

North East Derbyshire Annual Biodiversity Report 2023-24.

Contents of this report

As a public authority, the Council must:

1. Consider what you can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on your consideration.
3. Act to deliver your policies and achieve your objectives.

To meet the biodiversity duty, Authorities must complete a first consideration of what action to take for biodiversity by 1 January 2024, with policies and objectives as soon as possible after this.

This report is North East Derbyshire District Council's first Biodiversity Net Gain Duty Report and covers the period 1 January 2023 to 1 January 2024 and sets out the work undertaken by officers in terms of a 'first consideration' of what action the Council should take in relation to biodiversity.

There is also a requirement to report on the outputs that the Council as Local Planning Authority is achieving in relation to Biodiversity Net Gain (BNG).

This report is therefore split into four parts:

- Part 1 sets out the policies, objectives and actions that have already been adopted by the Council that assist with the duty to conserve and enhance biodiversity;
- Part 2 sets out the results of the 'first consideration' work undertaken by officers;
- Part 3 sets out the actions that the Council will take over the next five years; and
- Part 4 summarises the work the Council is undertaking as Local Planning Authority in relation to BNG.

Part 1: Current adopted policies and objectives:

This part of the report summarises the policies and objectives that the Council has adopted that assist the Authority in meeting its Duty to conserve and enhance biodiversity.

Climate Change Strategy, 2022 - 2030

In July 2019 the Council declared a climate emergency to recognise the threats and challenges climate change poses along with a commitment to work with partners and local communities to achieve the UK's 2050 net zero greenhouse gas emissions target.

The Climate Change Strategy sets out the following vision for North East Derbyshire:

'A District that balances economic prosperity with environmental sustainability, improving the lives of our people and our environment today and in the future.'

The Strategy sets out a plan for Climate Change and Environmental Sustainability Plan. Biodiversity is one of ten identified 'themes' by which the Council intends to reduce the District's carbon emissions by 2030 and mitigate climate change. The following priorities fall under this theme:

- Develop a wild planting policy for parks and public open space areas where appropriate;
- Review the open space maintenance programme;
- Investigate plant, tree and hedge planting initiatives for longer term biodiversity benefits; and
- Identify opportunities to work with partners on schemes to increase biodiversity.

Local Plan 2014 - 2034

The Local Plan was adopted in November 2021 and as such pre-dates the provisions of the Environment Act and mandatory requirement for 10% net gain in Biodiversity. However, 'Policy SDC4: Biodiversity and Geodiversity' sets out that the Council will protect and enhance the District's natural environment and seek to increase the quantity and quality of biodiversity by protecting designated national and local sites of nature conservation importance within the district. This includes 7 Sites of Special Scientific Interest (SSSI), which are nationally recognised for their wildlife or geological interest, 2 Local Nature Reserves and over 200 Local Wildlife Sites. This also includes sites of international importance that lie outside of the Plan Area (Peak District Moors Special Protection Area (SPA), South Pennine Moors Special Area of Conservation (SAC) and Peak District Dales SAC) consistent with the provisions of the NPPF and other statutory duties.

Council Plan 2023 - 2027

Increasing biodiversity across the district is identified as a key tactic in delivering the environmental element of the Council Plan Vision:

“Putting strong community leadership at the heart of everything we do, we will create A Great Place that cares for the environment”..

This will involve assisting and influencing other public partners, residents, and businesses to utilise their assets to improve biodiversity; and where appropriate utilise Council assets to improve biodiversity. The following actions are proposed:

- Reviewing Council land assets to identify suitable sites for biodiversity mitigation;
- Leading by example;
- Sharing our successes with others;
- Delivering the Climate Change Strategy Action Plan;
- Including plants attractive to pollinators in planting schemes;
- Recruiting a dedicated Sustainability Officer to help deliver the Council’s climate change objectives;
- Reviewing management of natural land assets such as re-wilding, cut frequency and planting;
- Developing the co-operation with Derbyshire Wildlife Trust to provide advice and guidance;
- Developing local policies to embrace legislation such as through the Environment Act and on biodiversity net gain; and
- Encouraging re-wilding and wildlife corridors for public open spaces and wildflower verges to improve biodiversity.

Part 2: First consideration of the actions that the Council should take in relation to biodiversity – actions compiled by 01 January 2024.

Action 1: Assess the current state of biodiversity in the District;

This will be a desk based assessment, undertaken by consultants (to be procured) and will collate and evaluate existing habitat, species, landscape and designated site data within and around the District. The purpose of the assessment is to establish a baseline for the District from which strategic gaps and opportunities can be identified later in the strategy, providing a starting off point to monitor future progress. This work will involve the adaptation of the Countywide Nature Recovery Network Model to produce specific data identifying opportunity areas for biodiversity enhancement within the District.

Action 2: Produce a Strategic District-wide Action Plan relating to Biodiversity.

