Biodiversity and Geodiversity

Background

In relation to biodiversity, the U.K is one of the world's most nature deprived countries and has lost nearly half of its wildlife and plant species over the last century as a result of human and land development. In 2018 the Government published the 25 year Environment Plan, which makes recommendations on how biodiversity can be enhanced, including through a Nature Recovery Network. Local Nature Recovery Strategies (LNRS) are a flagship measure in the Environment Act 2021. They are a new system of spatial strategies for nature, which will plan, map, and help drive more coordinated, practical, focussed action, and investment in nature's recovery to build the national Nature Recovery Network.

The Environment Act 2021 which is the legislative framework for the 25 year Environment Plan makes Biodiversity Net Gain (BNG) and nature recovery strategies mandatory. Biodiversity Net Gain is defined by Natural England as '...*an approach to development, and/or land management, which aims to leave the natural environment in a measurably better state than beforehand*.'

The Act also increases the biodiversity duty of Local Authorities, by making sure Biodiversity Net Gain is set at a minimum of 10%. Local Plans can require higher than 10% but this has to be weighed in the balance of delivering other policy objectives.

Opportunities for the restoration of woodlands and meadows to help restore habitat for endangered species and wildlife have strongly been encouraged in the 25 year Environment Plan. The term habitat refers to the area used by a particular species or an assemblage of animals and plants which is known as the biodiversity. The Plan recommends that the restoration of woodlands and meadows to be a part of the Nature Recovery Plan and also provides support for farmers to restore fields to rich woodlands and wildlife meadows.

In response to the global climate emergency, Herefordshire Council declared a Climate and Ecological Emergency in 2019 which makes various commitments towards improving biodiversity.

The following sets out how biodiversity and geodiversity is addressed through the County Plan and the Local Plan's draft vision and objectives.

Herefordshire County Plan

The County Plan (2020-2024) highlights the environment as one of the top priorities, and key area of focus for the county. It recognises the importance of Herefordshire's biodiversity and its contribution to the economy in particular tourism and in supporting the health and wellbeing of communities.

As part of the council's ambition, the council will seek strong stewardship of the county's natural resources and to '*protect and enhance the county's biodiversity, value nature and uphold environmental standards*'.

Local Plan Draft Vision

The Local Plan 2021-2041 has an environmentally themed draft vision, which states:

By 2041 Herefordshire will be a place where planning has helped to create an environment where all of its residents have an exceptional quality of life and are able to live and travel in a more sustainable way. In addressing the climate and ecological emergency, the county will be carbon neutral, and biodiversity here will be thriving.

It will be critical therefore to have an effective biodiversity and geodiversity policy to help achieve this vision.

Local Plan Draft Objectives

The draft Local Plan Objectives specifically mention a number of areas whereby the value of biodiversity, namely within these environmental objectives:

- *To protect the natural environment and heritage of the county, having particular regard to its characteristic features, including; retaining traditional orchards and woodlands as well as restoring its rivers to a good quality.*
- *To pay special regard to protected areas of the county, including the Wye Valley and Malvern Hills AONB's, whilst at the same time, valuing its ecology and landscape.*
- *To achieve Biodiversity Net Gain from all developments and significantly increase the tree cover in Hereford and the market towns.*
- *To enhance and extend Herefordshire's natural capital, green infrastructure and nature recovery networks to ensure good access and proximity to open and wild spaces for all residents.*

National Guidance

The NPPF was updated in 2021 to reflect the climate emergency and this includes a number of changes including strengthening wording, which now specifies that opportunities should be sought to improve biodiversity in and around development.

In the national policy there is a broad approach to what planning policies should be addressing. In summary it identifies the necessary protection of sites of biodiversity or geological value and soils, the wider benefits of natural capital and where new development can improve the local environment including provision of Biodiversity Net Gain.

National policy requires planning policies and decisions to contribute to and enhance the natural environment. Specifically, Local Plans should protect and enhance biodiversity sites, recognise the wider benefits of natural capital and ecosystem services, minimise impacts on and provide measurable net gains for biodiversity, and avoid creating or increasing risk from unacceptable soil, air and water pollution. Plans should also map and safeguard components of habitats and ecological networks and promote the conservation, restoration and enhancement of priority habitats and species.

National policy specifies that the scale of development within AONBs should be limited due to their landscape and ecological contributions. It states that , Local Plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, b) Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Guidance on 'biodiversity, geodiversity and ecosystems' sits within the Natural Environment section of the Planning Practice Guidance.

Local Considerations

The biodiversity and geodiversity of Herefordshire features a broad range of assets including and not limited to the Special Area of Conservation (SAC) sites including the River Wye and Lugg and ancient woodlands and the habitats within the Malvern Hills AONB.

Geodiversity value includes nationally significant sites and such features are within remit of Natural England and are designated as Sites of Special Scientific Interest (SSSI). Locally Herefordshire Council works with Herefordshire & Worcestershire Earth Heritage Trust to identify and record Local Geological Sites that are a local consideration within the planning process.

Along with the national trend in biodiversity loss, Herefordshire has also experienced similar conditions. Evidence from the Building Biodiversity 2009, attributes much of this loss to the post-war changes in agricultural practices, in particular agricultural intensification. There have been increasing declines in key habitats such as semi-natural grassland and woodland once common species such as hares, hedgehogs and turtle doves are at risk of disappearing.

