



Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Corporate Director, Communities	Councillor Peter Le Marinel, Planning Policy and Economic Development	25 January 2024

Reporting the Biodiversity Duty

Key decision: Yes

1. Purpose of report

1.1 To approve the first report of the Local Planning Authority on compliance with the biodiversity duty.

2. Council priorities

2.1 Protecting and enhancing biodiversity is part of creating and maintaining a cleaner, greener and more sustainable place.

3. Recommendations

3.1 That the attached report 'Biodiversity Duty 2024-2026: First Consideration - Establishing the Baseline' is endorsed and published as soon as is practical.

3.2 That the attached report is updated on an annual basis as of 1 January each year.

3.3 That each annual update is approved and published by the Head of Planning and Regeneration in consultation with the Portfolio Holder.

4. Background

4.1 The Environment Act 2021 creates a new legal framework to improve and protect the natural environment. A central feature of the Act is an amendment to the general biodiversity duty contained in the Natural Environment and Rural Communities Act 2006. The amended biodiversity duty is the 'conservation and enhancement of biodiversity'. The 2006 Act as amended requires local authorities, including local planning authorities,

to “consider” how they are meeting this duty and to report on this on a regular basis. It is a legal requirement that the first such consideration is undertaken by 1 January 2024 with reporting within 12 weeks of 1 January 2026 at the latest.

4.2 The attached report (see appendix) is practical evidence of the first such consideration by Wyre Council as a Local Planning Authority (LPA). It describes how the LPA is meeting the duty now and how it plans to meet the duty over the next five years. It is intended that the document be updated on an annual basis, looking back at actions undertaken over the previous 12 months and ahead to the following five years. It is intended to publish the attached report, and subsequent reports, as soon as possible after the 1 January base date each year. Although the legal requirement is a report no more than every five years, this is a maximum and more frequent reports can be provided, including annually. An annual update is in itself evidence of the commitment to the biodiversity duty and will allow the LPA to provide up-to-date evidence of meeting this obligation.

5. Key issues and proposals

5.1 Government guidance provides advice on complying with the duty and reporting on this compliance. The attached report has followed the advice provided to define its structure and content. Because this is the first consideration, the report establishes the “baseline” in terms of actions undertaken by LPA relevant to biodiversity. This baseline position will be updated and developed in subsequent annual reports.

5.2 The report identifies actions recently undertaken that accord with the duty. This includes in particular work carried out by the LPA to prepare for Biodiversity Net Gain (BNG), such as training for officers and members and the development of guidance to provide assistance for applicants for planning permission. The LPA’s emerging involvement in the Lancashire Local Nature Recovery Strategy (LNRS) is also acknowledged. The report sets out the structure of relevant policies in the current Wyre Local Plan and acknowledges that the setting of new objectives and policies will fall within the remit of the Local Plan full review. Subsequent reports will track progress on this matter and provide appropriate detail. The report also provides some examples of how matters relating to biodiversity are translated into actions on the ground via the development management service. In conclusion, the report identifies four areas of particular focus over the next five years:

- The Local Plan review;
- The implementation of mandatory BNG;
- The development of the LNRS and integration into local planning policy and development management decisions; and
- The integration into local planning policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government.

6. Alternative options considered and rejected

6.1 None. The attached report broadly follows government guidance on reporting against the biodiversity duty.

7. Delegated functions

7.1 The matters referred to in this report are considered under the following executive function delegated to the Planning Policy and Economic Development Portfolio Holder (as set out in Part 3 of the council’s constitution): “To consider proposals for the conservation or enhancement of the physical environment of the Borough”.

