

Report To:	LOCAL PLAN DEVELOPMENT PANEL
Date:	17TH JANUARY 2023
Heading:	ADOPTION OF THE DEVELOPER GUIDE TO BIODIVERSITY AND NATURE CONSERVATION
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To review and propose potential changes or additions to the draft planning guidance note before it is considered by Cabinet.

Recommendation(s)

To recommend adoption of the Developer Guide to Biodiversity and Nature Conservation.

Reasons for Recommendation(s)

The Guidance Note will drive a proactive agenda for sustainable development, acknowledging the Council's ambitions to reduce Ashfield's carbon footprint whilst recognising the importance of promoting biodiversity. The guidance encourages development to meet national policy requirements for 10% measurable net gain which is anticipated to become mandatory in November 2023.

Alternative Options Considered

Not to take the Guidance Note forward. However, this would not reflect the emphasis the Council places on taking steps to tackle climate change, conserve nature and promote biodiversity ahead of mandatory national requirements.

Detailed Information

In keeping with sustainable development principles, and in line with the intentions of 'A Green Future: the UK government's 25 Year Plan to Improve the Environment', the Council wants to leave the environment of Ashfield in a better condition for future generations.

Provisions of the new Environment Act will aim at ensuring, wherever possible, that developers leave wildlife habitats in a measurably better condition than they were before development started. Under the Act, the Government is introducing a mandatory requirement for development in England to deliver a minimum 10% Biodiversity Net Gain (anticipated to become mandatory by November 2023, depending on the timetable for secondary legislation).

The purpose of this guidance is to assist planning applicants and developers to understand the importance of nature, and how development can help deliver biodiversity improvements and net gains. It explains how we will aim to secure proportionate and appropriate biodiversity net gain in the determination of planning applications, and specifically:

- The biodiversity information required when submitting a planning application;
- How to apply the mitigation hierarchy to all development proposals;
- How to assess Biodiversity Net Gain (BNG) where required;
- How to integrate biodiversity into a development; and
- How offsite compensation will be secured.

The Guidance Note cannot introduce new mandatory requirements that exceed current planning policy, but it does provide practical guidance or direction on how to plan for biodiversity and nature conservation. It brings together local, and national policy and good practice to illustrate practical interventions as part of the development management process.

The Draft Guidance Note is set out in Appendix 1. It incorporates a step-by-step guide to biodiversity and the planning application process and also provides checklists to assist applicants in the process of demonstrating full consideration in their submission.

The Guidance aims to conserve and enhance the natural environment and ensure that biodiversity and appropriate landscaping are fully integrated into new developments to create accessible green spaces for wildlife and people, to contribute to a high quality natural and built environment, and to contribute to a better quality of life. Members are requested to review the Guidance and recommend it for adoption.

Implications

Corporate Plan: The purpose of the Guidance Note is to set out the Council's ambitions and expectations for developments in the District in relation to Biodiversity and Nature Conservation. The improvement to design of development and additional measures to incorporate biodiversity will contribute towards achieving the visions set out in the Corporate Plan in relation to Health and Happiness, Homes and Housing, and Cleaner and Greener.

Legal: The Guidance Note provides advice and guidance in relation to decisions on planning applications. It does not introduce new planning policies but is reflective of the emphasis placed by national policy and guidance and local policies in relation to the protection and enhancement of biodiversity. [RLD 22/12/2022]

Finance: There are no financial implications arising as a result of this report. [PH 22/12/2022].

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
There are no identified risks in relation to the Report.	-

Human Resources: There are no direct Human Resource implications within the report.

Environmental/Sustainability: Sustainability is at the heart of planning. A key aspect of this is to conserve and enhance the natural environment and ensure that biodiversity and appropriate landscaping are fully integrated into new developments and to contribute to a better quality of life for all.

Equalities: There are no adverse equality, diversity or inclusion implications in this report. The Guidance Note does not introduce new policy but provides guidance on the implementation of existing planning policy and guidance.

Other Implications: None

Reason(s) for Urgency: Not applicable

Reason(s) for Exemption: Not applicable

Background Papers: Developer Guide to Biodiversity and Nature Conservation

Report Author and Contact Officer

Lisa Furness

Forward Planning

lisa.furness@ashfield.gov.uk

01623 457382

Sponsoring Director

Robert Docherty

DIRECTOR OF PLACE & COMMUNITY

robert.docherty@ashfield.gov.uk

01623 457183