

Statement of Common Ground between Natural England (NE) and London Borough of Barnet (LBB) December 2021

1.0 Introduction

- 1.1 This Statement of Common Ground (SCG) addresses the strategic planning matters specific to LB Barnet and Natural England.
- 1.2 This SCG ensures that the requirements set out in the National Planning Policy Framework (NPPF) have been met. The NPPF states, “Local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”
- 1.3 The purpose of the SCG is to document the strategic matters being addressed and the progress in cooperating to address them. The document is intended to be ‘live’, any updates to this document will be produced as matters progress and agreement is reached on any outstanding issues. It focusses on areas of agreement or disagreement between both authorities on strategic matters. It therefore includes details on mechanisms for review and updating. The SCG also forms part of the evidence to demonstrate compliance with the ‘duty to cooperate’.
- 1.4 In London, most strategic issues beyond borough boundaries (e.g. housing targets, major growth areas, etc.) are largely addressed by the London Plan.
- 1.5 Some strategic matters overseen by other organisations will be addressed in other Statements of Common Ground. This will serve to make the documents more concise for relevant parties.

2.0 Strategic Matters

- 2.1 NE have raised a number of concerns in response to the Reg 19 version of the Local Plan. LB Barnet highlights how the Plan at Reg 19 stage has already addressed these points.

2.2 Natural Environment and Climate Change

- **NE comment** - recommended that Plan incorporates the important role of the natural environment to address the effects of climate change. This can be delivered via the implementation of ‘nature-based solutions’. Such measures can be brought together in a strategic approach that delivers multifunctional benefits to people and wildlife that links to other aspects of the Plan.
- **LBB response** - *This is expressed throughout the draft Local Plan. Chapter 10 – Environment and Climate Change addresses the relationship between the natural environment and mitigating climate change. Through the Local Plan and London Plans there is direction for nature-based solutions through policies GSS01:*

Delivering Sustainable Growth; GSS13: Strategic Parks and Recreation; CDH01 Promoting High Quality Design; CDH03 Public Realm; CDH07 Amenity Space and Landscaping; ECC02A: Water Management; ECC04: Opens Spaces and Parks; ECC05 Green Belt and Metropolitan Open Land; and ECC06: Biodiversity. Further detail on nature-based solutions will be set out through the revision of the Green Infrastructure SPD. Barnet's suite of SPDs are subject to revision following Local Plan adoption. This suite includes the Sustainable Design and Development Guidance SPD which will further ensure multifunctional benefits and nature-based solutions are explained.

2.3 Habitats and Protected Sites

- **NE comment** - consideration to be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as fire risk, reduction of water resources and flooding. Local Plan is limited in scope on how the impact of climate change on habitats can be managed.
- **LBB response** - *The Local Plan does require climate change to be factored into impact assessments and required mitigation methods. It requires the provision of sustainable urban drainage systems, Urban Greening Factor and Biodiversity Net Gain as well as policies promoting the naturalisation of water courses all of which can assist in addressing the impact of climate change on habitats across the Borough. This will be underpinned by the revised Green Infrastructure SPD which will provide further detail on managing climate change impacts on habitats from climate change. Support from Natural England, Mayor of London and other agencies helps manage such impacts on habitats as part of a strategic approach.*

2.4 Housing Delivery and Sustainability

- **NE comment** - recommend the Plan makes clear that housing delivery policy will not be met at the expense of such targets or sustainability policies.
- **LBB response** – *There is a sustainability thread throughout the Local Plan. A key objective of the Local Plan is to deliver an environmentally sustainable Borough and build resilience to climate change. This is particularly reflected in Policy CDH01 – Promoting High Quality Design, Policy CDH02 and Sustainable and Inclusive Design, as well as the Policies in Chapter 10 and TRC01 Sustainable and Active Travel. Detailed matters can be further addressed in the Green Infrastructure SPD, and through the work that supports the Environment Act.*

2.5 Management of Green Infrastructure

- **NE comment** - recommend that the Plan outlines the need for securing the long term management of new and existing green infrastructure (GI) and for protecting it from future development.
- **LBB response** – *LBB agrees to revise Policy ECC04 in response to this representation.*
- **NE comment** - The Local Plan should reference the green infrastructure policy standards: Green Flag Award; The Sensory Trust - 'By All reasonable Means'; Forestry Commission guidelines for tree canopy cover; and Woodland Trust woodland access standards. New development located in easy walking distance from existing natural greenspace and publicly accessible nature reserves will benefit substantially by the presence of such facilities in the locality and will

through an increase in visitors, inevitably increase ongoing visitor management costs.

