

North East Derbyshire District Council

Cabinet

23 January 2025

DCC Preparation of consultation draft Local Nature Recovery Strategy

Report of Councillor Pickering Portfolio Holder for Environment and Place

Classification: This report is public

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PURPOSE/SUMMARY OF REPORT

To update Members on the preparation of the proposed consultation draft Local Nature Recovery Strategy for Derbyshire, explain how it relates to North East Derbyshire and to propose that the Council raises no objection with Derbyshire County Council about its contents and how it has been prepared.

RECOMMENDATIONS

That Cabinet:

- 1) Notes the update on the preparation of the Local Nature Recovery Strategy for Derbyshire set out in the report;
 - 2) Agrees to raise no objection with Derbyshire County Council about:
 - a) the proposed consultation draft Local Nature Recovery Strategy for Derbyshire; or
 - b) their preparation of the proposed consultation draft Local Nature Recovery Strategy for Derbyshire, including the extent to which the responsible authority has involved the supporting authority in that preparation.
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IMPLICATIONS

Finance and Risk: Yes No

Details: There are no specific finance or risk issues arising from the report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: Once adopted by Derbyshire County Council, the Local Nature Recovery Strategy for Derbyshire will become a statutory plan that will need to be taken account of by the District Council both within its planning function and its wider decision-making.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details: There are no specific human resources implications arising from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None
Equality Impact Assessment (EIA) details:	
<p>Stage 1 screening undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	There are no specific direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic arising from this report.
<p>Stage 2 full assessment undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable

Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input checked="" type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Portfolio Member for Environment and Place and Chair of Planning Committee
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Links to Council Plan priorities, including Climate Change, Economic and Health implications
A great place that cares for the environment <ul style="list-style-type: none"> • Increase biodiversity across the district

REPORT DETAILS

1. Background

- 1.1 Members will be aware that Derbyshire County Council is the responsible authority for the preparation of the Local Nature Recovery Strategy for Derbyshire.
- 1.2 Local Nature Recovery Strategies are a new system of plans for nature and environmental improvement across England. The purpose of these plans is to establish priorities and proposals to help nature to thrive and provide wider environmental benefits in the future. The Local Nature Recovery Strategy for Derbyshire will be specific to the county of Derbyshire and the city of Derby and will set a long-term plan that is formed and delivered in partnership with a range of organisations as well as local people.
- 1.3 As such, the Local Nature Recovery Strategy for Derbyshire will cover North East Derbyshire District and become a statutory plan that will need to be taken account of by the District Council both within its planning function and its wider decision-making once the Strategy has been approved. It will not override existing strategies or adopted Local Plans but will need to inform future decisions as the Council seeks to both plan for its development needs and contribute to a wider local nature recovery.
- 1.4 North East District Council is a statutory consultee (along with Derby City Council and all of the other Districts and Boroughs in Derbyshire) as a 'Supporting Authority' in the preparation process and Derbyshire County Council is required to take reasonable steps to involve the District Council and all relevant supporting authorities in the preparation of the local nature recovery strategy.

- 1.5 As part of this, officers in the Planning Department have attended the established Supporting Authorities Group officer meetings since December 2023.
- 1.6 The Group meetings have to date largely focussed on initial engagement and acted as a conduit for Derbyshire County Council to share its proposed format and content as this has progressed. It has also enabled officers to keep Members informed of progress, including the workshops that took place in the later part of 2024.
- 1.7 Drawing upon this stage of consultation, Derbyshire County Council has continued to prepare the Local Nature Recovery Strategy and a consultation draft has now been prepared.
- 1.8 In accordance with the Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023, Derbyshire County Council must provide the District Council as a 'Supporting Authority' with the proposed consultation draft of its local nature recovery strategy in advance of formal publication and request their comments. The copy of the proposed consultation draft was received on 6th January 2025 and a copy is attached as Appendix B.
- 1.9 Under Regulation 9 (Pre-consultation objections), the District Council may raise an objection with the responsible authority about:
 - a) the local nature recovery strategy; or
 - b) the responsible authority's preparation of the local nature recovery strategy, including the extent to which the responsible authority has involved the supporting authority in that preparation.
- 1.10 Should it choose to raise an objection with the responsible authority about either point, the objection must:
 - a) be in writing;
 - b) give reasons for the objection; and
 - c) be given before the expiry of 28 days beginning with the day on which the responsible authority provided the supporting authority with the consultation draft of its local nature recovery strategy under regulation 7.
- 1.11 To inform the District Council's view on this matter, the proposed consultation draft of the Local Nature Recovery Strategy for Derbyshire has been reviewed and its key contents, provisions and implications for North East Derbyshire District are summarised below.
- 1.12 Officers have consulted Derbyshire Wildlife Trust on the contents of this report (to which no issues were raised) and also on the question of whether the LNRS has any implications for the development of the District level Plan for Nature, which is at an early stage of preparation.