This action will entail the development of strategic district-wide actions to improve biodiversity and facilitate nature's recovery. The Plan will be informed by the data collection and analysis, outlined above, and will be authored by consultants (to be procured), in consultation with officers.

The plan will be bespoke for North East Derbyshire and will be designed to complement and support existing and evolving District and Countywide strategies, including the Local Nature Recovery Strategy, the Local Plan (and associated Review) and the Council's Climate Change Strategy and Action Plan.

The Plan for Nature will provide recommendation of how the Council can embed nature recovery into all strategic plans and policy areas and will consider a broad number of opportunity areas, including:

- Priority habitats and species
- Designated sites
- Ecosystem Service Provision – e.g. Natural Flood Management, Nutrient Exceedances, Carbon capture.
- Green infrastructure
- Community Leadership
- Key stakeholders and large landowners
- Identification of training needs and priorities for Council members

The Plan for Nature will be costed and will include consultation with key stakeholders and local groups to ensure local representation and support for future adoption. For each proposed action, we will identify appropriate measurable targets and provide recommendations on how the outcomes should be monitored and reported to the Council's constituents.

The Plan for Nature will also include the provision of habitat management guidelines and recommendations, for a broad range of present habitats and features, such as hedgerows, grass verges and woodlands.

Finally, the Plan for Nature will include a critical review of the council's existing policies and procedures surrounding nature's recovery.

Once finalised, the Plan for Nature will be presented to Cabinet and the Environment Scrutiny Committee.

Action 3: Review viability of delivering 10% net gain on allocated sites that do not have an extant planning permission.

This exercise will allow us to establish whether sufficient on site biodiversity net gain can be achieved alongside the delivery of the quantity of development indicated by policies allocating land for the development in the Local Plan, for those sites that are yet to achieve a planning permission. This will establish the degree to which land may be required for 'offsetting' to ensure the delivery of development committed to within the current Local Plan.

Action 4: Consider a 'call for sites' for land available in the District for net gain 'offsetting;' and

Action 5: Establish a 'bank' of land for biodiversity enhancement where 10% net gain is not possible on a development sites (both Council assets and privately owned land).

We need to develop a 'bank' of land (both publicly and privately owned) which could be used for biodiversity offsetting. Whilst resources such as the Environment Bank are available and collate this information, those resources are not organised on a local scale. By undertaking our own call for sites and deploying the expertise of a consultant (to be procured) to assess the potential for land that comes forward to achieve BNG, we will be able to accurately map the locations of these sites and connect them to sites allocated for development where offsetting is justified.

Action 6: Participate in the development of the Derbyshire Local Nature Recovery Strategy (LNRS).

Introductory meetings of the LNRS were attended by officers during 2023, prior to and following formal designation of Derbyshire County Council in this regard. Participation in the Countywide strategy for nature recovery will ensure the District Council's approach is aligned with the priorities set at the County level and that we work collaboratively with partners in the duty to conserve and enhance biodiversity.

Action 7: Consider biodiversity enhancement policies as part of the Local Plan Review.

Use the evidence gathered by consultants (to be procured) as part of Action 2 (production of a Plan for Nature) above to consider the requirements set out in a more specific Local Plan policy relating to the enhancement of biodiversity through the planning system. This work will coincide with a refresh of the Council's current Climate Change Strategy.

Part 3: Plan for delivering the ‘first considerations’ over the next 5 years

Action	Key Milestones/outputs	Year (1-5)
1. Assess the current state of biodiversity in the District and produce baseline report.	<ul style="list-style-type: none"> • Review of relevant local and national policies and existing biodiversity action plans; • Collate and evaluate existing habitat, species, landscape and designated site data within and around the District; • Identify where the existing Nature Recovery Network of habitats exists; • Output at conclusion: provision of mapping and written summary and analysis. 	Year 1.
2. Produce a Strategic District-wide Action Plan relating to Biodiversity.	<ul style="list-style-type: none"> • Baseline data collection and analysis; • Consider the objectives within documents produced by the LNRS, the Local Plan and the Council’s Climate Change Strategy and Action Plan; • Engage with stakeholders to 	Year 1.