- **LBB response** - *This level of detail is not merited for a Local Plan. Accessibility standards for greenspace are set out in Section 10.19 and Policy ECC04 and these are consistent with the London Plan.*
- **NE comment** - Where management of green infrastructure is not already secured, development should be required to make a financial contribution to the managers of the reserve / greenspace to cover these additional costs. This is particularly important where the nature reserves, or nature parks, are run by charities that do not have secured income to cover the in perpetuity management costs associated with new housing development.
- **LBB response** - *LBB agrees to revise Policy ECC04 in response to this representation.*
- **NE comment** - Plan should commit authority to developing a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (as required by NPPF para 171). This should include detailed requirements for new areas of green infrastructure along with a review of existing to ensure that they are meeting the multifunctional benefits and thereby maximising their Natural Capital.
- **LBB response** - *LBB is committed to such an approach and this is reflected throughout the Local Plan specifically in Policy ECC06. In regards to the multifunctional benefits of green infrastructure this is detailed in the Barnet Open Space Strategy. Further work to update this information will be undertaken as part of the Local Nature Recovery Strategy.*

2.16 Biodiversity Net Gain

- **NE comment** - welcomes inclusion of biodiversity policy. Policy should refer to the nature benefits to Borough residents and outline an expectation that offsite net gain must be sought as close to development as possible.
- **LBB response** - *This is reflected in Policy ECC06 following NE representations on the Regulation 18 Local Plan. Supporting text in particular para 10.26.10 states that any Biodiversity Net Gain (BNG) that cannot be delivered on site will be delivered where it can benefit the Borough.*
- **NE comment** - Plan's approach to BNG should be compliant with mitigation hierarchy in para 175 of the NPPF. Where adverse impacts from development on biodiversity cannot be avoided measures must be taken to ensure that they are appropriately managed so as to reduce and /or mitigate any disturbance to wildlife as appropriate. *Where this is not possible an appropriate level of compensation provided.* These measures should be included as part of a planning application *and with planning obligations* and a monitoring schedule agreed at the time of planning permission.
- **LBB response** - *LBB agrees to clarify the mitigation hierarchy through revisions to ECC06 and supporting text.*
- **NE comment** - welcome planned guidance on how net gain will be applied within the Borough, but advise strengthening this by making provision for a net gain supplementary planning document (SPD) which could require more than a 10% BNG where it can be appropriately evidenced locally.
- **LBB response** - *Biodiversity Net Gain must be set through the Local Plan. LBB consider that the 10% required by legislation is an appropriate starting level and that if this figure is increased by Regulations Policy ECC06 allows for this to happen.*

Further detail on the management of BNG will be provided in the updated Green Infrastructure SPD.

- **NE comment** - Calculating net gain Biodiversity Metric 2.0 replaced by Biodiversity Metric 3.0 on the 7th July 2021. We advise that the Biodiversity Net Gain Policy includes this metric to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.
- **LBB response** –*LBB agrees to revise supporting text to ECC06 reflect revisions to Biodiversity Metric.*

2.25 Environmental Net Gain

- **NE comment** - Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available later in 2021. Monitoring of net gain Natural England advise that your Plan includes requirements to monitor biodiversity net gain. LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring.
- **LBB response** - *LBB agrees to revise supporting text to ECC06 in response to this representation.*

2.27 Local Nature Recovery Strategies

- **NE comment** - Local Nature Recovery Strategies work is underway within Natural England and with partners on several of the key elements of the Environment Bill, including Nature Recovery Networks and Local Nature Recovery Strategies. It should be noted that the term Nature Recovery Network (NRN) is used to refer to a single, growing national network of improved joined-up, wildlife rich places which will benefit people and wildlife. Local Nature Recovery Strategies (LNRs) will be the key mechanism for planning and mapping local delivery of the NRN. LNRs will form a new system of spatial strategies for nature that will be mandated by the Environment Act. They will cover the whole of England and will be developed by Responsible Authorities (RAs) appointed by the Secretary of State, usually at a county scale.
- **LBB response** - *LBB agrees to revise supporting text to ECC06 in response to this representation.*

3 Governance Arrangements

3.1 This SCG will be kept up-to-date and will form a key part of implementation of Local Plan policies and any future Local Plan review. This statement has been informed by on-going engagement between the parties. This statement of common ground is a live document and will be reviewed on a regular basis, informed by continued communication between the parties through meetings, statutory consultation at key plan making stages and electronic communication.

Signatories

Both signatories agree that this statement is an accurate representation of areas of agreement and disagreement between the two parties.

Signed:



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Date: 17/12/2021

Signed:



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Natural England

Date: 20/12/2021