Financial, Legal and Climate Change implications	
Finance	<p>No direct financial implications arising from this report. The annual reporting requirement will be led by the planning policy team as part of their core function. This will be met from within existing budgets. Any requirement for additional resource in future will be subject to the appropriate approval process.</p> <p>It should be noted that the aspect of the new duty which includes the aim to “Maximise the potential of council-owned land to contribute to local nature recovery and climate change mitigation and adaptation” may require investment in the future and this consideration should form part of future Council Plan strategic resourcing discussions.</p>
Legal	<p>The attached report fulfils the legal requirements set out in the Environment Act 2021 in relation to reporting progress against the biodiversity duty.</p>
Climate Change	<p>The approval of the first consideration raises awareness of climate change both internally and externally and allows the opportunity to annually explore improvements in acting in accordance with the Biodiversity Duty through protecting and enhancing biodiversity. This has a positive impact on tackling climate change throughout Wyre.</p>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 - Biodiversity Duty 2024-2026: First Consideration - Establishing the Baseline



Biodiversity Duty 2024-2026:

First Consideration - Establishing the Baseline

A Report by the Local Planning Authority

Planning and Regeneration

1 January 2024

Introduction

The Environment Act 2021 received royal assent on 9 November 2021. The aim of the Act is to create a legal framework to improve and protect the natural environment.

In early 2023, the government published its first revision of its 25-year Environment Improvement Plan in the form of the Environmental Improvement Plan 2023. This sets out the so called “apex goal” of improving nature by halting the decline in biodiversity to achieve thriving plants and wildlife. Together with related actions around climate change, water quality and nutrient neutrality, the Environment Act 2021 and Environmental Improvement Plan (original and 2023 revision) arguably signal a step change in government policy on environmental issues and place specific duties on local authorities in this regard.

The Natural Environment and Rural Communities Act 2006 (the NERC Act) originally placed a specific duty on local authorities and other public bodies in the exercise of their functions to “conserve biodiversity” (section 40). The Act as originally enacted did not impose any reporting of implementation obligations upon public bodies. The Environment Act 2021 changes this position by:

- Amending the biodiversity duty to include the enhancement of biodiversity in England. The amended general biodiversity objective is therefore the **conservation and enhancement of biodiversity**.
- Expanding the definition of “public authority” to specifically include a local planning authority (LPA).
- Placing legal obligations on the public authorities in terms of implementation and reporting.

Local nature recovery and Biodiversity Net Gain should be seen in this context.

The NERC Act as amended requires LPAs to consider what action can properly be taken to further the general biodiversity objective. The first such consideration is required to be undertaken **by 1 January 2024**.

This report should be taken as the first consideration by Wyre Council as the Local Planning Authority (LPA). As this is the first consideration under the Act, it should be

regarded as establishing a “baseline” position. Future reports will develop this position as necessary.

The Biodiversity Duty

The NERC Act as amended states that the action which may be taken by the authority to further the general biodiversity objective includes action taken for the purpose of:

- (a) conserving, restoring or otherwise enhancing a population of a particular species, and
- (b) conserving, restoring or otherwise enhancing a particular type of habitat.

On 17 May 2023, the Department for Environment Food and Rural Affairs (DEFRA) released the following guidance on how public bodies can comply with the enhanced biodiversity duty:

- Complying with the biodiversity duty, available at <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty>
- Reporting your biodiversity duty actions, available at <https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions>

There is no precise and definite definition of the legal requirement “to consider”. However, the above guidance as a whole can be viewed as defining the actions required to meet the legal obligation.

The NERC Act as amended allows a public body to conclude that there is no further action it can properly take. However, if the consideration concludes there is further action that can be taken, the Act as amended specifically requires at s40 1(A) that the relevant public bodies “must”:

- (a) determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and
- (b) take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.

The NERC Act as amended (s40 1(B)) allows for the satisfaction of (a) above by revising existing policies and specific objectives. Section 40 1(E) and the guidance

requires that the determination of policies and objectives must be made as soon as practicable after the consideration required by the Act.

A further determination of policies and specific objectives to further the general biodiversity objective and the actions that can be undertaken to meet the general biodiversity objective has to be undertaken within five years of the original consideration, and every five years thereafter, although this can be more often.

The Environment Act 2021 amends the NERC Act by placing reporting obligations on local authorities including the local planning authority. Section 40A of the NERC Act as amended requires that LPAs “must” publish “biodiversity reports”.

