

Biodiversity policy and legislation

Biodiversity legislation

[Section 40 of the Natural Environment and Rural Communities Act 2006](#) requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is sometimes referred to as the “biodiversity duty” and will help embed consideration of biodiversity into the decision making of all relevant sectors.

[Defra](#), the UK Government department tasked with issues such as the environment, rural development, the countryside, wildlife, animal welfare and sustainable development, has [published guidance](#) to local authorities and other public bodies on implementing the duty.

[Section 41 of the Natural Environment and Rural Communities Act 2006](#) requires the Secretary of State to publish a [list of habitats and species](#) which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England.

[Planning Policy Statement 9 \(PPS 9\)](#)

Working with the grain of nature: a biodiversity strategy for England sets out the Government’s vision for conserving and enhancing biological diversity in England, together with a programme of work to achieve it. It includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible.

In moving towards this vision, the Government’s objectives for planning as stated in PPS 9 are:

- to promote sustainable development by ensuring that biological and geological diversity are conserved and enhanced as an integral part of social, environmental and economic development, so that policies and decisions about the development and use of land integrate biodiversity and geological diversity with other considerations.
- to conserve, enhance and restore the diversity of England’s wildlife and geology by sustaining, and where possible improving, the quality and extent of natural habitat and geological and geomorphological sites; the natural physical processes on which they depend; and the populations of naturally occurring species which they support.

- to contribute to rural renewal and urban renaissance by:
 - enhancing biodiversity in green spaces and among developments so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and to people’s sense of well-being; and
 - ensuring that developments take account of the role and value of biodiversity in supporting economic diversification and contributing to a high quality environment.

The planning system has a significant part to play in meeting the Government’s international commitments and domestic policies for habitats, species and ecosystems.

PPS 9 states that planning decisions should:

- be based upon up-to-date information about the environmental characteristics of their areas, including the relevant biodiversity and geological resources of the area.
- assess the potential to sustain and enhance those resources.
- aim to maintain and enhance, restore or add to biodiversity and geological conservation interests, ensuring that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- take a strategic approach to the conservation, enhancement and restoration of biodiversity and geology, and recognise the contributions that sites, areas and features, both individually and in combination, make to conserving these resources.

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National policy, strategy and Legislation

[Wildlife and Countryside Act \(1981\)](#)

[Protection of Badgers Act \(1992\)](#)

[Agenda 21 \(1992\)](#)

[Biodiversity: The UK Action Plan \(1994\)](#)

[Conservation \(Natural Habitats & c.\) Regulations \(1994\)](#)

[Accessible Natural Greenspace Standard \(ANGSt\) \(1995\)](#)

[Joint Character Areas \(1996\)](#)

[Hedgerow Regulations \(1997\)](#)

[Climate Change: The UK Programme \(2006\)](#)

[Countryside and Rights of Way Act \(2000\)](#)

[Our Countryside: The Future \(2000\)](#)

[Water Framework Directive 2000/60/EC](#)

[Waterways for Tomorrow \(2000\)](#)

[Water Resources for the Future: a Strategy for England and Wales' \(2001\)](#)

[Planning and Compulsory Purchase Act \(2004\)](#)

[Planning Policy Statement 1: Sustainable Development and Planning \(2005\)](#)

[Planning Policy Statement 7: Sustainable Development in Rural Areas \(2004\)](#)

[Planning Policy Statement 9: Biodiversity and Geological Conservation \(2005\)](#)

[Government Circular: Biodiversity And Geological Conservation – Statutory Obligations And Their Impact Within The Planning System \(2005\)](#)

[Securing the Future- delivering UK sustainable development strategy \(2005\)](#)

[Making Space for Water \(2005\)](#)

[Natural Environment and Rural Communities Act \(2006\)](#)

[Local Sites Guidance \(2006\)](#)

[Future Water \(2008\)](#)

[Securing Biodiversity \(2008\)](#)

Regional policy, strategy and legislation

[Regional Spatial Strategy \(RSS\) for the West Midlands \(2008\)](#)

[West Midlands Regional Biodiversity Strategy \(2005\)](#)

[Landscapes for Living Project](#)

[Countryside Character – Volume 5: West Midlands, Character Area 97 Arden](#)

[Enhancing Biodiversity across the West Midlands \(2008\)](#)

[Biodiversity and adaptation to climate change \(2008\)](#)

Local policy, strategy and legislation

[Solihull's Unitary Development Plan \(2006\)](#)

[Warwickshire, Coventry and Solihull Local Biodiversity Action Plan](#)

[Habitat Biodiversity Audit \(HBA\)](#)

[Warwickshire Landscapes Guidelines – Arden \(1993\)](#)

[Woodland Strategy \(2000\)](#)

[Solihull's Urban Forestry Strategy \(2004\)](#)

[Solihull's Countryside Strategy \(2000\)](#)

[Solihull's Green Spaces Strategy \(2006\)](#)

[Solihull's Sustainable Community Strategy \(2008\)](#)

[North Solihull Strategic Framework \(adopted as SPG, 2005\)](#)

[Regenerating North Solihull Design Code](#)

[Biodiversity and Geological Conservation Validation Checklist \(adopted as SPG, 2008\)](#)

[National Local Government Performance Indicator 197 \(NI 197\): Improved Local Biodiversity \(2008-11\)](#)

[Climate Change Strategy \(2009\)](#)