2. Details of Proposal or Information

- 2.1 The consultation draft of the Local Nature Recovery Strategy for Derbyshire is structured in four written sections and is accompanied by a mapping GIS website. Each section of the document is discussed as necessary below.

Section 1: Introduction and Background

- 2.2 This section sets out what a Local Nature Recovery Strategy is, why it has been prepared, how it should be used and outlines what it contains. No comment on this section is necessary.

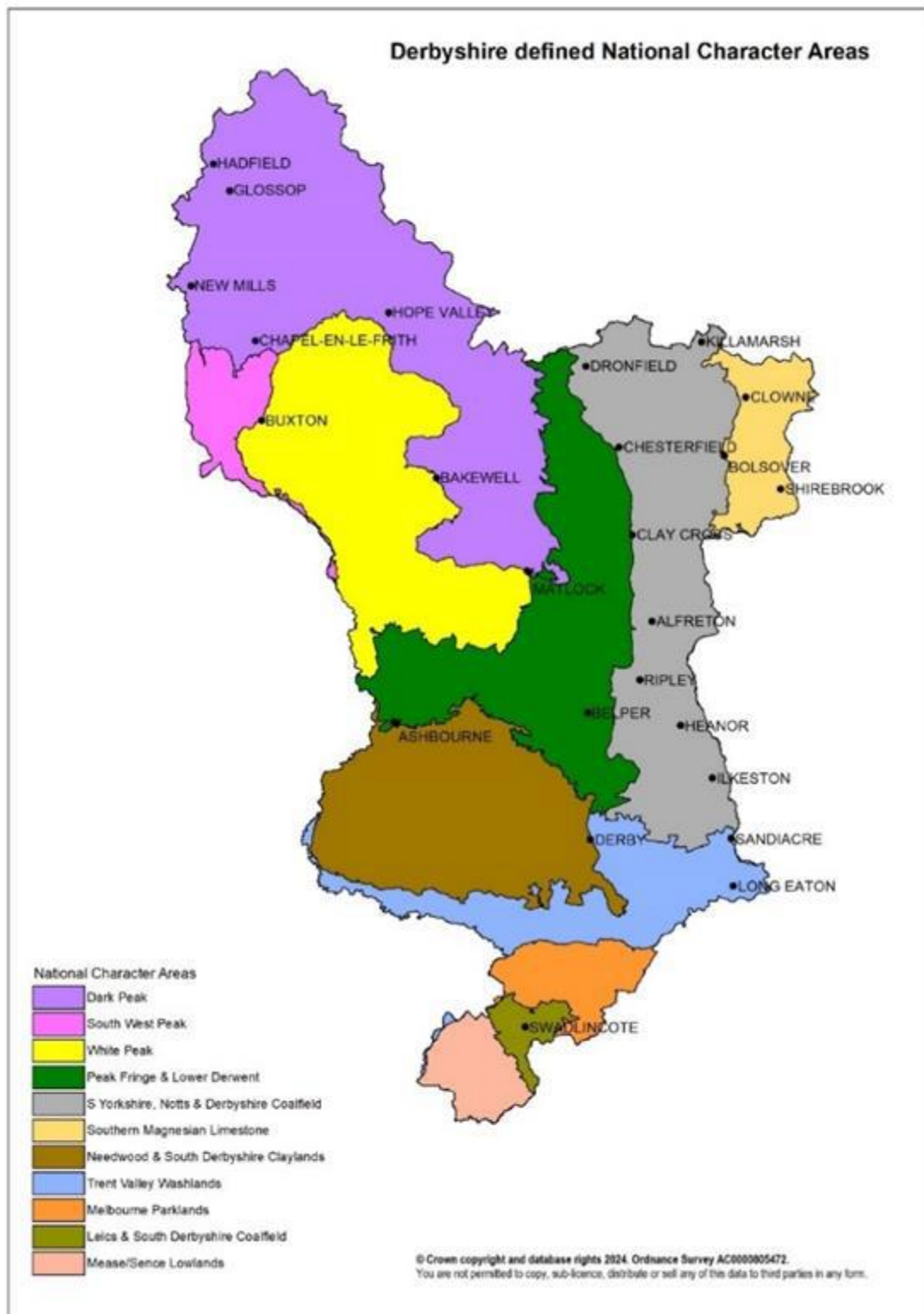
Section 2: Preparing the Strategy

- 2.3 This section sets out how Derbyshire County Council has prepared the Local Nature Recovery Strategy in a collaborative manner with public engagement, used evidence to identify opportunities and the priorities for enhancing biodiversity, involved key stakeholders and taken reasonable steps to involve all relevant supporting authorities in the preparation of the proposed consultation draft Local Nature Recovery Strategy.
- 2.4 In relation to the information set out in this section, it is considered that Derbyshire County Council has carried out wide ranging stakeholder engagement and in particular has sought to fully involve the District Council, and other supporting authorities, in the preparation of the proposed consultation draft Local Nature Recovery Strategy and no comment or objection on this section is considered necessary.

Section 3: State of Nature and Spatial Description