The above guidance on reporting biodiversity duty actions states in summary:

- The end date for the first reporting period should be no later than 1 January 2026. After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period.
- Reports must be published within 12 weeks of the reporting period end date.
- By law, the report must include:
 - ✓ a summary of the action taken to comply with the biodiversity duty;
 - ✓ how the LPA plans to comply with the biodiversity duty in the next reporting period; and
 - ✓ any other information considered appropriate.
- Reports from local planning authorities must also include:
 - ✓ a summary of the actions carried out to meet BNG obligations;
 - ✓ details of the net gains in biodiversity resulting, or expected to result, from BNG Plans approved by the LPA as part of planning applications; and
 - ✓ a summary of how the LPA plans to meet BNG in the next reporting period.

Note that the biodiversity report, including BNG element - looks both back at action taken but also forward to actions that may be taken.

The Act as amended allows for the Secretary of State to require by regulation the biodiversity report to include specified quantitative data relating to biodiversity.

Considering the Biodiversity Duty

This report represents the first consideration of the extent to which the LPA is meeting the biodiversity duty and is focused on the actions of Wyre Council as the Local Planning Authority. It operates from the premise that the local planning function of a local authority is necessarily engaged in the management, use and protection of land in the public interest, in as so far as allowed by legislation and regulation. It does this through the publication of a Local Plan – a document containing those policies, allocations and designations deemed to be required to manage development, and through development management – a system of regulation that permits development to take place. The use of land is at the heart of local planning and development management. In line with national planning policy and guidance, this includes a consideration of:

- Environmental objectives in as so far as they relate to local planning; and
- The impact of proposed development on the natural environment, including habitats, species and biodiversity.

As such, a consideration of matters relating to the natural environment is “built-in” to the planning system. A consideration of the actions the LPA is undertaking to meet the biodiversity objective is therefore required in-line with the NERC Act as amended by the Environment Act 2021.

Reporting the Biodiversity Duty

This report should be referred to as the “baseline report”. It is the initial reporting of the biodiversity duty for the LPA. It covers the period 1 January 2024 to 1 January 2026 and beyond, although it also looks back, including at actions taken in 2023 relating to Biodiversity Net Gain. Going forward, it is intended that this report will be reviewed annually, with a base date of 1 January. Each report will look back at actions taken over the previous 12 months and will look ahead to actions that may be undertaken over the following five years. Each report will be published as soon as possible after 1 January, allowing for any necessary internal reporting procedures.

In accordance with the above guidance on reporting the biodiversity duty, the report must consider:

- Current policies, objectives and actions.

- How local nature recovery strategies, protected site strategies and species conservation strategies have been taken into account.
- The LPAs future actions over a period of five years from the end of the reporting period.

Applying the Biodiversity Duty

Recently published DEFRA guidance on complying with the biodiversity duty (referred to above) sets out a framework which may be considered a route to demonstrating compliance with the biodiversity duty.

The **first** requirement set out in the guidance is unequivocal, stating that there “must” be a consideration of how the organisation complies with the following “relevant strategies”, all introduced by the Environment Act 2021:

- Local Nature Recovery Strategies (LNRSs)
- [species conservation strategies](#)
- [protected site strategies](#)

The guidance requires that organisations “must”:

- understand how/if they are relevant to your organisation;
- be aware of how these strategies affect land that you own or manage, or actions you could take to conserve and enhance biodiversity;
- consider how you could contribute to the strategy, where appropriate.

Although this new strategic framework for nature is in its infancy, it would be appropriate through the consideration of the biodiversity duty for an organisation to consider how it may be involved in the production of the listed strategies.

The Act requires the Secretary of State to produce guidance on how LPAs are to have regard to the requirement to give consideration to LNRSs within two years of this requirement coming into force (i.e. by January 2025).

