

Position statement on Former Power station site development at Yelland



Purpose

This statement is to clarify the North Devon Biosphere Reserve Partnership's position regarding the development proposals for Yelland former power station site as presented on 5th May 2021. It is not necessarily the position of individual partnership members.

Background

The Biosphere is highly featured in and was a key component in the development of policies and the approaches in the Joint North Devon and Torridge Local Plan. The site of the former power station at Yelland has been a contentious site from its day of operating as a coal fired station to the present day. This has included dealing with the pollutants on the site and ultimately the approved land use change proposal special policy in the Joint North Devon and Torridge Local Plan.

The Biosphere role within planning:

The North Devon Biosphere Partnership does not comment on individual applications. This is to keep the partnership focussed on strategic projects and dealing with whole-system approaches and to ensure it is not an organisation that is lobbied or politicised by development. Hence, it comments on, and is involved in the establishment of policy.

In the case of significant applications only, the lead officer for the Biosphere Team will comment to propose bringing in expertise from the partners that may guide development proposals towards being better aligned with local plan policy.

The Biosphere Team led the Defra pilot in biodiversity offsetting and supported the local authorities to adopt the practice for addressing biodiversity loss through development. In doing this now the team facilitates either the Biosphere Foundation or other partners in the Biosphere Partnership to deliver the biodiversity off-site once the mitigation hierarchy has been applied to the development proposal.

At the moment, net gain for biodiversity and even compensation is not a national requirement in law. The Biosphere Team and the Partnership supports and encourages the local planning authorities (LPAs) to apply the approach before and after it becomes law.

The Yelland Application

The Biosphere team were called on to give some advice to the developers and the planning authorities for Yelland. This included the current land use and planning conditions attached as well as the proposals as they developed. The Biosphere team set the conditions of how the biodiversity metric can be applied given extant commitments on the land and the aspirations.

Biodiversity:

Under our advice, the conditions of previous planning consents set the baseline for accounting for biodiversity loss and gain. This includes the improved biodiversity conditions that the developers had not yet achieved. The result being that the biodiversity bar is set higher for the development to deliver net gain.

A working group including RSPB, NE and the Biosphere Team along with the local planning authority (LPA) considered the proposals in the early stages and what the impacts were likely to be on the SSSI and the surrounding environmental assets. This resulted in pushing the development away from shoreline. Only when the development was moved back spatially could the onsite proposals be considered in the mitigation hierarchy (avoid, mitigate, compensate on site, compensate offsite). The Defra metric has been applied by the consultants and checked by the Biosphere team, and others. Our recommendations for the offsite compensation are to create more safe high tide roosts for the estuarine birds as a priority and to minimise disturbance to the current sites. Other habitats may be improved once the issues of disturbance have been addressed. This has been agreed with other agencies involved. For these reasons, we support the LPA policy for the estuary basin to be classed as a coastal protection area.

If the BR Foundation is the chosen overseer of the delivery of biodiversity net gain, for any project, it will use the soon to be launched Natural Capital Market Place to ensure best value from the delivery in terms of location, impact and cost. This is a transparent process, delivery bodies can bid to deliver biodiversity credits from development. It will be advised and guided by statutory agencies also. In the interim we identify suitable areas and contact the landowners for expressions of interest to ensure we get biodiversity enhanced in the right places according to the impact of the development.

Landscape:

The Biosphere Team lead officer has left an objection with the planning authority on the grounds of landscape. The high-rise nature of the development does not fit with the low open sky nature of the estuary in that region near the estuary mouth. We do not agree with the view of the urban design panel that the precedent of the power station is a valid one to follow.

Generally

The North Devon Biosphere Reserve Partnership does not comment on individual applications but helps develop the right policies within the frameworks allowed by government. It recognises that the powers of planning lie with the LPAs and that is where the due process will take place. Once policy is established, the technical team provide advice and expertise to the LPAs.

Individual partners/organisations are at liberty to express their own views.

Without Biosphere Team intervention and leadership on biodiversity net gain, there is the risk that if this or other development proceeds, there will be little or inappropriate or even no biodiversity compensation nor net gain.

Whilst making biodiversity balance, it does not necessarily mean that the rest of any proposed development is in balance on other issues and therefore an observation or objection stated by the Biosphere Team lead officer is not in conflict with the biodiversity policy.

The work of the Biosphere Team does not facilitate any individual development, it seeks to make likely developments as good as they possibly can be, where they are within the LPA policy. It does this through positive engagement as far as possible and points out and materialises the potential benefits of a win-win situation for the area.