	<p>assess how successfully the above strategies are performing;</p> <ul style="list-style-type: none"> • Identify appropriate measurable targets and provide recommendations on how the outcomes should be monitored and reported to the public; • Undertake a costing exercise of the identified targets; • Further consultation, including groups to ensure local representation and support future adoption. • Output: recommendation of how the Council can embed nature recovery into all strategic plans and policy areas and will consider a broad number of opportunity areas. 	
<p>3. Review viability of delivering 10% net gain on allocated sites that do not have an extant planning permission.</p>	<ul style="list-style-type: none"> • Review the biodiversity net gain potential of sites allocated for development in the Local Plan; • Establish the degree of 'offsetting' that would be required to meet the equivalent of 10% on site net gain; • Where a deficit is identified, establish the locations to 	<p>Year 1.</p>

	<p>target for a call for land for biodiversity 'offsetting';</p> <ul style="list-style-type: none"> • consultation with the landowner. 	
<p>4. Consider a 'call for sites' for land available in the District for net gain 'offsetting.'</p>	<ul style="list-style-type: none"> • Produce material for and undertake a call for sites; • Baseline the sites that result from the above; • Establish schemes for offsetting on suitable sites, in consultation with the landowner; • Establish a Memorandum of Understanding with the landowner re. the role of their land in the planning process; 	<p>Year 1.</p>
<p>5. Establish a 'bank' of land for biodiversity enhancement where 10% net gain is not possible on a development site (both Council assets and privately owned land)</p>	<ul style="list-style-type: none"> • Following on from action 4, undertake a review of all Council land assets and establish a database of sites potentially suitable for BNG. • Undertake baseline work to establish land that is suitable for biodiversity enhancement; • Establish a programme for biodiversity enhancement on each site; • Output: a GIS layer of the sites considered suitable for 'offsetting' to support the planning process and enhancement schemes can 	<p>Year 2.</p>

	contribute towards	
6. Participate in the development of the Derbyshire Local Nature Recovery Strategy (LNRS).	<ul style="list-style-type: none"> • Attend the regular meetings of the LNRS and provide District level data to support the development of the Strategy; • Organise District level events to promote opportunities for landowners (assisted by consultants); • Update District level strategies e.g. Local Plan, Climate Change Strategy to ensure alignment to LNRS 	Throughout the 5year period.
7. Consider biodiversity enhancement policies as part of the Local Plan Review.	<ul style="list-style-type: none"> • Consider the case for 15% and 20% net gain requirements and how this could be achieved in light of the baseline net gain evidence; • Produce a plan for actions based on the scoping work above, with specific targets to be reviewed on an annual basis. 	Years 1-3.

Part 4: Work being undertaken by the Council as Local Planning Authority in relation to BNG.

Officers have been working in partnership with Derbyshire County Council to create the Natural Capital Study for Derbyshire. This document looks at the baseline habitats across Derbyshire and forms a key part of the Local Nature Recovery Strategy for the County.

Derbyshire Wildlife Trust provides expert ecological advice on planning applications received by the District Council. The working relationship is underpinned by Service Level Agreement between the Trust and the Council.

Since the Environment Act came into force in November 2021, the following applications were submitted, and approved, where the applicant voluntarily completed Natural England's Metric and a biodiversity net gain was delivered on site:

Application number	Site address	Habitat Unit Gain %	Hedgerow Unit Gain %	River Unit Gain %
23/00601/FL	Land north and west of Broadleys, Clay Cross	+2.59	+ 0.21	0
23/01089/FL	Land north of Stretton Road, Morton	+174.21	+5.68	0
22/00886/OL	Land to rear of High Street, Stonebroom	+20.96	-8	0
23/00732/OL	Milehill, Hasland	-82.06	+177.91	0
23/00382/FL	Chesterfield Road, North Wingfield	+14.95	+248.41	0
22/00317/FL	Barlow Croft, Barlow	+16.62	+39.27	0
22/01247/FL	Land Between Nether House Farm & Calow Green Farm, Back Lane, Calow	+53.52	+21.29	0
22/00608/FL	Sharley Park, Clay Cross	+2.26	0	0
21/00987/OL	Dark Lane, Calow	+68.65	+3.19	0
21/01488/FL	Peak Edge Hotel,	+17.16	+167.37	0

OFFICIAL-[SENSITIVE]

	Ashover			
21/00517/FL	Land south of B6025, Chesterfield Road, Shirland	+16.28	+31.20	0
23/00932/FL	Chesterfield Road, Dronfield	+23.23	+30.83	0
23/00860/FL	The Old Police Station, Renishaw	+11.28	+386.00	0
22/00004/FL	Market Street Clay Cross	-0.53	-0.17	0
21/00976/FL	Primorose Lane, Killamarsh	+0.81	+5.44	0
21/00924/FL	Station Road, Pilsley	+0.03	+0.23	0
21/00754/FL	Nethermoor Road, wingerworth	+0.06	-4.51	0

In relation to the following applications, a biodiversity net gain was achieved through enhancement of land off site (secured in the main via either Section 106 legal agreements or conditions attached to the planning permission):

Application number	Site address	Habitat Unit Gain %	Hedgerow Unit Gain %	River Unit Gain %
22/00418/FL	Park Lane, Shirland	-3.75	-0.67	0
22/00686/FL	Gladys Buxton Adult Education Centre, Oakhill Road, Dronfield	-32.67	0	0
20/00861/FL	Park Road, Holmewood	-52.67	-60.00	0