity. This SPD simply takes one species, and identified measures developers could reasonably undertake.

- 3.6. If a developer refuses outright to meet what the SPD asks, then it will be for the decision maker (such as a planning officer or Planning Committee) to determine whether such refusal is unreasonable and whether, as a consequence, the proposal fails to meet the broader policy requirement to support biodiversity. If that conclusion is reached, then a planning refusal could be forthcoming.
- 3.7. Consultation for a minimum four weeks is a legal requirement prior to any SPD being adopted. We intend this to take place during April and May. Thereafter, all representations will be carefully considered, and where necessary adjustments to the document will be made. Committee will then be presented with the final version of the SPD for adoption.

4.0 ARGUMENTS/CONCLUSION(S)

- 4.1. There is no legal requirement for the Council to prepare and adopt the Hedgehog Recovery SPD. SPDs are an 'optional extra' for each individual local district council to decide whether to prepare them, and if so, on themes of their choosing.
- 4.2. The broad framework for what an SPD can contain, and the process for preparing and adopting them, is set out in national policy and legislation. The draft Hedgehog Recovery SPD is considered to be fully compatible with such policy and legislation.
- 4.3. With such an SPD in place, the expectation is that all new built development will have at least some simple measures in place to assist hedgehogs to live in harmony with humans in urban environments. Indeed, if designed well, urban environments can prove to be a highly effective place for hedgehogs to thrive, with both food supply (such as worms, slugs and invertebrates in gardens) and safety from natural predators (such as badgers). On the other hand, some urban environments, especially those which are highly enclosed and with little natural green space, can prove to be very poor conditions for hedgehog survival.
- 4.4. It is recommended that Committee does put in place this optional Hedgehog Recovery SPD, which has been prepared simply and quickly, and provides reasonable and proportionate expectations for developers to comply with. Whilst the SPD alone will not address the severe decline in hedgehog numbers seen over recent decades, it should assist in the broad Council (and public) desire to see hedgehog numbers stabilise and recover in the district. The SPD should, in its broadest sense, also be seen as part of a package of measures to help 'bring back nature' to East Cambridgeshire.

5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT

- 5.1. There are no financial implications. Preparation and consultation will be undertaken utilising existing internal staff time.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) not required.

Appendix

Appendix 1 – Draft Hedgehog Recovery Supplementary Planning Document

Background Documents:

None