The River Lugg is a tributary of the River Wye Special Area of Conservation (SAC), The River Lugg is currently exceeding its limits for phosphates, as a result of water pollution from both 'point' source (in particular sewage outlets) and 'diffuse' source (in particular agricultural run-off). In addition, Herefordshire Council is working collaboratively with partner organisations, to address the issue of high phosphate levels in the River Wye catchment, a significant contributor of which are discharges from agricultural land.

Evidence Base

The biodiversity and geodiversity of Herefordshire features a broad range of assets including and not limited to the AONBs and SAC sites including the River Wye and Lugg, and ancient woodlands. Work is underway to commission a refresh of the Habitat and Species evidence to review other pieces of essential natural environment evidence referred to within this Policy Option Paper.

There is significant reliance on Geographical Information System (GIS) and records for understanding ecological matters on sites. A review is required to address more up to date biodiversity matters and this will be underway soon. The new evidence will be integral across the major topic areas of open space, landscape, and blue/green infrastructure. This will make for better more integrated plans.

- The existing evidence, Building Biodiversity 2009 is partly still relevant but is over thirteen years old. This study provides the base for Herefordshire's current Local Plan.
- The AONB management plans for the Wye Valley and Malvern Hills AONB's are reviewed every five years and sets priority for their management over that period.
- The Green Infrastructure Strategy 2010 sets out the framework for the key natural and cultural features of Herefordshire and polices for the protection and enhancement of these features.
- The Ecological Network Map and Guidance Note 2013 provides a detailed map of Herefordshire's ecological network and has many potential uses.

Other References

The Royal Society for the Protection of Birds (RSPB) State of Nature Report (2019) has highlighted scale of biodiversity loss over the last century and has found many wildlife species continuing to decrease. Biodiversity loss has also wider implication that reach beyond the natural environment, '*natural resources (food, pharmaceuticals, construction materials), a good physical environment (air, soil, water quality), a functioning climate, and for general health and wellbeing*'.

Natural Capital Assessment

Enabling a Natural Capital Approach is another policy approach and at its simplest, a natural capital approach is about thinking of nature as an asset, or set of assets, which benefit people. The ability of natural assets to provide goods and services is determined by their quality, quantity and location. This approach would see the audit and assessment of the stock of natural capital and subsequently placing a monetary value on the services or benefits provided by natural assets.

Biodiversity Metric Tool

The Biodiversity metric tool is a habitat based approach used to assess an area's value to wildlife. The tool can be used or specified by any development project, consenting body or landowner that needs to calculate biodiversity losses and gains for habitats. It will be this metric that underpins the Environment Act's provisions for mandatory Biodiversity Net Gain in England.

Existing Policy

Latest guidance on biodiversity recommends a number of ways in which Local Planning Authorities can address it more appropriately. This includes integrating biodiversity as a central aim in local plan and all other strategies which may have impacts on nature, including transport, economy, housing and infrastructure.

Additionally, to ensure opportunities to support biodiversity and ecological enhancement are maximised there is a need to provide clear planning conditions for promoting biodiversity such as Biodiversity Net Gain (BNG) and betterment.

The existing Core Strategy Policy LD2 Biodiversity and Geodiversity requires an update to bring it in line with the NPPF and the Environment Act 2021. This Act sets out the need for mandatory BNG plus a number of key components including:

- When responding to the Act, a minimum 10% gain is required on applications for over 10 dwellings and is calculated using a nationally set Biodiversity Metric & approval of net gain plan;
- Habitat secured for at least 30 years via obligations/conservation covenant;
- Habitat can be delivered on-site, off-site or via statutory biodiversity credits;
- Local issues needs more emphasis;
- Issue with Local Wildlife Sites, as they were designated some time ago. The state of many of them is unknown. This requires updating.

Neighbourhood Planning

All neighbourhood plans include references to the protection of the natural environment. There are often policies that seek to protect particular areas for their natural and biodiversity value.

Herefordshire was part of the Phase 1 Government's Design Code Pilot testing programme. The intention of design coding is to include local level and locally distinctive guidance within design codes produced by the local community to accompany future neighbourhood plans. This would allow additional details to guiding development at a parish level.

Biodiversity and Geodiversity Policy Options

Option BD1- Maintain existing policy with update on implication and adoption of a Biodiversity Net Gain (BNG) in line with national planning policy

Option 1 would update the current policy in respect of recent changes to national policy, and in particular, to incorporate the mandated BNG into the policy. However with the Environment Act 2021 now in place it is likely that the national planning policy will be amended to reflect legislative changes so it is possible that further policy changes may be required.

Option BD2- Establish new approach to Biodiversity and geodiversity policy

A stronger emphasis could be placed on securing net benefits for biodiversity. Such a policy approach could seek to secure additional improvements and enhancement to biodiversity and geodiversity than current baseline requirements, through a number of means including:

- Looking at the possibility of increasing the mandated adoption of a BNG. Considering the scope greater than 10% net gain and expand the application of BNG to more types of development including agricultural developments which have a significant impact on habitat and species.
- Encourage use of a national assessment tools such as Natural Capital Assessment and the biodiversity metric tool as an additional means of securing a net benefit.

Option BD3- Devolve policy for local biodiversity and geodiversity to Neighbourhood Development Plans and/or design codes

This option would be additional to Option BD1, which would remain to set out strategic level advice. This approach would allow consideration of distinctive aspects to biodiversity and geodiversity that could be addressed at a local level. This could be through policies set out in Neighbourhood Development Plans or via guidance set out in a Design Code for a particular area