Biodiversity Duty: Wealden District Council First Consideration Report

Date of first consideration: 21/12/23

The Environment Act 2021 introduced a strengthened 'biodiversity duty' requiring all public authorities in England to:

- Consider what you can do to conserve and enhance biodiversity.
- Agree policies and specific objectives based on your consideration.
- Act to deliver your policies and achieve your objectives.

This means as a local planning authority, Wealden District Council must:

- Complete first consideration of what action to take for biodiversity by 1st January 2024.
- Agree policies and objectives as soon as possible after this.
- Reconsider the actions you can take within 5 years of when you complete your previous consideration, or more often (e.g. quarterly, annually, or every 5 years).

The action local authorities take for biodiversity will contribute to the achievement of national goals and targets on biodiversity. The Environmental Improvement Plan (EIP23), published in January 2023, sets out government plans for significantly improving the natural environment. This includes Government commitment to:

- Halt the decline in species abundance and protect 30% of UK land by 2030.
- Increase species abundance by at least 10%, restore and create 500,000ha of wildlife rich habitats, reduce the risk of species extinction and restore 75% of our protected sites to favourable condition by 2042.

This first considerations report brings together a number of Council strategies, policies and work areas to see how we are currently addressing and taking account of biodiversity. This includes the recent The Wealden District Council Strategy which demonstrates the Council's ongoing commitment to the environment, with a vision of a district where people and nature thrive together, working with local communities and partners to protect and enhance the district's green infrastructure and biodiversity.

Wealden District Council Strategy, Plans Policies and functions relevant to the Biodiversity Duty

Plans, Strategies and function	Current contribution to Biodiversity Duty	Additional policies/objectives to consider
The Wealden District Council Strategy	The Wealden District Council Strategy • The strategy sets out three areas we will prioritise in achieving our vision: the environment and climate change; community resilience and wellbeing; and the local economy. Within the strategy, there are a number of key objectives under each area set out above. Those which play a particular contribution to the biodiversity duty are; ○ CE2. Countryside and Biodiversity: We will work with local communities and partners to protect and enhance the district's green infrastructure and biodiversity. We will safeguard local ecosystems and wildlife habitats by restoring nature reserves, wildlife corridors, and enforcing regulations against pollution and habitat destruction providing residents of all ages and abilities the opportunity to enjoy the local countryside for wellbeing and mental health. ○ CE1. Tackle the Climate Emergency: We will update our Climate Change Strategy and action plan to deliver change that will lead towards our	• CE3. Active Travel & Sustainable Transport: We will work with our county and regional partners to support development of an integrated transport network, prioritising walking, cycling, public transport and electric charging infrastructure. • CE4. Circular no waste economy: We will develop the foundations of a sustainable circular economy – a system where materials never become waste. We will seek to minimise consumption and therefore reduce amounts sent to energy recovery. We will apply the waste hierarchy; prevent, reduce, reuse, recycle, recover and as a last resort, disposal. Consideration of East Sussex, South Downs and Brighton & Hove Waste & Minerals Plan (2013). • CE5. Renewable energy: We will increase the proportion of energy generated by carefully located and designed renewable sources in the district, exploring the possibility of community energy projects, and decarbonising existing networks.

	goal to be a carbon neutral district and ensure that everything we do has the least possible adverse impact on carbon production.	
Development Management	Determination of planning applications in accordance with current wildlife legislation, policy and guidance.	• Ensure relevant developments deliver minimum 10% BNG or apply small sites BNG metric when applicable. • Provide specialist feedback to the Forestry Commission & Natural England on the standing advice and its interaction with planning system.
Emerging Wealden Local Plan	Currently in development, including up-to-date and robust biodiversity policies, taking account of the updated NPPF 2023, Env Act, biodiversity net gain provision, protected sites and local nature recovery. The Regulation 18 draft new Local Plan is due to be considered by Full Council on 8th February with a view to going out to full public consultation shortly after.	• Consideration of draft local Plan in Feb 2024. Progression to regulation 18 consultation. Consideration will be given to whether there is a need for the creation of relevant biodiversity related SPDs. • Take account of Local Nature Recovery Strategies within and connecting to the District and County.
Wealden District Core Strategy Local Plan 2013	Policy WCS12 Biodiversity: The Council will prevent a net loss of biodiversity, ensure a comprehensive network of habitats, and work with partners to maximise opportunities to ensure habitats, biodiversity features and ecological networks are maintained, restored, enhanced and, where possible, created to achieve a net gain in biodiversity and sustain wildlife in both rural and urban areas.	WCS13 Green Infrastructure: The District's existing network of green infrastructure will be protected, improved and enhanced by the implementation of a Green Infrastructure Strategy, ensuring a multifunctional, accessible network which maintains and improves biodiversity and landscape character, increases opportunities for healthy living and contributes to healthy ecosystems and climate change objectives.

