



Mansfield
District Council

Mansfield District Council

Biodiversity Net Gain Supplementary Planning Document (SPD)



Consultation Statement | July 2023

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1.0 Introduction

Purpose of this statement

- 1.1 It is important that the council engages with the community throughout the preparation of the Local Plan and other planning policy documents. In doing so the Council follows its adopted Statement of Community Involvement (SCI) and the Regulations¹ governing the development plan process.
- 1.2 In this case, we were consulting on a draft supplementary planning document (SPD) in relation to Biodiversity Net Gain (BNG) which, upon adoption, will be used to provide additional information and guidance to Policy NE2 of the Mansfield Local Plan, and as a material planning consideration. This consultation took place for six weeks between 6 January 2023 and 20 February 2023. We also consulted on an Affordable Housing SPD at the same time.
- 1.3 This statement explains how we consulted and how we have taken the views of consultees into consideration during the preparation of the final SPD.

Biodiversity Net Gain (BNG) Supplementary Planning Document (SPD)

- 1.4 The Biodiversity Net Gain SPD provides detailed information about:
- minimum biodiversity net gain requirements;
 - setting thresholds for development types and use of the metric;
 - process for measuring net gain;
 - evidence required to demonstrate measurable net-gain;
 - application of the BNG hierarchy;
 - approaches to securing BNG;
 - securing BNG in the long term;
 - designated sites;
 - long term monitoring, maintenance and management of BNG;
 - Nature Recovery Network, Local Nature Recovery Strategy and BNG;
 - off-setting and compensatory sites in Mansfield District and Nottinghamshire County;
 - UK 30 x 30 target;
 - use of 'The Environmental Benefits from Nature tool';
 - biodiversity net gain and green infrastructure.

¹ Town and Country Planning (Local Planning) (England) Regulations 2012.

Structure of this Statement

1.5 This statement is structured as follows:

- **Section 2** gives details on who was consulted including the list of specific and general consultation bodies,
- **Section 3** sets out how the consultation was undertaken,
- **Section 4** outlines who responded including the chosen response methods,
- **Section 5** provides a summary of the main issues raised and our response, and
- **Section 6** provides a conclusion to the consultation.

2.0 Who was consulted?

- 2.1 We sent a notification, either electronically or by post to 1,722 individuals and organisations registered on the local plan database. The notification explained the purpose of the consultation event and invited representations. This included the following specific and general consultation bodies. We also highlighted the upcoming consultation to members of the Mansfield Developers' Forum at a meeting that was held on 9 December 2022.

Specific consultation bodies:

Arqiva	Mobile UK
Ashfield District Council	N Power
Bassetlaw District Council	National Grid
Bolsover District Council	Natural England
BT Group Plc	Network Rail
Chesterfield Borough Council	Newark & Sherwood District Council
Clipstone Parish Council	NHS Nottingham and Nottinghamshire ICB
Coal Authority	NHS Property Services
Defence Infrastructure Organisation	North East Derbyshire District Council
Department for Transport	Norton and Cuckney Parish Council
Derbyshire County Council	Nottingham City Council
E.ON Central Networks	Nottinghamshire County Council
E.ON Energy Ltd	Nottinghamshire Fire & Rescue Service
East Midlands Councils	Nottinghamshire Police and Crime Commissioner
East Midlands Railway	Perlethorpe-cum-Budby Parish Meeting
Edwinstowe Parish Council	Rainworth Parish Council
Environment Agency - Lower Trent Area	Rufford Parish Council
Gedling Borough Council	Severn Trent Water Ltd
Health & Safety Executive	Severn Trent Water Ltd. (Mansfield)
Highways England	Sherwood Forest Hospitals NHS Trust
Historic England	Shirebrook Town Council
Homes England	Telefonica O2 UK Ltd
Home Builders Federation	Virgin Media
Hutchison 3G UK Ltd	Vodafone Ltd
Mansfield and Ashfield Strategic Partnership	Warsop Parish Council

General consultation bodies:

