

## **CHARNWOOD LOCAL PLAN 2021-2037**

Statement of Common Ground between:

- Charnwood Borough Council
- Natural England

October 2021

**CHARNWOOD LOCAL PLAN  
STATEMENT OF COMMON GROUND BETWEEN NATURAL ENGLAND AND  
CHARNWOOD BOROUGH COUNCIL**

**1. INTRODUCTION**

- 1.1 This statement identifies the areas of common ground between Natural England and Charnwood Borough Council, in respect of those policies contained in the Pre-Submission Draft Charnwood Local Plan. It also identifies those matters where further work is required to resolve differences between the two parties.
- 1.2 The statement should be read alongside the representations and the Council's responses to those representations. It is made without prejudice to the participation in the formal examination of any participant and the views that may then be expressed. Nevertheless, this Statement of Common Ground reflects the agreed position between Charnwood Borough Council and Natural England for submission to the Inspector for the Local Plan Examination of the Draft Local Plan based on cooperation and joint working.

**2. PURPOSE**

- 2.1 The Statement of Common Ground addresses strategic matters and shared issues between the parties. It provides a framework for the delivery of the Duty to Co-operate duties and obligations arising from Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2019). The NPPF places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive engagement on the preparation of the local plan and other activities related to the sustainable development of land.
- 2.2 A Statement of Common Ground is an agreed written record which demonstrates how the duty to cooperate has been fulfilled. It sets out that matters where there is agreement, and if appropriate those matters, where work is ongoing to resolve differences.
- 2.3 Charnwood Borough Council is a public body which is the Local Planning Authority (LPA) for its administrative area.
- 2.4 Natural England is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs, and is the Government's adviser for the natural environment in England and a specific consultee under the Town and Country Planning (Local Development) (England) Regulations 2012. Its purpose is to help conserve, enhance and manage the natural environment for the benefit of present and future generations, thereby contributing to sustainable development.

**3. MATTERS OF AGREEMENT**

- 3.1 There has been ongoing constructive engagement between Charnwood Borough Council and Natural England in the preparation of the local plan and Natural England considers that the Duty to Cooperate has been complied with.
- 3.2 Notwithstanding areas where ongoing discussions are taking place, it is agreed that the plan's policies, and the evidence base that supports them, will help to achieve the plan's objective of protecting and enhancing our natural environment, and the policy

for 10% net biodiversity gain when development takes place will significantly help to protect and enhance habitats and species.

#### **4. MATTERS WHERE BOTH PARTIES AGREE TO USE THEIR BEST ENDEAVOURS TO RESOLVE OUTSTANDING ISSUES**

4.1 Charnwood Borough Council considers the Plan as written satisfies the tests of soundness, but is open to discussion around the clarity of some policy wording. Natural England considers that there is scope to improve the clarity of the following policies in the plan:


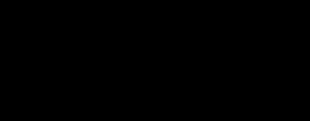
- a. Policy DS5, High Quality Design – Natural England welcomes this policy but considers that it should contain greater emphasis on measures which enhance the biodiversity value of development;
- b. Policy CC4, Sustainable Construction - Natural England welcomes this policy and its references to green roofs and walls, and sustainable water management, but calls for a greater emphasis on nature based solutions to climate change and more explanation of best and most versatile land in the supporting text;
- c. Policy EV6, Conserving and Enhancing Biodiversity and Geodiversity – Natural England supports this policy and the accompanying text, but considers that it should include reference to the Government's 25 year Environment Plan and the goals set out within it including the nature recovery network;
- d. Paragraphs 8.9 and 8.10, Green Infrastructure - Natural England welcomes the strategic Green Infrastructure policies within the Local Plan and also the requirements within the site allocation policies, but considers that the Plan would benefit from an overarching policy on Green Infrastructure.

#### **5. GOVERNANCE**

5.1 In terms of governance arrangements the two parties agree to:

- support the preparation of a corporate Biodiversity Strategy for the Council which will set out more detailed arrangements for the Council's approach to implementing biodiversity net gain including the mechanisms for compensation, prioritisation and funding;
- to keep open a dialogue on matters arising which are likely to have significant impacts and implications for the delivery of local plan policy on biodiversity, habitat protection and green infrastructure;
- to work together to achieve identified outcomes in relation to strategic matters relating to the ongoing policy development and implementation through the Leicester and Leicestershire Strategic Growth Plan and collaborative work involving the Leicestershire wide Nature Recovery Strategy;
- to review and update this Statement in light of any material change in circumstance such as: major changes to legislation or guidance; material changes to policy and strategy in the emerging plans;
- to adopt positive principles of cooperation and engagement for development decisions affecting individual sites.

**6. SIGNATORIES TO THE STATEMENT**

Signed on behalf of Natural England	Signed on behalf of Charnwood Borough Council
	
Name Roslyn Deeming	Name Richard Bennett
Position Senior Planning Adviser	Position Head of Planning & Regeneration
Date 21/10/2021	Date 3 December 2021

**APPENDIX A.****JOINT WORKING**

The following list is a summary of some of the significant meetings and exchanges of information between Charnwood Borough Council and Natural England. These meetings continue to take place on a regular basis as we seek to promote our environmental objectives for climate change, biodiversity, open space and the countryside through the Local Plan.

<b>Event</b>	<b>Date</b>	<b>Outcomes</b>
Natural England's comments on Regulation 18 Consultation	23/8/2016	<p>Natural England's comments helped inform subsequent stages of plan preparation.</p> <p>Support for the landscape character approach; the importance of biodiversity as a core component of sustainable development and the need to protect designated sites and damage to existing biodiversity features were agreed.</p>
Natural England's response to 'Towards a Local Plan for Charnwood'	7/6/2018	<p>Natural England's comments influenced policy development for a number of key parts of the plan.</p> <p>There was strong support for a biodiversity net gain approach, and strategy choices which avoided adverse impact on nature conservation sites, protected landscapes and best and most versatile land.</p> <p>There was general support for the Council's approach to green infrastructure as well as the role that green wedges and areas of local separation can play in supporting green infrastructure</p>
Keep in touch meeting to provide an update on local plan preparation and share views on environmental policy.	1/6/2021	<p>Agreement on wide range of issues was secured such as the importance of green space in urban areas, the importance of connectivity between sites, a habitat based approach to tree planting and the plan's approach to landscape designation.</p> <p>The timescale for the Council's future work in preparing a</p>

Event	Date	Outcomes
		Biodiversity Strategy was also shared.
Meeting to discuss representations concerning design policy, sustainable construction, biodiversity and green infrastructure.	15/10/2021	Natural England acknowledged that they were all issues which were matters of detail and emphasis, and the plan provided sufficient policy hooks to enable effective implementation. The two parties agreed to continue discussions on key issues, particularly related to nature recovery and biodiversity.