	EN15 Safeguard designated nature conservation sites.	
Wealden District Council Local Plan 1998 - saved policies	Wealden District Council Local Plan 1998 (saved policies): EN12 Trees & Woodlands. Protect trees and woodlands. EN13 Ancient Semi-Natural Woodlands. The Council will resist development proposals that involve the clear felling or otherwise prejudice the ecology of Ancient Semi-Natural Woodlands.	n/a
Climate Emergency Declaration and Climate Emergency Plan	Climate Emergency Declaration and Climate Emergency Plan Wealden District Council (WDC) declared a climate emergency in 2019. The Council also resolved to develop an initial evidence-based Climate Emergency Plan that would identify key actions and intervention measures and takes account of biodiversity.	• Annual report on delivery of Climate Emergency Plan. • Investigate the potential for nature-based solutions including habitat creation for carbon reduction. • The new Climate Change Strategy and Action Plan due to be developed in 2024.
Estate/Land Management	The Council owns and manages a number of landholdings that contribute to biodiversity. The Council has created two 70 acre SANGS (Suitable Alternative Natural Green Space) parks and 30 acre crematorium site, including BNG enhancement.	• Ensure that the Council's land and property assets are utilised to support the aims and objectives of the Corporate Strategy. • Continue to manage existing SANGS, parks, disused railway lines and other assets to maximise their biodiversity value and support access to nature in line with Corporate Strategy. • Consider whether non-countryside properties can be enhanced/managed for biodiversity.

		• Integration of biodiversity net gain into new projects. • The Council has and will continue with its commitment to use and installation of solar PV on Council property and EV charging infrastructure.
Wealden District Council Asset Management Plan	Wealden District Council Asset Management Plan To acquire property or land where this better supports the aims and objectives of the Corporate Plan	• Assets policy will be reviewed in line with publication of a new Asset Management Plan in 2024.
Housing Planning Protocol Rural Affordable Housing Schemes 2008	Rural Affordable Housing Schemes 2008: Principle: Work together to maximise the provision of affordable housing within the District to meet need, as well as protecting and enhancing the environment.	• Continue with biodiversity provision on WDC delivered housing schemes including habitat creation and native tree planting.
Other strategies	Identify other Council strategies or actions which could impact on biodiversity, either positively or negatively.	• Review Council strategies and plans to ensure they take account of the biodiversity duty, and identify opportunities to deliver elements of local nature recovery where possible.
Local Nature Recovery Strategy	WDC is within the East Sussex County Council LNRS responsible authority area. Continue to work with other East Sussex local authorities to contribute to the LNRS creation and delivery.	
Species Conservation Strategies	WDC holds a District Licence for great crested newts, administered on our behalf by NatureSpace. The scheme provides for investment in the creation and long-term management of new and restored aquatic and terrestrial habitat for the species.	• Continue to work with NatureSpace and other local authorities to target the delivery of new habitat in the most appropriate locations.

Local Wildlife Sites	WDC undertook review of all LWS in 2016. WDC is a partner of the Sussex Local Wildlife Site Initiative and continue to provide ongoing contribution and support.	• Continue to support the SxLWSI to ensure the suite of LWS are reviewed to give a robust evidence base for protection through the planning system and to ensure they are taken account of in development of LNRS.
Internal staff policies		• Review to identify those that are relevant.
Natural Capital	WDC is a contributor and partner of the Sussex Nature Partnership (SxNP). The SxNP published a Natural Capital Investment Strategy in 2019 and report annually on implementation of the strategy.	• Continue to support the work of the SxNP.