Secondly, the guidance suggests that consideration could be given to how the council including the LPA will contribute to the achievement of national goals and targets on biodiversity, with specific reference to the [Environmental Improvement Plan \(EIP23\)](#), published in January 2023. Specifically the guidance refers to the

following government commitments which can be viewed as an appropriate starting point:

By 2030

- halt the decline in species abundance
- protect 30% of UK land

By 2042:

- increase species abundance by at least 10% from 2030, surpassing 2022 levels
- restore or create at least 500,000 ha of a range of wildlife rich habitats
- reduce the risk of species extinction
- restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term

Actions under this consideration, can include (taken from the guidance):

A commitment to:

- a) Give priority to areas of high biodiversity value, if appropriate.
- b) Develop a strategy, if one does not exist, against which organisational environmental performance can be monitored and reported. Such a document can record the actions planned to be taken to meet organisational biodiversity objectives.
- c) Take a Natural Capital approach to policy and decision making that considers the value of the natural environment for people and the economy.
- d) For the LPA, evidence compliance with requirements under:
 - [strategic environmental assessment](#)
 - [environmental impact assessment](#)
 - [Habitats Regulations assessment](#)

A **third** area of consideration involves considering how the council's land estate can be managed to improve biodiversity. This includes green and blue (water) spaces, and buildings. Under this consideration, suggestions in the guidance include:

- Promoting and encouraging nature-based solutions, restoration of natural processes and landscape recovery.
- Improving habitat.
- Taking actions to make space for wildlife.
- Enhancing protected sites in council ownership. The [Environmental Improvement Plan](#) sets the expectation that all public authorities should ensure they have management plans in place by the end of 2023 to support their sites to reach favourable status.
- Taking actions such as reducing building energy use, reviewing the management of vegetation, and minimising the impact on wildlife arising from building maintenance work.

A **fourth** area of consideration involves considering actions to improve nature in areas of outstanding natural beauty and by helping to develop and implement National Landscape (formerly Area of Outstanding Natural Beauty) management plans.

A **fifth** area of consideration concerns actions that can be undertaken to help the public and stakeholders understand biodiversity and why it's important to conserve and enhance it.

A **sixth** area of consideration is the council's own internal policies and procedures for staff and facilities. The guidance suggests the following policies could be reviewed:

- transport – support sustainable travel to reduce carbon emissions and improve air quality
- waste – review waste management and recycling processes to reduce water pollution and air pollution from waste transport and landfill
- water – improve water efficiency to reduce the effect water abstraction can have on sensitive habitats and species
- procurement – buy sustainable materials and supplies to reduce the demand on natural resources
- light – make sure the design of artificial lighting minimises effects on nature

The **seventh** and final area of consideration involves the preparation and implementation of BNG.

Not all of the above considerations will be relevant to LPAs. However, they provide a useful starting point for considering actions the LPA is taking, and may take in the future, in the furtherance of the biodiversity duty.

Meeting the Biodiversity Duty – A Consideration

Using the above framework provides a logical route to explaining how the LPA is currently meeting the biodiversity duty and meets the requirements of the above guidance on reporting the biodiversity duty.

Consideration	LPA Response
Relevant strategies: <ul style="list-style-type: none"> • Local Nature Recovery Strategies (LNRSSs) • species conservation strategies • protected site strategies 	The strategies listed in the guidance are either not in place at the time of writing or, in relation to the LNRS, at a very early stage of development. In relation to the latter, an initial meeting has been held between the Responsible Body (Lancashire County Council (LCC)), Lancashire districts and government stakeholders as the LNRS Steering Group. Wyre LPA is a member of the steering group and expects to play a role in the LNRS production as a supporting authority.
National goals and targets	The LPA will be considering how the emerging review of the current Local Plan (2011-2031) will be informed by national policies including goals and targets.
WBC land estate	Although the LPA has no responsibility for the council's land estate, the council's Green Infrastructure Strategy referred to below supports the use of the council's own land for biodiversity benefits.
Forest of Bowland National Landscape	<p>Wyre includes the Forest of Bowland National Landscape (formerly Area of Outstanding Natural Beauty). The Forest of Bowland was originally designated as an AONB in February 1964; the National Landscape designation applies from November 2023. The new name is intended to reflect their national importance and the vital contribution they make to protect the nation from the threats of climate change, nature depletion and the wellbeing crisis, whilst also creating greater understanding and awareness for the work that they do.</p> <p>The Forest of Bowland National Landscape covers an area of 803 square kilometres straddling six local authority boundaries. The Rivers Wyre, Brock and Calder originate in the upland core of the Bowland Fells. Wyre Local Plan Policy SP5 Forest of Bowland AONB provides the basis</p>

