

| Report of                            | Meeting  | Date       |
|--------------------------------------|--|------------|
| Director of Planning and Development | Central Lancashire Strategic Planning Joint Advisory Committee | 18.11.2021 |

## Local Nature Recovery Strategy And Bio-Diversity Net Gain

### Recommendation(s)

- To note the contents of this report.

### Executive Summary Of Report

- This report provides an overview of the emerging Local Nature Recovery Strategy (LNRS), Biodiversity Net Gain (BNG) and the Metric to calculate BNG, and how we need to prepare, all linked to the Environment Act and Climate Change/nature recovery.

|  |     |    |
|--|-----|----|
| <b>Confidential report</b><br>Please bold as appropriate | Yes | No |
|--|-----|----|

### Reasons For Recommendation(s)

- None, for information only.

### Alternative Options Considered And Rejected

- None.

### Recommended decision (List the recommendations)

- Note the contents and start to consider the resource implications for preparing and implementing these measures locally especially once established as part of statutory planning decision making. Where/ how will responsibility for calculating BNG and agreeing a developer's proposal for BNG be resourced as this will influence the development of local policies for the new Central Lancashire Local Plan.
- To note that its most likely that to be able to use the BNG Metric 3.0 tool, access to GIS will be required ( and away from plan-making each Council will need to consider whether this BNG assessment work would be undertaken in-house by each of the councils or commissioned externally).

### What are Local Nature Recovery Strategies (LNRS)?

- LNRSs are a new system of spatial strategies for nature, covering the whole of England. Each strategy will, for the area that it covers:

- Map the most valuable existing habitat for nature;
  - Map specific proposals for creating or improving habitat for nature and wider environment goals; and
  - Agree priorities for nature's recovery.
8. Government's overall ambition is that mandatory Local Nature Recovery Strategies will be a powerful new tool, which will have clear outputs delivered through the planning system, that will help the public, private and voluntary sectors work more effectively together for nature's recovery, and enable collective effort to be focussed where it will have most benefit.
  9. Local Nature Recovery Strategies are also intended to support the delivery of wider environmental objectives and they will map specific opportunities for taking priority action for nature recovery and the use of "nature-based solutions" to wider environmental problems like flooding, climate change mitigation and adaptation or poor water quality. This could see the creation of wildflower habitat for pollinators, green spaces for people, or new woodlands and wetlands.
  10. Defra set up the 5 LNRS pilots in August 2020 and these ran until May 2021 and proposed the pilot areas from a long list of areas already active in spatial planning for nature so that the pilots were in good position to progress quickly and lessons could be learnt in a timely way.
  11. Local authorities in the areas the pilots covered were established as the "acting responsible authority" to lead locally. Other organisations were also involved in the pilots, including Natural England, who played a key role in helping Defra to set up and oversee delivery. Both the Environment Agency and Forestry Commission have also contributed nationally and locally to the delivery and review of the pilots. Environmental experts, like Local Nature Partnerships and environmental NGOs, also made important contributions throughout the process.
  12. Cornwall, Buckinghamshire, Greater Manchester, Northumberland and Cumbria local authorities received a share of £1 million of funding to set up 'Local Nature Recovery Strategies' (LNRS) pilot studies to help map the most valuable sites and habitats for wildlife in their area and identify where nature can be restored.
  13. The process was supported by local conveners in each of the pilot areas, who were appointed by Defra to help develop an understanding of how the LNRSs could be used to support future schemes that reward environmental benefits (primarily Local Nature Recovery and Landscape Recovery schemes).

The pilots had 3 main objectives:

- Test a new process for preparing a LNRS based on the requirements set out in the Bill and to share experience to help develop future policy.
- Create prototype LNRSs to demonstrate what an LNRS could look like, to support national rollout.

