



## Defra LNP Case Study

### 2) Influencing the Planners

This case study describes the approach taken by the Lowland Derbyshire and Nottinghamshire LNP (LDNLNP) in influencing and responding to Local Authority consultations on Local Plans.

The previous Conservative/Lib-Dem coalition Government published the Natural Environment White Paper which stated that it wanted to “*put the value of nature at the heart of our decision-making*”. The White Paper established the principle of Local Nature Partnerships (LNPs) in order to help bring this about. One of the best ways in which an LNP can have influence comes from the ‘Duty to Cooperate’, which puts an obligation upon Local Authorities to demonstrate they sought input on their plans from specific agencies and organisations, including Local Nature Partnerships. The LDNLNP therefore decided that it would capitalise on this opportunity, and investigate how best to influence the content and function of Local Plans.

#### **Making contact**

The first task was to ensure all planning authorities knew who to contact at the LNP for consultations. The LNP then wanted to determine what stage each authority was at in their local plan process, and when the next phase of consultation might be due. It also sought to gather information to ascertain how well each local authority understood issues surrounding Local Nature Partnerships, Natural Capital and their ‘Duty to Cooperate’ with them. A questionnaire was sent to all 18 Local Planning Authorities, helpfully circulated by the Head Planners from both county councils to ensure it reached the right people. It revealed a very varied situation across the LNP area, and provided a picture of what consultations to expect and when. The results suggested that the LNP does indeed need to work with the Councils to ensure that there is a better and consistent understanding about Natural Capital and the relationship and relevance to Local Plan preparation.

#### **Looking at Plans**

In 2015 the LNP reorganised itself into various working groups, including a ‘Planning Group’ to oversee and monitor all matters relevant to planning. This currently includes an LNP Board member from the minerals industry and a Chair with a planning background. Lead planning officers from both county councils offered to be co-opted onto the Working Group, and attend on an alternate basis.

Initially the LNP had prepared a single, somewhat generic, consultation response letter to send all local authorities, carefully worded to highlight its desire to support the Local Planning Authority in meeting their Duty to Cooperate. It sought to encourage local planners to explicitly recognise the importance of natural capital assets in their broadest sense and to recognise that the provision of ecosystem services is key to supporting growth and development, as well highlighting the benefits of resilient ecological networks in providing locally distinctive, high quality environments in which to live, work and enjoy. However, it was felt that a bespoke response was really needed for each authority, accompanied by a more systematic process to reviewing each Local Plan document as it arrived. Clearly, this would be more time-consuming, but the approach was encouraged by one of

the LNP Board member organisations (Toyota Manufacturing Corporation) who encouraged a fresh, process-driven approach, and helped devise a flow-chart to guide assessment and responses.

Consultations are received by the LNP coordinator who assesses them, identifying whether key issues and concerns listed on that flow-chart have been addressed or not. For example, is there evidence that the LPA has fulfilled their Duty to Cooperate since the LNP came into existence? Or is there evidence that all natural capital assets have been fully taken into consideration? With limited resources, it seems appropriate for the LNP to invest most effort into responding to consultations for those Local Plans and Sustainability Appraisals that are in their early stages so that it can achieve the greatest potential influence.

The draft response letter always refers to the LA/LNP Duty to Cooperate, and the LNP’s wish to support local authorities in meeting their sustainability goals. It also includes a table giving the LNP’s assessment of how well each plan document appears to perform in recognising and reporting on the whole range of natural capital assets (**see illustration**).

**Natural Capital table**

The table cells are highlighted as follows and refer to the Local Plan document only.

**green = Asset fully identified      orange = Asset partially identified      red = Asset not identified**

For the 8 Natural Capital assets:	Are they identified, per se?	Is quantity identified?	Is spatial distribution identified?	Is quality identified?
<b>Ecological Communities</b>	Some: GI is identified in policy NE2 Local green space in NE5 Trees in NE6 Biodiversity in NE7 Designated sites in NE8 – SSSIs, LNRs and LWSs	GI is mapped LGS - no Trees – no Biod - no Des sites mapped in NE8	GI is mapped LGS - no Trees - no Biod - no Des sites mapped in NE8	GI - No Local green spaces are described Trees - no Biod - no Des sites - no
<b>Soils</b>	Only contaminated soils	No	No	No
<b>Species</b>	Biodiversity addressed as a whole in NE7 but no specific groups of species	No	No	No
<b>Freshwater</b>	Policy CC4 addresses the impact of development on water quality and availability.	No	Priority areas for creating Green SUDS and restoring areas of low flow are mapped	Overall quality of Rivers Maun and Meden is given
<b>Air</b>	Air quality is identified as a concern in policy NE9	No	No	No
<b>Sub-soil assets</b>	Partially: Designated geological sites in NE8	Designated geo sites mapped in NE8	Des geo sites mapped in NE8	No
<b>Land</b>	Partially: Policy NE1 addresses Landscape character	No	Landscape policy zones are mapped	?
<b>Minerals</b>	No – there are references to NCC Minerals Plans	No	No	No

**Table showing part of the Natural Capital assessment of a draft Local Plan, sent with formal consultation response.**

Each response letter aims to highlight those proposed policies which the LNP welcomes, as well as drawing attention to those elements that it wants to see strengthened, made clearer or even removed. For example, the assessment will consider whether there is a policy around Air Quality; whether reference is made to AQMAs; whether those areas are mapped, and whether the Planning Authority refers to them when looking at site allocations.

In one example a local authority had a draft sustainability plan which stated that, provided just one of eleven criteria for sustainable development were met, it would look favourably upon that

application. The LNP's response was to call for all 11 criteria to be met and for the District to commit to looking more favourably on those applications where all or most of them had been addressed.

Before being submitted, the LNP's Planning Working Group then has an opportunity to comment on or modify the draft response. All consultations responded to by the LNP are posted on its website (see: <http://ldnlnp.org/planning-consultation-responses>)

Responding to Local Plan consultations is clearly time-consuming, and it will be some while before it is possible to demonstrate just how effective its influence is on the environment. But it is heartening to see LNP recommendations already being incorporated into Local Plan documents. It is certainly an area of work where LNPs ought to be able to have significant impact, proactively shaping and directing the process, so ensuring that the government's stated objective of putting the environment at the heart of decision-making really can be put into effect.

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