Consideration	LPA Response
	<p>for determining planning applications within the National Landscape. It protects the character, appearance and setting of the National Landscape irrespective of whether the proposed development lies within or outside the designation. The policy remains consistent with the National Landscape Management Plan (formerly the AONB Management Plan).</p> <p>SP5 will be reviewed as part of the current review of the Wyre Local Plan (2011-2031). This will by necessity involve changing the policy name to reflect the new designation.</p>
Public and stakeholders	<p>Engagement with the public and stakeholders currently takes place through the local plan production process and the determination of planning applications.</p> <p>Local plan production takes place within the legal guidelines set by legislation and regulation. The Town and Country Planning (Local Planning) (England) Regulations 2012 requires the LPA to consult with “specific consultation bodies” and “general consultation bodies”. The former is specified by the Regulations and includes the Environment Agency, the Marine Management Organisation and Natural England. These bodies are consulted at key stages of the local plan production process and, along with other stakeholders, kept informed of progress.</p> <p>General consultation bodies are locally defined. Those of relevance to biodiversity in Wyre are:</p> <ul style="list-style-type: none"> • Canal & River Trust • CPRE Lancashire • Forest of Bowland Area of Outstanding Natural Beauty Partnership • The Gardens Trust • Greater Manchester Ecology Unit • Lancashire Wildlife Trust • Royal Society for the Protection of Birds (RSPB) • Woodland Trust <p>In addition, the LPA is required to produce a Habitats Regulations Assessment (HRA) as part of the local plan production process. The HRA is an assessment required where a land use plan may give rise to significant effects upon a Natura 2000 site (also known as a ‘European site’). The requirements of the European Habitats Directive are transposed into English law by means of the Conservation of Habitats and Species (Amendment) Regulations 2017. The overarching aim of HRA is to determine, in view of a</p>

Consideration	LPA Response
	<p>site's conservation objectives and qualifying interests, whether a plan, either in isolation and/or in combination with other plans, would have a significant adverse effect on the European-designated site. Natural England is a statutory consultee within the HRA process.</p> <p>In terms of development management, consultees can include:</p> <ul style="list-style-type: none"> • Canal & River Trust • CPRE • DEFRA • Environment Agency • Forest of Bowland AONB • Forestry Commission • Fylde Bird Club • The Garden Trust • GMEU • Lancashire Badger Group • Lancashire Wildlife Trust • Marine Management Organisation • Natural England • North Lancashire Bat Group • RSPB • Woodland Trust <p>In addition, where appropriate, the LPA consult with the Greater Manchester Ecology Unit (GMEU) who act as the LPAs advisors on habitat/biodiversity matters, including Biodiversity Net Gain.</p>
Internal policies and procedures	Officers' reports on planning applications for determination either by planning committee or by the Head of Planning under delegated powers refer to all material considerations including national and local policy. As a matter of course, Local Plan policies including those relating to biodiversity and the natural environment, are addressed as appropriate.
Biodiversity Net Gain (BNG)	<p>The LPA has been undertaking work to embed BNG into the planning system in Wyre. To date (early December 2023) this includes:</p> <ul style="list-style-type: none"> • Three training events have been held with development management, planning enforcement, planning policy and legal officers to provide a general introduction to BNG, provide a detailed breakdown of its application through the emerging statutory metric, and provide a detailed examination of the implications for development management procedures and monitoring local plan outcomes.