- Consider how LNRSs will fit with existing spatial planning tools, such as National Park management plans, local plans, river basin management plans, and increasingly bring priorities together into a single strategy over time.
14. Overall, the pilots produced excellent prototypes of the strategies. These contained the 2 key LNRS elements, as laid out in the Bill:

- a statement of biodiversity priorities
- a local habitat map

15. The pilots followed a 6-step process in developing an LNRS:

step 0: Defra group provides a map of each LNRS area, including habitats and national conservation sites

step 1: locally held data is added to the map, including locally identified wildlife sites

step 2: description of the LNRS area, including its key habitats and potential opportunities to create or improve them, based on ecological sub-areas

step 3: identification of outcomes, achieved through creation or improvement of habitat, and categorisation of those outcomes into priority and other

step 4: potential measures for creating or improving habitat to achieve the priority and other outcomes (a statement of biodiversity priorities is produced)

step 5: mapping of suitable locations for the delivery of the potential measures onto map of existing habitat (established in Steps 0 and 1) (a national habitat map is produced)

16. The pilots demonstrated the need for effective collaboration, governance and use of resources and capacity to be able to prepare the LNRS, the importance of good accessible data which can be easily interpreted by 'non specialists' to ensure the end users (likely to be planners and land managers) using the products understand them and can make informed decisions.
17. The five pilots are at different stages of progressing the pilot work to date into clear priorities, outputs, and measures for nature recovery. Greater Manchester published '*Report of the Greater Manchester Local Nature Recovery Strategy Pilot*' which is available to view online here: [FINAL-Report-of-the-GM-LNRS-Pilot.pdf \(gmgreencity.com\)](#)
18. Section Five of this report, page 108 sets out their priorities, outcomes and locations for improvements and includes tree coverage, providing specific measures to increase tree canopy within urban areas.

### **Identification of Responsible Authorities**

19. Defra are in charge of appointing a 'responsible authority' to lead each LNRS. The Responsible Authority will have to be a public body, they should have strong knowledge of the local area and for Lancashire it is likely to be Lancashire County Council although it is not yet confirmed.

### **LNRS Regulations and Guidance**

20. The results of the LNRS consultation will feed into the development of the Regulations & Guidance expected to be published in early 2022 and It is expected LNRS will be required by late 2022.
21. The Environment Bill, in addition to establishing LNRS, will make delivering biodiversity net gain **a mandatory** part of the development process. Off-site habitat enhancement will be required when a development is not able to accommodate the required increase in biodiversity on the development site itself.
22. It is envisaged that by Spring 2023 there will be a national digital register of BNG sites in place (where credits can be 'spent') and by Autumn 2023, mandatory BNG required.
23. The biodiversity metric 3.0 tool – which calculates biodiversity value (in units) before and after development – includes a **10% uplift** in units generated in locations proposed by the LNRS to encourage developers to focus on these places where the benefit will be greatest.
24. Therefore, for every planning application after the implementation of the Environment Act, an assessment of biodiversity value and the gain produced by a development proposal, will need to be made. Where a proposal cannot deliver BNG on site, a requirement as to how /where this can be delivered will need to be specified and considered as part of the determination of that application.
25. At the moment, for contributions such as affordable housing and play and open space, internal policy teams most likely provide the policy assessments and details of what is required to make a proposal acceptable. This could be the same process *however* it must be noted that its likely BNG will be a more technical, with ecology input required and resource intensive work and therefore there are capacity implications.
26. The Environment Bill also includes a strengthening of the existing duty on public authorities to conserve biodiversity. Additional requirements include a specific duty on all public authorities to “have regard” to relevant Local Nature Recovery Strategies, and a duty for specified public bodies to report every five years on what action they have taken
27. Biodiversity metric 3.0 software uses habitats, the places in which species live, as a proxy to describe biodiversity. These habitats are converted into 'biodiversity units. These biodiversity units are the 'currency' of the metric. Biodiversity units are calculated using the size of a parcel<sup>11</sup> of habitat and its quality. The metric uses habitat area (measured in hectares) as its core measurement, except for linear habitats (hedgerows and lines of trees and rivers and streams) where habitat length (measured in kilometres) is used
28. To assess the quality of a habitat biodiversity metric 3.0 scores:
  - a. Habitats of different types, such as woodland or grassland, according to their relative biodiversity value or distinctiveness. Habitats that are scarce or declining typically score highly relative to habitats that are more common and

widespread.