- 2.5 This section draws upon the Derbyshire Wildlife Trust's State of Nature reports and outlines the importance of Derbyshire's natural environment and how some of its landscapes and many of the associated habitats are in decline because of human behaviour and modern pressures for change that include climate change, agricultural practices, quarrying and new built development.
- 2.6 In terms of providing a spatial description of Derbyshire to help draw out priorities and measures to help nature recovery, the proposed consultation draft Local Nature Recovery Strategy draws upon Derbyshire County Council's The Landscape of Derbyshire document (March 2014) and describes Derbyshire through its National Character Areas (see overleaf).
- 2.7 As Members will be aware, the two National Character Areas that cover the North East Derbyshire District are the Nottinghamshire, Derbyshire and Yorkshire Coalfield area (eastern section of the District and grey zone on the image at Figure 1 overleaf) and the Peak Fringe and Lower Derwent area (western edge of the District and dark green zone on the image at Figure 1 overleaf). Each of these areas is discussed in more detail overleaf.

Figure 1.



2.8 The majority of the District is within the Nottinghamshire, Derbyshire and Yorkshire Coalfield National Character Area, covering the area east of Clay Cross and extending the full length (north to south) of North East Derbyshire. This Character Area extends into part of Bolsover District, Chesterfield, Amber Valley and Erewash.

