



# EXECUTIVE BOARD DECISION

<b>REPORT OF:</b>	Executive Member for Growth and Development
<b>LEAD OFFICERS:</b>	Strategic Director of Growth & Development
<b>DATE:</b>	Thursday, 12 December 2024

<b>PORTFOLIO/S AFFECTED:</b>	Growth and Development
<b>WARD/S AFFECTED:</b>	(All Wards);
<b>KEY DECISION:</b>	Y

**SUBJECT: Natural Environment Supplementary Planning Document (SPD)**

## 1. EXECUTIVE SUMMARY

- 1.1 The Council's adopted Local Plan (2021-2037) contains a number of planning policies focused on the natural environment. The Local Plan sets out the Council's commitment to produce a Natural Environment Supplementary Planning Document (SPD) to provide supporting guidance on the local policy requirements.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012, require the Council to consult publicly on an SPD before they can adopt it. A draft SPD was prepared earlier in 2024, and this report provides a summary of the comments received during a public consultation exercise (undertaken during the summer 2024), amendments proposed to the draft SPD, and seeks approval to adopt the Natural Environment SPD.

## 2. RECOMMENDATIONS

- 2.1 That the Executive Board:
- Notes the Consultation Statement and summary of responses (attached as Background Paper 2), which summarises comments received and how they have been considered in the preparation of the final SPD; and
  - Approves the adoption of the Natural Environment SPD (attached as Background Paper 1).

## 3. BACKGROUND

- 3.1 Across geographic levels (globally, nationally, locally), there has been a sustained decline in biodiversity, a deterioration in habitats, a worsening of environmental quality, a depletion of natural resources, and an exacerbation of climatic changes. There are a range of reasons for this, but climate change and unsustainable development are two of the contributory factors.

- 3.2 National Government has set out its ambitions 'to leave our environment in a better state than we found it' and have introduced a series of interventions through legislation and guidance, including the Environment Act 2021 and Environmental Improvement Plan (EIP) 2023. By 2042, the Government have committed to increasing species abundance by at least 10% from 2030 levels, restoring or creating at least 500,000ha of habitats and restoring 75% of 1 million hectares of protected sites to favourable condition. The EIP introduces 10 goals, linking environmental quality, resources, mitigation of climate change, enhanced aesthetics, and biosecurity, under the apex goal of halting the decline in biodiversity.
- 3.3 These national-level goals must be reflected at local levels. Instead of being seen as a burden, they provide real opportunities for environmental, social and economic benefits to be delivered; for example, by providing a 'natural health service' to support our health and wellbeing and help reduce NHS costs, addressing climate change, reducing flood risk, and providing attractive areas that can encourage investment.
- 3.4 The Local Plan (2021-2037) is a key strategy for the Council, setting out the vision and strategy for the area until 2037, and guiding growth within the borough. It is the development plan against which all local planning applications must be assessed and contains a series of environmental-based policies that promote climate, biodiversity and the wider environment, in line with national objectives.
- 3.5 The Local Plan sets out the Council's commitment to produce a Natural Environment SPD that will provide supporting guidance to the environmental-based policies of the plan. SPDs cannot, and do not, introduce new policy requirements, but should help planning applicants (and the Local Planning Authority) interpret and apply policies. Once adopted, the SPD carries material weight in decision making. Material considerations are matters that should be taken into account when determining a planning application (or an appeal against a planning decision).
- 3.6 Legally, the Council are required to undertake public consultation on an SPD, prior to its adoption. This must be done in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council's Statement of Community Involvement (SCI). The Council consulted on the draft Natural Environment SPD for 6 weeks between Thursday 15 August and Friday 27 September 2024. This exceeded the statutory 4-week consultation period, in acknowledgement of the consultation period overlapping with the summer holiday season.
- 3.7 A total of 16 representations were received through the consultation including from the statutory consultees of Natural England, Historic England and the Environment Agency, as well as general and public consultees. A consultation statement has been prepared, setting out who was consulted, a summary of the issues raised, and how these issues have been considered and, where appropriate, incorporated into the final SPD. This is provided as Background Paper 2.
- 3.8 GeoLancashire made representations through the draft SPD consultation to highlight that no reference had been given to geodiversity within the SPD, despite a requirement for new development to conserve geodiversity within Policy CP6. A new section (Section 16) has therefore been added in the SPD to provide guidance on geodiversity sites, including links to relevant mapping and information. No other material changes were made to the SPD. Other comments from representors resulted in minor changes to wording to provide additional clarification within the SPD guidance. These are detailed in Background Paper 2.

