

BOLSOVER DISTRICT COUNCIL

Meeting of the Planning Committee on 22nd January 2025

Pre-Consultation Draft Local Nature Recovery Strategy for Derbyshire

Report of the Portfolio Holder for the Environment

Classification	This report is Public
Contact Officer	Chris McKinney – Senior Devolution Lead for Planning Policy, Strategic Growth and Housing

PURPOSE/SUMMARY OF REPORT

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

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 Bolsover 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 Bolsover District Council is a statutory consultee 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. As part of this, officers in the Planning Department have attended the established Supporting Authorities Group officer meetings since December 2023 and Chaired the meetings of the Group since March 2024.
- 1.5 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 their Members informed of progress and forthcoming consultation and engagement, as demonstrated for example in the Information Report circulated to all Members on the 4th September 2024 regarding the initial consultation exercise events held during September 2024 (see Appendix A).
- 1.6 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.
- 1.7 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.
- 1.8 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.
- 1.9 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.
- 1.10 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 Bolsover District are summarised below.

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 Bolsover District are the Nottinghamshire, Derbyshire and Yorkshire Coalfield area (western edge of the District and grey zone on the image overleaf) and the Southern Magnesian Limestone area (central and eastern areas of the District and pale orange zone on the image overleaf). Each of these areas is discussed in more detail below.
- 2.8 The Nottinghamshire, Derbyshire and Yorkshire Coalfield National Character Area includes the part of Bolsover District that is west of the Magnesian Limestone escarpment edge and includes the lower parts of Bolsover town, such as New

Bolsover and the River Doe Lea and the countryside around Tibshelf, South Normanton and Pinxton. Outside of Bolsover District, it also includes Chesterfield, Dronfield, Alfreton, Ripley, Heanor and Ilkeston. 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.



- 2.9 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. Despite this, the area contains the greatest number of LWS (but not the highest percentage of land cover by LWS), 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, e.g. Bolsover District, but that this could see the new 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.
- 2.10 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 Bolsover District.
- 2.11 The Southern Magnesian Limestone National Character Area includes the part of Bolsover District that is east of the Magnesian Limestone escarpment edge and includes the upper parts of Bolsover town, Clowne and Glapwell, the rivers that run eastwards through Creswell, Scarcliffe and Pleasley Vale, and the countryside around Whitwell, Shirebrook and Pleasley. The whole part of this Character Area within Derbyshire is contained within Bolsover District. The key habitats of this National Character Area are cropland, grassland, woodland and forest, heathland and shrub, sparsely vegetated land, rivers and lakes as well as its urban areas. The largest in area, again accounting for almost half of the overall area, is cropland, largely due to the areas deep, fertile soils and gently undulating nature of the Magnesian limestone plateau.
- 2.12 This Character Area has few sites protected by national designations but does contain one of the highest proportions of land designated as LWS (around 10%), largely due to a small number of very large LWS covering ancient woodlands and plantation of ancient woodland sites, such as Roseland Wood and Langwith Wood near Shirebrook, Scarcliffe Park and Whitwell Wood, and restored former colliery sites such as Poulter Country Park and Pleasley Pit Country Park. Again, the proposed consultation draft Local Nature Recovery Strategy identifies that this Character Area is likely to see pressure for new development and thus may see benefits from Biodiversity Net Gain delivering investment in local nature recovery in this part of Derbyshire.
- 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 maintaining, restoring, enhancing and expanding key habitats such as woodlands, grasslands and open mosaic; connecting these habitats more; introducing conservation measures to improve the value of the farmed landscape; and increasing access to greenspaces.

- 2.14 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 Bolsover District. Whilst the general description summary is accurate, it may be of value to draw Derbyshire County Council's attention again to the District Council's Local Nature Recovery Action Plan and in particular its information on the condition of the LWS contained within the District. 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)

- 2.15 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.
- 2.16 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
- 2.17 Whilst these themes are cross-cutting across Derbyshire, the most relevant to Bolsover District are those within Woodlands and Trees; Grassland; Rivers, river corridors and other watercourses; Farmland; Urban environment and infrastructure; and People and wildlife. Key priorities 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.

2.18 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 Bolsover District. Indeed, it is considered that the consultation draft Local Nature Recovery Strategy reflects well the District Council's own Local Nature Recovery Action Plan. As such, no objection on this section is considered necessary and instead it is considered that the District Council should welcome the priorities and measures identified within the proposed consultation draft Local Nature Recovery Strategy.

Mapping

2.19 In a similar manner to the Local Plan for Bolsover District, the proposed consultation draft Local Nature Recovery Strategy is accompanied by a spatial map that illustrates how the priorities and measures are geographically distributed.

2.20 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 C 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.

2.21 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 remains within the District Council's planning function responsibilities.

2.22 Beyond planning purposes, it may be that areas identified for priorities and measures in the Local Nature Recovery Strategy influence wider decisions around funding bids or land management arrangements.

2.23 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, particularly with reference to Bolsover District. The preparation of dedicated maps for each

'Supporting Authority' areas would however be helpful. Despite this minor refinement, no objection on the mapping is considered necessary.

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 Bolsover 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.

RECOMMENDATION(S)

That the Planning Committee:

- 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.

Approved by Councillor Anne Clarke, Portfolio Holder for the Environment

IMPLICATIONS:

<p><u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details: There are no specific finance or risk issues arising from this report.</p> <p style="text-align: right;">On behalf of the Section 151 Officer</p>	
<p><u>Legal (including Data Protection)</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>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.</p> <p style="text-align: right;">On behalf of the Solicitor to the Council</p>	
<p><u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details: There are no specific human resources implications arising from this report.</p> <p style="text-align: right;">On behalf of the Head of Paid Service</p>	
<p><u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details: 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>	
<p><u>Environment</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Details: The Local Nature Recovery Strategy for Derbyshire will make a notable contribution to enhancing the environment as outlined in the report.</p>	

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p>	
<p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p>	<p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p>
<p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p>	<p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p>

District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:	All <input checked="" type="checkbox"/>
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Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i> If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i> Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i> Leader <input type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Portfolio Member for the Environment and Chair of Planning Committee
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Links to Council Ambition: Customers, Economy, Environment, Housing
<u>Environment</u> <ul style="list-style-type: none"> Enhancing biodiversity across the district. Working with stakeholders, regional and local partnerships to deliver shared strategies and priorities that support the local environment.

DOCUMENT INFORMATION:

Appendix No	Title
A	Information Report circulated to all Members on the 4 th September 2024 regarding the initial consultation exercise events held during September 2024
B	Proposed consultation draft Local Nature Recovery Strategy for Derbyshire
C	Extract from Derbyshire Mapping Portal showing information relevant to Bolsover District

Background Papers <i>(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 Executive, you must provide copies of the background papers).</i>