- 2.9 The key habitats of this National Character Area as a whole are grassland, cropland, woodland and forest, heathland and shrub, rivers and lakes as well as its urban areas. The largest in area, accounting for almost half of the overall area, is grassland.
- 2.10 This Character Area has limited sites protected by national and local designations, such as Sites of Special Scientific Interest (SSSIs) and Local Wildlife Sites (LWS). This is stated as being largely due to the underlying geology and prevailing environmental conditions, as well as the intensity of settlement and land use change in the area.
- 2.11 Despite this, the area contains the greatest number of LWS (such as those east of Killamarsh) suggesting that many pockets of ecological interest occur throughout the area. The proposed consultation draft Local Nature Recovery Strategy identifies that this Character Area is likely to see pressure for new development, particularly in the urban areas on the Nottinghamshire border (this is likely to include North East Derbyshire given the need to develop a new Local Plan and the implications of the December 2024 National Planning Policy Framework.)
- 2.12 The draft Strategy does indicate that this development pressure could lead to the statutory requirement for Biodiversity Net Gain delivering investment in local nature recovery in this part of Derbyshire. In addition, the Derbyshire County Council led Heartwood Community Forest initiative could assist in improving habitat connectivity and linking communities to woodland.
- 2.13 In relation to the potential opportunities for nature recovery in this Character Area, the proposed consultation draft Local Nature Recovery Strategy identifies several areas for further exploration, with river corridor, woodlands and trees, and semi-natural greenspaces opportunities being particularly relevant within North East Derbyshire District.
- 2.14 The Peak Fringe and Lower Derwent Area covers the western edge of North East Derbyshire District, partly within the Peak District National Park and extending from the northern edge to the southern edge of this segment of the District. Ancient semi-natural broadleaved woodland is a prominent characteristic in this Area, made up typically of oak, birch, and hazel with many ancient woodland indicator species such as bluebell amongst the ground layer. Species-rich grassland tends to be neutral in character but there is localised calcareous grassland associated with limestone outcrops. Acid grassland and heath is found on steeper slopes over sandstone around the moorland fringe.
- 2.15 This Character Area already has some significant 'Areas of Particular Importance for Biodiversity' with 8% of the area being protected by international, national, and local designations. The wetland habitats at Ogston Reservoir is part of this Character Area and is covered by a national designation. A small proportion of this Area is defined as irreplaceable habitat, again mostly relating to Ancient Semi-Natural Woodland and includes a number of LWSs.

- 2.16 Given the largely rural character of this Area within North East Derbyshire, development pressure is considered to be less, but opportunities for biodiversity offsetting (and potentially connecting areas of high habitat value) could be greater.
- 2.17 In relation to the potential opportunities for nature recovery in this Character Area, the proposed consultation draft Local Nature Recovery Strategy identifies several areas for further exploration, with maintaining, restoring, enhancing and expanding key habitats such as ancient and broadleaved woodlands, grasslands, heathland, river corridors and other watercourses
- 2.18 In relation to the information set out in this section, it is considered that Derbyshire County Council has largely described accurately and fully the state of nature across these two Character Areas relevant to North East Derbyshire District.
- 2.19 Whilst there is no concern at this stage with the general description summary, Officers consider that acknowledgement should be made here of the emerging Plan for Nature for North East Derbyshire, which is assessing areas for enhancement within the District and also looking to identify land for biodiversity offsetting for development sites. However, in relation to the regulatory purpose of this pre-consultation with the District Council as a 'Supporting Authority', no objection on this section is considered necessary.

Section 4: Priorities (Outcomes) and Measures (Actions)

- 2.20 Based on the above, this section sets out the priorities and measures for the Local Nature Recovery Strategy for Derbyshire. These priorities and measures are stated to be guided by the Lawton principles as established by the Lawton Review that was published in 2010 and underpin the purposes of the Environment Act 2021 that led to the production of Local Nature Recovery Strategies, namely to achieve bigger, better, more, and more connected, and protected spaces for nature to thrive.
- 2.21 The nine priority areas cover the following themes. Each theme has several measures listed to help achieve them:
- i. Upland Moorland and Lowland Heath
 - ii. Woodlands and Trees
 - iii. Grassland
 - iv. Rivers, river corridors and other watercourses
 - v. Farmland
 - vi. Wetlands
 - vii. Urban environment and infrastructure
 - viii. People and wildlife
 - ix. Species and species assemblages
- 2.22 Whilst these themes are cross-cutting across Derbyshire, the most relevant to North East Derbyshire are Woodlands and Trees, Grassland, Rivers and Watercourses, Farmland, Urban Environment (enhancement of biodiversity

through new development schemes) and People and Wildlife. Key priorities in relation to these themes include ensuring that:

- WT-2: Existing woodland is well managed and better for wildlife;
- WT-3: New woodland creation delivers more, bigger and better-connected woodland, maximising ecosystem service benefits;
- WT-4: Increase trees in the wider landscape;
- WT-5: Trees in the wider landscape are positively managed;
- WT-6: Urban trees become more common throughout towns and cities;
- GL-3: The grassland resource is increased, connected and existing sites are extended;
- RW-2: Improve connectivity between watercourses and their floodplains to restore dynamic natural processes, reduce flood risk and create high quality semi-natural riparian habitats;
- RW-4: Improve the water quality of rivers and watercourses;
- FL-1: Improve ecological connectivity through the farmed landscape;
- UE-1: Urban environments become more biodiverse and permeable to wildlife;
- UE-3: Habitat creation and enhancement seek to deliver an improved network of locally appropriate, accessible, multifunctional green spaces, for the benefit of people and wildlife;
- PW-1: People across Derbyshire are better informed about and more engaged with the natural environment, through education and awareness raising activities;
- PW-2: People have more opportunities to actively engage with the natural environment, supporting and delivering local nature recovery in their area;
- PW-3: Promote the sharing of knowledge, information, and best practice to enable better stewardship and effective nature recovery.

2.23 In relation to the information set out in this section, it is considered that Derbyshire County Council has largely identified the priorities and measures that should lead to local nature recovery across Derbyshire, particularly with reference to North East Derbyshire District, although officers have sought advice from Derbyshire Wildlife Trust (who are heavily involved in this process) on this assessment.

2.24 A number of the objectives outlined in 2.22 are also relevant to the District Council's Plan for Nature which is currently at an early stage of development, but will evolve at the same time as the countywide LNRS. The Plan for Nature will consider issues such as better connection between habitats, including woodland, habitat creation and enhancement, potentially reducing flood risk and ensuring maximum biodiversity enhancement through the development management process. It is considered that the LNRS should refer to the role of existing and emerging strategies at the District/Borough/City level that will help the delivery of the LNRS.

Mapping

- 2.25 The proposed consultation draft Local Nature Recovery Strategy is accompanied by a spatial map that illustrates how the priorities and measures are geographically distributed.
- 2.26 At the time of writing, this spatial map is only available via the dedicated Derbyshire Mapping Portal. This mapping portal naturally covers the whole of Derbyshire and cannot yet be easily presented on a District basis. However, extracts from the mapping are attached as Appendix B for information. As can be seen, the key elements of the mapping portal essentially show the existing protected sites being expanded to achieve bigger, better, more, and more connected, and protected spaces for nature to thrive, so implementing the Lawton principles.
- 2.27 From a planning perspective, it is worth highlighting that these priority areas would not necessarily prevent or preclude new development in principle from occurring in these general locations or vicinities. However, it may be that new developments become required to facilitate and enable the identified priorities or measures. Ultimately, decisions around land use and the selection of future development sites remain as responsibility of the District Council as Local Planning Authority.
- 2.28 In relation to the information set out in the available mapping, it is considered that Derbyshire County Council has largely identified the appropriate locations and areas that should lead to local nature recovery across Derbyshire, including with reference to North East Derbyshire District. The preparation of dedicated maps for each 'Supporting Authority' areas would be helpful, but such information can be provided as part of the District Council's Plan for Nature and is therefore considered not to be a reason for raising an objection to the overall Strategy.

3. Reasons for Recommendation

- 3.1 The proposed consultation draft Local Nature Recovery Strategy for Derbyshire is considered to set out appropriate priorities and proposals with regard to North East Derbyshire District to help nature to thrive and provide wider environmental benefits in the future.
- 3.2 As a result, it is considered that the District Council should raise no objection with Derbyshire County Council under the relevant provisions contained within the Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023.

4 Alternative Options and Reasons for Rejection

- 4.1 To raise an objection with Derbyshire County Council under the relevant provisions contained within the Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023, or to not respond during the required period. Firstly, it is considered that the proposed consultation draft Local Nature Recovery Strategy for Derbyshire is appropriate and that there are no suitable grounds to raise an objection. Secondly, it is considered that the District Council

should respond and demonstrate its commitment to Local Nature Recovery and respond accordingly. Therefore, officers have not rejected these alternative options.

DOCUMENT INFORMATION

Appendix No	Title
1	Proposed consultation draft Local Nature Recovery Strategy for Derbyshire
2	Extract from Derbyshire Mapping Portal showing information relevant to North East Derbyshire District
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	