Age Concern Nottinghamshire	Groundwork Creswell, Ashfield & Mansfield
Age UK Nottinghamshire	National Farmers Union
Albert Street Residents Association	Health & Safety Executive
Ancient Monuments Society	Mansfield 2020 Ltd
APTCCO	Mansfield Community and Voluntary Service
Ashfield Links Forum	Nottinghamshire Biological and Geological Records Centre
British Horse Society	Nottinghamshire Wildlife Trust
Citizens Advice Bureau	Planning Inspectorate
Country Land and Business Association Ltd	Royal Society for the Blind (Nottinghamshire)
Derbyshire and Nottinghamshire Chamber of Commerce	Society for the Protection of Ancient Buildings
Derbyshire and Nottinghamshire Local Enterprise Partnership	Sport England
Derbyshire County Council	Stagecoach East Midlands
Derbyshire Gypsy Liaison Group	Sure Start Meden Valley
Disability Nottinghamshire	Sure Start Ravensdale
Forest Town Community Council Planning Sub-Committee	Woodland Trust
Forest Town Nature Conservation Group	

3.0 How was the consultation undertaken?

3.1 A number of consultation methods were used in the preparation of the draft Biodiversity Net Gains SPD to invite people's views and comments on it. The list below sets out the details of the methods of engagement used.

Pre-consultation engagement

3.2 In developing the draft SPD there were various consultations carried out with other teams at the council as well as with Natural England, Environment Agency and Nottinghamshire Wildlife Trust. The comments made were used to inform the content of the document.

Statutory requirements

3.4 There is a statutory requirement to consult on SPDs. The consultation period was extended from four to six weeks (between 9 January and 20 February 2023) to allow people plenty of time to make comments.

- **Consult with specific and general consultation bodies** - Consultation was undertaken with the specific and general consultation bodies recorded in the local plan database (see tables in section 2). All organisations were sent a notification either electronically or by post including details about the consultation together with a link to the relevant webpage (<https://mansfield-consult.objective.co.uk/kse>) where access to the report and online questionnaire was made available. This letter was also emailed / posted to all members of the public on the database, and can be viewed in Appendix 1.

Statement of Community Involvement

3.5 We made sure that we were in accordance with the Council's 2022 Statement of Community Involvement that was council policy at the time:

- **Making copies of documentation available for inspection** - Copies of the document, posters and the questionnaire were made available to view at the following venues:
 - Mansfield District Council - Civic Centre, Chesterfield Road South
 - Clipstone Village Library - First Avenue
 - Forest Town Library - Clipstone Road West

- Ladybrook Library - Ladybrook Place
 - Mansfield Library - West Gate
 - Mansfield Woodhouse Library - Church Street
 - Rainworth Library - Warsop Lane
 - Market Warsop Library - High Street
 - Warsop Town Hall – Church Street
- **Letters / Emails** - Notifications were sent either electronically or by post explaining the purpose of the consultation and how to comment to 1,722 individuals and organisations registered on the Local Plan database. A copy of the letter is included in Appendix 1.
 - **Website** - A PDF copy of the document was available to view and download from the council's website. The document was also available on the Local Plan Consultation Portal <https://mansfield-consult.objective.co.uk/kse/> to allow people to comment online.
 - **Press releases** - A press release was issued by the council. This gave details of the consultation period and where copies of the document were available for viewing. This was picked up by the Planning Portal who wrote an article on their website². An article was also included within the MDC February email newsletter to residents who are signed up. Copies are included in Appendix 1.
 - **Mansfield Developers' Forum** – A Developers' Forum was held during the prior to the consultation period (9 December 2022). Members were told about the upcoming consultation and encouraged to sign up to the consultation portal to receive notifications.
 - **Social media (Facebook, Twitter, Instagram and LinkedIn)** - The council's social media channels were updated during the consultation period to notify people about the consultation and provide them with links to the consultation portal. The council currently has 19,057 followers on Facebook, 7,067 followers on Twitter, 488 followers on Instagram and 2,318 on LinkedIn. For more information, please see Appendix 1.
 - **Any other business** – Officers have raised awareness of the draft SPD, when appropriate, at other meetings they have attended.