b. The condition of a habitat. Scoring the biodiversity value of the habitat relative to others of the same type.

c. Being 'better' and 'more joined-up' are important facets of habitats that can contribute to halting and reversing biodiversity declines, so the metric also accounts for whether or not the habitat is sited in an area identified, typically in a relevant local strategy or plan, as being of strategic significance for nature. Where new habitat is created, or existing habitat is enhanced, the difficulty and associated risks of doing so are taken into account by biodiversity metric 3.0. If habitat is created to compensate for losses elsewhere, then the metric also takes account of its proximity to the site of the loss

29. Biodiversity metric 3.0 incorporates separate calculations for linear habitats that require a different method of measurement such as hedgerows and lines of trees, rivers and streams and urban trees
30. Biodiversity metric 3.0 can be used to measure both on-site and off-site biodiversity changes for a project or development and can be used to measure the change in biodiversity achieved by different land management interventions.
31. The metric also accounts for some of the risks associated whenever new habitat is created or existing habitat is enhanced. The metric calculates *the change in biodiversity* resulting from a project or development by subtracting the number of pre-intervention or 'baseline' biodiversity units (i.e. those originally existing on-site and off-site) from the number of post-intervention units (i.e. those projected to be provided after the development or change in land management).
32. Biodiversity metric 3.0 only accounts for *direct impacts* on habitats within the footprint of a development or project. It has been developed to be a simple assessment tool and only considers direct impacts on biodiversity through impacts on habitats.
33. There is implication for the three councils in terms of;
  - a) Ensuring we are effectively engaging, collaborating, and influencing the preparation of the LNRS including identifying priorities and areas in Central Lancashire where investment /BNG credits can be 'spent'. If done right, the LNRS could link to our Infrastructure Development Plan /Funding statement and identify schemes for investment for developer contributions and other external grants (therefore linked to a Climate Strategy).
  - b) Ensuring the data to be used for Central Lancashire is accurate and includes all the species, local habitats etc that we want including and if not, addressing this. Our Open Space Strategy Officers will be a key role in this as they have the local knowledge.
  - c) Aligning emerging Local Plan policies to the LNRS and the Environment Act provisions to ensure we are maximising opportunities to promote nature recover and have a sound plan. This includes determining what the local BNG target will be (10%

is the minimum – we could require higher) and developing our strategy for offsite BNG and developing policies around this.

- d) Training staff to understand the LNRS & BNG and the Metric and also in use of mapping tools, accessing the LERN data.
- e) Thinking about the process of planning decision making as regulations and the legislation is adopted, and what that process looks like in terms of BNG assessments, calculations, and proposal for what a developer should provide. Will we do this in-house and how can it be resourced or alternatively, would it be provided externally. The metric and its outputs should be interpreted, alongside ecological expertise – it is to what extent that ecological advice will extend.
- f) Planning service colleagues will also need to consider what is required as part of the validation process for BNG, standard BNG conditions and a template for S106 on BNG. The Planning Advisory Service is guiding some of this work nationally.

### **Lancashire Nature Partnership**

- 34. A Lancashire wide Local Nature Partnership has been established to oversee the development of a LNRS coordinated by LCC and Central Lancashire officers are engaged.

### **Lancashire Environment Record Network (LERN)**

- 35. To facilitate the collection of data required for these LNRS etc and all Lancs Councils are funding the LERN at a cost of £3,420 for the collation, management, and dissemination of environmental evidence between 1st April 2021 – 31st March 2022. This mapping work is crucial to the LNRS.

### **Training**

- 36. 25<sup>th</sup> November 2021 Cheshire Wildlife trust training implementing Biodiversity Net Gain and use of the Defra Biodiversity Metric 2 The event is designed to provide council staff involved in BNG with a good level of understanding of what needs to be implemented and why, and an introduction to how the metric works and officers will be attending this.

| <b>Report Author</b> | <b>Ext</b> | <b>Date</b> |
|----------------------|------------|-------------|
| Zoe Whiteside        | 5771       | 09/11/21    |