Consideration	LPA Response
	<ul style="list-style-type: none"> • One training event with councillors to provide a general introduction to BNG and key issues for the development management process in Wyre. • A BNG Guide for Applicants is being drafted for release once Statutory BNG comes into force. • Internal guidance for development management officers is in progress (December 2023). • Work is underway on developing a BNG Monitoring System. This will allow the LPA to track on and off-site BNG in the borough and identify key monitoring reporting dates where this obligation exists. This includes developing a system for calculating monitoring fees. • Work is underway with legal officers on planning conditions and s106 agreements.
<p>Other – Wyre Local Plan and Development Management</p>	<p>Local Plan</p> <p>The current Wyre Local Plan to 2031 contains objectives and policies relevant to the biodiversity duty:</p> <p>Objective 7 – To protect and enhance Wyre’s natural and heritage assets and amenity creating a high quality built and natural environment including through high quality design that respects, and where appropriate, improves the character of the locality and surrounding landscape.</p> <p>Objective 11 – To minimise environmental impact including flood risk and pollution and where necessary ensure appropriate mitigation, compensation and enhancement measures.</p> <p>Policy CDMP4 requires development to achieve a net gain in biodiversity “where possible”. Although this aspect of the policy will be superseded by the statutory requirement, the wider policy will still be a material planning consideration, including through part 10 of the policy which focuses on:</p> <ul style="list-style-type: none"> • the preservation of functional networks which facilitate the movement of species and populations; • the protection of the Borough’s biodiversity; and • the restoration, enhancement and connection of natural habitats through the provision of appropriate Green Infrastructure. <p>Key sites of environmental importance are designated as Green Infrastructure through policy CDMP4 and are protected in accordance with the policy criteria. The key environmental sites protected are:</p> <p>Special Protection Area – Morecambe Bay and Duddon Estuary</p>

Consideration	LPA Response
	<p>Bowland Fells</p> <p>Liverpool Bay SPA is within 0.5km (off-shore)</p> <p>Special Areas of Conservation: Morecambe Bay</p> <p>Ramsar: Morecambe Bay</p> <p>Biodiversity Heritage Sites (BHSs) – a Lancashire County Council designation for local wildlife sites identified according to a published methodology.</p> <p>Parts 11 and 12 of Policy CDMP4 specifically provide protection and for appropriate mitigation where development is permissible for nationally and internationally designated sites and habitats and species of local importance. Part 13 of Policy CDMP4 seeks to protect the function of the borough’s ecological network. Parts 21 to 24 of CDMP4 are designed to protect trees and hedgerows and to require appropriate mitigation where impacts are deemed acceptable. This includes protecting:</p> <ul style="list-style-type: none"> • Ancient woodland • Protected trees; and • Veteran trees. <p>Policy SP5 relating to the AONB (now National Landscape) is detailed above.</p> <p>The current Local Plan includes a suite of monitoring indicators. Of relevance to the biodiversity duty are:</p> <p>PMI29 & SAI8/1 - Number and change in areas of biodiversity, geological and landscape importance.</p> <p>PMI30 - Amount of new development within areas of biodiversity, geological and landscape importance.</p> <p>PMI31 & SAI8/2 - Condition of SSSIs.</p> <p>PMI32 & SAI8/3 - Number of Biological Heritage Sites (BHS) under active management.</p> <p>SAI8/4 – Areas of Ancient woodland.</p> <p>PMI40 and SAI9/1 – Amount of Green Infrastructure lost to development (ha).</p> <p>PMI41- Amount of new green infrastructure (including public open space) provided through new development.</p> <p>Progress against these indicators can be found in the annual Authorities Monitoring Report.</p> <p>The LPA is undertaking a full review of the Local Plan (2011-2031) and will be reviewing the Local Plan vision, objective and policies, including Policy CDMP4, to ensure compatibility with the biodiversity duty.</p>