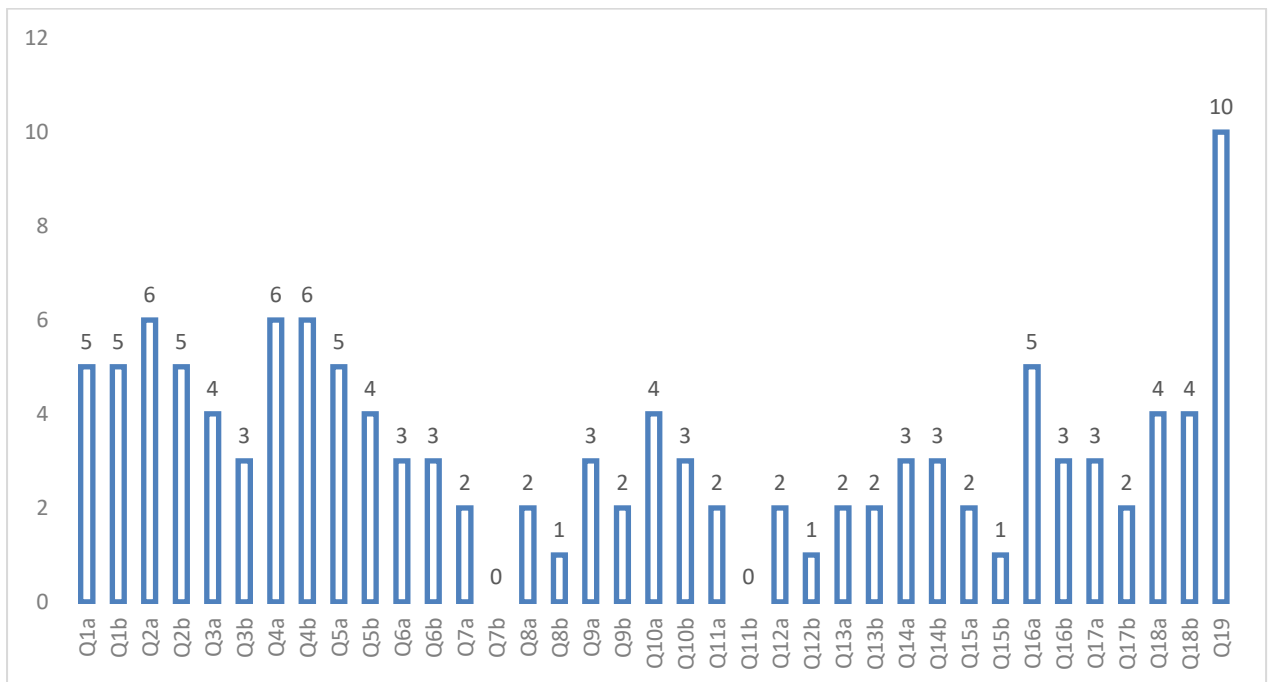
² <https://www.planningportal.co.uk/services/weekly-planning-news/planning-news-26-january-2023>

- **Internal communications (MDC staff)** – The draft SPD was mentioned to all staff during February by all staff email, an article on the intranet, and on our closed staff Facebook group with 403 members.

4.0 Who responded?

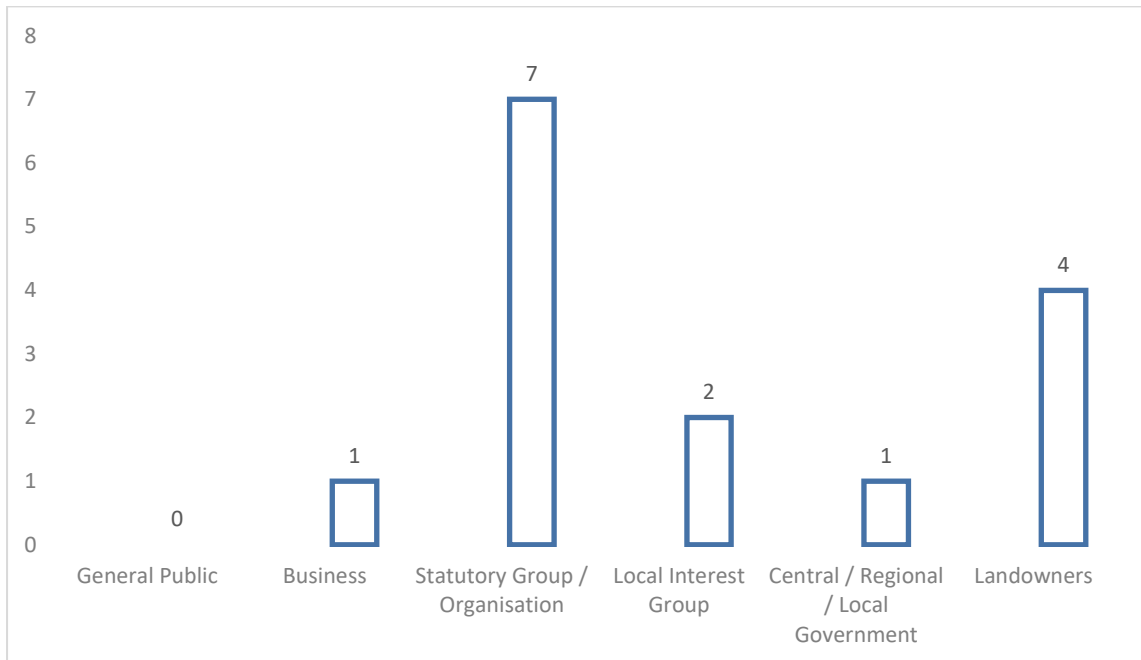
4.1 From those notified about the consultation on the draft SPD, a total of 15 people / organisations responded, although, as shown below, many didn't answer every question. Please see section 5 for more details.