3.9 Once adopted, the Natural Environment SPD will replace the existing Green Infrastructure and Ecological Networks SPD (2015) and the Natural Environment SPG (1999).

#### 4. KEY ISSUES & RISKS

- 4.1 The Natural Environment SPD provides supporting guidance on the environmental-based policies of the new Local Plan, to help applicants interpret and apply policies. Some policy areas, such as Biodiversity Net Gain (BNG) are led by national legislation and this should be referred to as appropriate. The Council have already published a [Biodiversity Net Gain Planning Advisory Note](#) to provide specific guidance in relation to this complex and technical area.
- 4.2 Local Plan Policy CP6: Natural Environment confirms that new development should be designed to facilitate new and enhanced habitats and provide linkages to create a network of valuable green and blue infrastructure. The ecological sites and networks identified in the Lancashire-wide Local Nature Recovery Strategy (LNRS), when established, will be the primary focus for such habitat interventions, including that for off-site BNG.
- 4.3 The adoption of the LNRS is expected to be around six months away. In advance of its adoption, the Council can specify the ecological sites and networks that will be 'strategic' for the purposes of BNG. This is set out in the Council's BNG Planning Advisory Note and secured through this Natural Environment SPD (by carrying forward those areas identified in the Green Infrastructure and Ecological Networks SPD (2015)). However, as the LNRS will now be adopted following the Natural Environment SPD, it has not been possible to incorporate all the intended biodiversity strategy and guidance within it.
- 4.4 The Council should therefore prepare a separate Council-wide 'Biodiversity Strategy' that can further guide the local strategy for the conservation and enhancement of nature within the borough, using the Lancashire LNRS as its base. This may include setting out the Council's approach to a supply of Council owned sites that can be used for BNG off-site opportunities and establishing any further necessary detail relating to the Council's approach to Environmental Opportunity Areas (Policy DM14 of the Local Plan).
- 4.5 Adoption of this Natural Environment SPD now, to guide the Local Plan policies, and the development of a further 'Biodiversity Strategy', to provide a council-wide approach, will help the Council meet its requirements under the Natural Environment and Rural Communities (NERC) Act 2006 to the conservation and enhancement of nature. The Council are now required to report on how they are meeting this duty at regular annual intervals. Further information can be found in the Council's ['NERC Act First Considerations' report](#) (Executive Board, 7 March 2024).
- 4.6 This approach means that the Natural Environment SPD can provide the guidance to support the policies of the Local Plan now, with the intention that a detailed strategy for the conservation and enhancement of nature within the borough will be set out in a Biodiversity Strategy following the progression and adoption of the LNRS. That detail will be brought to Members at the relevant time.

#### 5. POLICY IMPLICATIONS

- 5.1 The Natural Environment Supplementary Planning Document (SPD) has been prepared to meet the commitments set out in the Local Plan and provides additional guidance to support the policies of the Local Plan, including that relating to nature recovery networks and green and blue infrastructure.

## 6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications arising from the preparation of the Natural Environment SPD, as this forms part of the existing resource within Strategic Planning.

## 7. LEGAL IMPLICATIONS

7.1 The Council are required to undertake public consultation on an SPD by the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the Council's Statement of Community Involvement. A consultation statement has been prepared, and accompanies this report, to summarise the comments received and how they have been considered by the Council in preparing the final SPD for adoption.

7.2 The Natural Environment SPD supports the Council's Local Plan 2021-2037, Biodiversity Net Gain, and helps meet the Council's NERC Act duty.

## 8. RESOURCE IMPLICATIONS

8.1 There are no resource implications arising from the preparation of the Natural Environment SPD, and it has been prepared using existing resource within Strategic Planning.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

10.1 The Council have undertaken a public consultation in accordance with the legislative requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council's Statement of Community Involvement.

10.2 As required by the legislation, the Council have considered all the comments received through the consultation in preparing the final SPD for adoption. A consultation statement accompanies this report as Background Paper 2.

## 11. STATEMENT OF COMPLIANCE

11.1 The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

12.1 All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Helen Hatch</b>
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<b>DATE:</b>	6 November 2024
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<b>BACKGROUND PAPER:</b>	<ol style="list-style-type: none"><li>1. Natural Environment SPD</li><li>2. Consultation Statement and Summary of Responses</li></ol>
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