Consideration	LPA Response
	<p>The LPA is building a consideration of biodiversity into the new Green Infrastructure (GI) Strategy both to support the on-going review of the Wyre Local Plan 2031 and provide a corporate GI policy framework. The GI Strategy Strategic Framework incorporating Action Plan contains a number of elements relevant to biodiversity. This includes the creation of nature rich places with the following priorities:</p> <ul style="list-style-type: none"> • Promote the use of design to connect people to nature in a sensitive way. • Conserve and enhance areas of high ecological value including designated sites and geological assets. • Conserve and enhance ecological corridors, including open watercourses, to allow for the movement and distribution of wildlife. • Reduce the fragmentation of habitats and increase connectivity. • Promote the appropriate public enjoyment of the natural environment. • Deliver Biodiversity Net Gain, with priority given to on-site delivery in Wyre where this is an ecologically appropriate solution. • Maximise the benefits of appropriate woodland and tree planting for habitat delivery and climate change adopting a “right tree, right place” philosophy. • Protect and manage ancient, veteran and other trees of special interest, and ancient hedgerows, for their ecological and visual amenity benefit and as carbon stores. • Support appropriate coastal, estuarine and freshwater grassland and wetland creation and management for ecological and climate benefits. • Help achieve targeted individual species recovery. • Maintain and enhance geodiversity assets. • Maximise the potential of council-owned land to contribute to local nature recovery and climate change mitigation and adaptation. • Work with stakeholders to promote a holistic approach to GI, including blue and yellow infrastructure, and the multifunctional benefits it can bring. • Contribute to cross-species objectives such as pollinator strategies. • Reduce soil degradation and loss. • Work to reduce the recreational disturbance of important habitats and species and increase positive engagement relating to the natural environment. • Work with farmers, land managers and partners to identify and promote mechanisms for improved

Consideration	LPA Response
	<p>natural capital benefits (for example natural flood management, biodiversity enhancements and access to nature) from rural areas for the wider green infrastructure.</p> <p>The Green Infrastructure Strategy will be available from https://www.wyre.gov.uk/evidence-monitoring-information/environment-evidence?documentId=145&categoryId=20178</p> <p>Development Management</p> <p>Policy CDMP4 provides the statutory planning basis for assessing planning applications in terms of protecting important habitats and seeking habitat enhancements. Recent approvals where habitat matters have been an important part of the consideration process include the following:</p> <p>19/00615 Land South of Blackpool Road, Poulton-Le-Fylde (outline) land for up to 330 houses approved with conditions and legal agreements to compensate for any loss of habitat and to increase biodiversity of the wider area:</p> <p>1) A significant area of land situated to the south of the site adjacent to a Biological Heritage Site (BHS) to be set aside and managed for Great Crested Newts and other important species, ultimately acting as an extension to the existing BHS.</p> <p>2) Prior to the commencement of development conditions require the submission and agreement of a Landscape and Habitat Creation and Management scheme (LHCMS) along with a timetable for implementation. The scheme to identify:</p> <ul style="list-style-type: none"> • The retention of hedgerows and trees, or where this is not possible, sufficient replacement native tree and hedgerow planting; • The removal of any trees, with those which have the potential for bat roosting to have been inspected for the presence of bats. Should any bats be found these trees shall be either retained or compensation put forwards for the potential harm to bats; • Provision of bird, bat, beetle and hedgehog boxes within the development; • Details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat;

Consideration	LPA Response
	<ul style="list-style-type: none"> • Continuous terrestrial connectivity along the boundaries of the development for species movement and ecological connectivity across the site; • Opportunities to enhance the value of the site for wildlife through, for example, new structure planting; • Opportunities for the road infrastructure to include amphibian friendly features such as off-set gully pots and dropped kerbs and locations between ponds and adjoining hedgerows/green infrastructure; • The use of locally native species planting specification; • Design of attenuation ponds to hold water under normal circumstances and to include amphibian protection measures to outflows and flow control mechanisms; • The use of ecologically permeable boundary treatments across the site to allow the movement between green infrastructure and gardens of amphibians and small mammals such as hedgehog; • Details of informative signage in relation to North Blackpool Pond Trail and any new countryside furniture/path/surfacing details; and • Details of management and maintenance arrangements of each of the above. <p>3) Prior to first occupation, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>19/00551 Land to the South of Blackpool Road Poulton-Le-Fylde 202 dwellings (full) and primary school (outline) (adjacent to the above site) - development with the potential to affect designated sites by reason of recreational disturbance and impacts upon water quality. Mitigation by condition included the submission and approval of a Landscape and Habitat Creation and Management scheme (LHCMS) to include:</p> <ul style="list-style-type: none"> • Design of attenuation ponds to hold water under normal circumstances and to include amphibian protection measures through headwall and outflow designs and flow control mechanisms; • The road infrastructure design to include amphibian friendly features such as off-set gully pots and dropped kerbs in locations between ponds and adjoining hedgerows/green infrastructure;