Amount of comments per question:



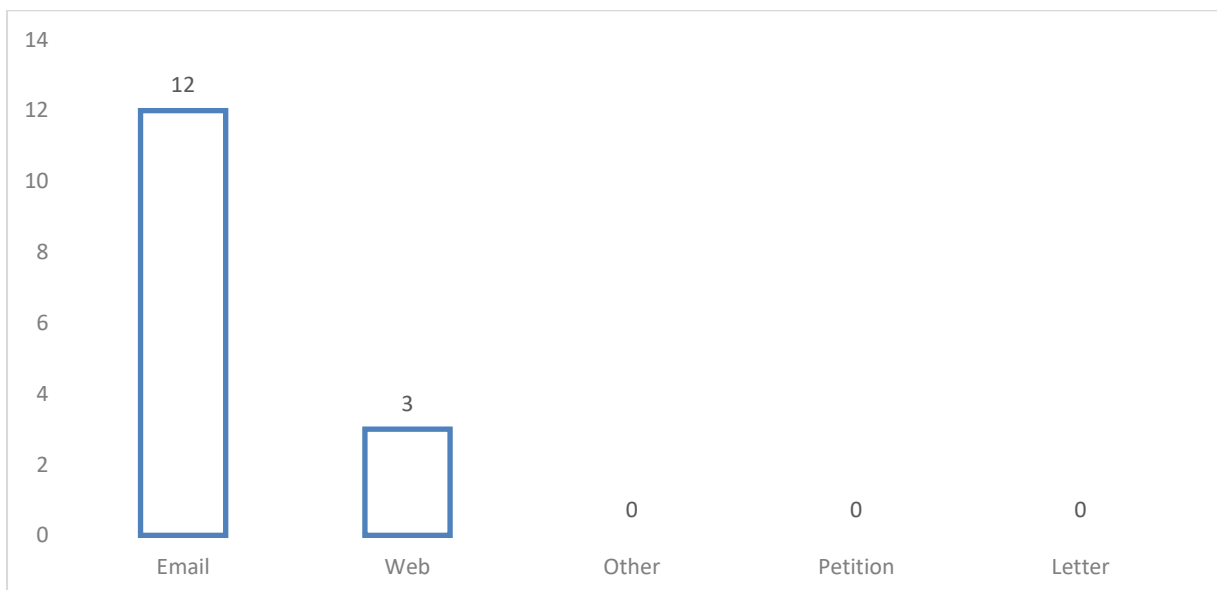
4.2 The breakdown of respondent type on page 8 shows that the majority of responses were submitted from statutory consultees and landowners.

Respondent type:



4.3 The majority of comments were submitted via email. The chosen method of response of all the respondents is set out below.

Response method:



5.0 What was said and what was our response?

5.1 A summary of the comments received and our response is set out below.

Organisation (if applicable)	Comment ref	Officer summary	MDC response to comment / Action
Q1a – Do you agree with the topics proposed to be covered in the SPD?			
Q1b – Reason:			
Natural England	BNG/4	Welcomes the SPD and is supportive of its content and draft policies, which follow the Nottinghamshire BNG Framework (2022).	Noted.
Nottinghamshire Wildlife Trust	BNG/8	The matters covered in the SPD are satisfactory.	Noted.
Environment Agency	BNG/9	Agrees with the topics covered but would like Biodiversity Opportunities Map (BOM) within point 10.	Agree. Until the Local Nature Recovery Strategy is completed, the Biodiversity Opportunities Map will provide a strong basis for identifying potential sites that could optimise the delivery of BNG. Amend para 2.1 (10) and Guidance area BNG10 to include reference to the “... Biodiversity Opportunities Map”
N/A	BNG/12	Agrees with the topics proposed to be covered in the SPD.	Noted.
Historic England	BNG/15	Recommends addition of a historic environment section within the topics covered list.	Agreed. It is important the principles and guidance areas recognise the potential for BNG to contribute towards, and avoid