Consideration	LPA Response
	<ul style="list-style-type: none"> • Details of long term management for the water bodies and terrestrial habitat specifically for great crested newts along with other retained or recreational habitats; • The erection of temporary protection fencing to retained trees, shrubs and hedgerows. Protection measures to also include Pond 5 and the ditches within the public open space (Ditches 9 and 10); • Details of how the scheme is designed to maintain connectivity and ecological permeability such as supplementary native species planting and boundary fencing details to allow habitats connectivity and ecological movement of small mammals and amphibians; • A re-survey of trees 2 & 3 to include updated condition assessment, aerial inspection and/or activity surveys and identification of any additional mitigation or need for licence; • Provision of bat, bird, beetle and hedgehog boxes within the development; • Details of informative signage and any new countryside furniture/path/surfacing details in relation to North Blackpool Pond Trail. <p>2) Prior to first occupation of any dwelling, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>18/00469 Land to the North and South of School Lane Forton 195 dwellings, 1ha of employment, community centre and shop (Use Class A1) and associated infrastructure (outline) – permission included a requirement for a landscape and habitat creation and management scheme, identifying:</p> <ul style="list-style-type: none"> • The retention of hedgerows and trees, or where this is not possible, sufficient replacement native tree and hedgerow planting; • The removal of any trees, with those which have the potential for bat roosting to have been inspected for the presence of bats. Should any bats be found these trees shall be either retained or compensation put forwards for the potential harm to bats; • Provision of bird nesting opportunities; • Details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat;

Consideration	LPA Response
	<ul style="list-style-type: none"> • Continuous terrestrial connectivity along the boundaries of the development for species movement; and • Opportunities to enhance the value of the site for wildlife through, for example, new structure planting.

How the LPA plans to comply with the biodiversity duty over the next five years

Over the next two to three years the LPA will be particularly focused on the review of the Local Plan and bringing the reviewed plan to adoption. As indicated above, this will involve both the development of the Local Plan evidence base and a review of the specific objectives and policies of the current Local Plan (2011-2031). Post adoption, the focus will be on implementing the policies of the reviewed Local Plan with monitoring to ensure that the policies contained therein are delivering the expected outcomes. Future editions of this report will provide more detail on the integration of matters relating to biodiversity into the Local Plan policies and objectives as the review progresses.

How the LPA plans to meet BNG in the next reporting period

At the time of writing, BNG has not been implemented. Without doubt, the next two to three years will be a period of learning. It remains to be seen what impact this will have on how the LPA applies BNG policy. However, the LPA will work with its BNG advisor (GMEU) and relevant stakeholders to apply statutory BNG in accordance with the legislation, regulations and national policy and guidance. In particular, the LPA will wish to ensure that the LNRS process and the Local Plan provide a complementary strategic view of biodiversity issues and the application of policy.

Conclusion

The LPA has reported on its consideration of current approaches to ensuring that the service is meeting the biodiversity duty. Looking forward to 2026 and beyond, there are four key areas of focus:

- The Local Plan review;
- The implementation of mandatory BNG;

- The development of the LNRS and integration into local planning policy and development management decisions; and
- The integration into local planning policy and development management decisions of species conservation strategies and protected site strategies as and when progressed by the national government.