			<p>adverse impacts on, the built and historic environment.</p> <p>Add text to Principle 10 (pp14):</p> <p>“BNG should not only add to the quality of the natural environment but should also seek to enhance the built and historic environment.”</p>
Q2a – Are there any other matters that you think should be covered in the SPD?			
Q2b – What and why:			
Natural England	BNG/4	Suggests that sections 3.6 and 9 are updated to refer to the government's recent Environment Improvement Plan.	<p>Agreed. Paragraph 3.6.1 has been amended to recognise the update to the 25 year Environment Improvement Plan. Add to sentence 3.6.1:</p> <p>“The Environmental Improvement Plan (EIP) was revised in 2023 with a new plan setting out how the Government will work with landowners, communities and businesses to deliver goals and set targets to measure progress.”</p>
N/A	BNG/6	States that the SPD should also refer to the 2022 Habitat Regulation Assessment (HRA) which informs Newark & Sherwood's Publication Amended Allocations & Development Management DPD. This is on the basis that this suggests an 8.9km recreational zone of influence (ZOI)	The Council has taken legal advice on this issue which concluded that MDC are not obliged to abide by this, albeit it may a material consideration in

	BNG/6 cont.	around the Birklands and Bilhaugh SAC and could potentially be a material planning consideration for MDC.	<p>the determination of planning applications. Action: Insert new section 4.5 that states:</p> <p>“4.5 Birklands and Bilhaugh Special Area of Conservation</p> <p>4.5.1 The Birklands and Bilhaugh Special Area of Conservation is a landscape-remnant of the historic Sherwood Forest, which is of world renowned cultural significance due to the high concentration of ancient oak trees and associated folklore. The designation was designated as one of ‘European level’ importance.</p> <p>4.5.2 Newark & Sherwood District Council (‘N&SDC’) and Bassetlaw District Council (‘BDC’) commissioned consultants to produce a report pertaining to the Special Area of Conservation which identified that its zone of influence extended into Mansfield District.</p> <p>4.5.3 The Council has taken legal advice on this issue which concluded that MDC are</p>
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			not obliged to abide by the zone of influence identified by N&SDC and BDC. However, it may be a material consideration in the determination of planning applications.”
Nottinghamshire Wildlife Trust	BNG/8	Draws attention to the fact that The 25 Year Environment Plan was last updated 22 October 2021.	Noted. The updated BNG SPD now includes reference to the latest update from 2023.
Environment Agency	BNG/9	Doesn't think there should be any other matters covered in the SPD.	Noted.
N/A	BNG/12	Comments that no more matters that should be covered in the SPD.	Noted.
Historic England	BNG/15	Recommends addition of the historic environment within the SPD and reference to historic environment Local Plan policies in section 4.	Agreed. It is important the principles and guidance areas recognise the potential for BNG to contribute towards, and avoid adverse impacts on, the built and historic environment. Add text to Principle 10 (pp14): “BNG should not only add to the quality of the natural environment but should also seek to enhance the built and historic environment.”
Q3a – Do you agree with the proposed guidance relating to the general principles underpinning the SPD?			
Q3b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the proposed guidance relating to the general principles of the SPD. Highlights there should be no net loss of priority habitats and no loss	Agreed. BNG SPD6 sets out in section C) that: “There should be

		of rare and endangered species as identified in listed plans and acts. Highlights that use of Biodiversity Opportunity Mapping until a Local Nature Recovery Strategy (LNRS) is adopted. BNG should be located as close to the point of impact as possible, on suitable land.	no net loss of priority habitats and species within the District” and in section. Section E BNG SPD6 to be amended to read: “There should be no loss of rare and endangered, Section 41 and protected species³ or their habitats”
Environment Agency	BNG/9	Agrees with the proposed guidance relating to the general principles, no comment provided.	Noted.
N/A	BNG/12	Supports most of the general principles, the following summarises comments made on the matters proposed: Principle 2 - Suggests the principle is unnecessary, as there is already policy and law in place to protect irreplaceable biodiversity- Recommends removal of the principle. Principle 4 - Suggests the principle should be amended as it adds further pressure on development based on unreasonable expectations Principle 7 - Concerns over how much BNG should be provided by developers and the detail included in principle 7. Additional concern over viability issues arising from development proposals and how outcomes could surpass national requirements. Overall, the comments provided recommend amendments.	Noted. Noted. It does no harm to reiterate the importance of these habitats and statutory responsibilities. It is considered prudent to allow a contingency. It does not require provision over and above the 10% requirement. Principle 7 seeks only to emphasise that MDC are seeking gains arising from development not what would occur naturally.
Historic England	BNG/15	Supports Principle 10 but recommends the addition of reference to the historic environment. Supports the principles of paragraph 6.9 but	Agreed. Principle 10 amended to reflect this. Action: Addition of text to read: “BNG should not only

³ As defined nationally under Section 41 of the NERC Act (2006) and in the Nottinghamshire Local Biodiversity Action Plan

		considers a management plan is necessary to ensure principles are delivered and the historic environment is considered holistically.	add to the quality of the natural environment but should also seek to enhance the built and historic environment.”
Q4a – Do you agree with the proposed guidance relating to minimum net gain?			
Q4b – Reason:			
Natural England	BNG/4	Welcomes the 20% BNG target.	Noted.
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the guidance relating to minimum net gain, where it can be measurable for overall BNG gain of at least 10%. Highlights the need to recognise the scale of the past and recent losses of habitats and species in Nottinghamshire and how developments can help to deliver additional biodiversity. Recognises the impact that the 20% target could have on viability for some schemes but suggests that the cost difference is marginal and points to the urgency of the need to attract biodiversity to Nottinghamshire to deliver benefits.	Noted. The SPD refers to Mansfield (and Nottinghamshire) experiencing a decline in species and habitats. Nottinghamshire has witnessed the extinction and / or substantial contraction in the population size and range of many species
Environment Agency	BNG/9	Agrees with the guidance relating to minimum net gain, with more than 10% being encouraged but acknowledges viability. Suggests the biggest cost is up to 10% and lower costs thereafter up to 15% and 20%, highlighting that BNG is unlikely to render development unviable. Provides an example by Kent Nature Partnership.	Noted.
N/A	BNG/12	Does not agree with the proposed guidance relating to minimum net gain and suggests it should be removed from the SPD. Highlights that 10% minimum net gain is not yet a legal requirement and that minimum BNG should be at least 1% or in line with legal requirements of the Environment Act. Suggests that this SPD should avoid setting minimum BNG standards and should be set by legal national requirements to ensure local policy aligns with and does not contradict page 3 national legal requirements.	Disagree. The Environment Act 2021 makes biodiversity net gain mandatory from November 2023. Mansfield district Council intends to be ready to meet this new legal requirement now. By the time of final adoption, mandatory requirements will only be a couple of months away.

		<p>Disagrees with the target of 20% being encouraged, as it exceeds BNG required by law and it would cause issues to development proposals in two ways:</p> <p>1 - an encouraged target is a vague and weak policy position, stakeholders to development could have multiple competing views</p> <p>2 - Doubling BNG requirements will render many proposals unviable.</p>	<p>BNG is already required through national planning policy in England and Wales.</p> <p>Seeking 20% BNG is an aspiration that aligns with other LPAs in Nottinghamshire. The SPD does not 'require' this but supports this approach.</p>
N/A	BNG/13	Concerned over the SPD introducing new policies regarding Part C and the encouragement of the 20% BNG requirement. Concerned over how this may impact the viability of development proposals.	Seeking 20% BNG is an aspiration that aligns with other LPAs in Nottinghamshire. The SPD does not 'require' this but supports this approach.
N/A	BNG/14	Concerned over the SPD introducing new policies regarding Part C and the encouragement of the 20% BNG requirement. Concerned over how this may impact the viability of development proposals.	Seeking 20% BNG is an aspiration that aligns with other LPAs in Nottinghamshire. The SPD does not 'require' this but supports this approach.
Q5a – Do you agree with the proposal to use Metric 3.1 to measure biodiversity net gain impacts in the Mansfield district?			
Q5b – Reason:			
Natural England	BNG/4	Strongly supports the use of Biodiversity Metric 3.1.	Noted.
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the proposal to use Metric 3.1 to measure BNG net gain impacts, highlighting the importance for MDC to use the most up to date version.	Noted.
Environment Agency	BNG/9	Agrees with the proposal to use metric 3.1, no comments received.	Noted.
N/A	BNG/13	Does not agree with the use of Metric 3.1, highlights the inclusion of version 4.0 or the last relevant adopted update of the metric.	Agree. The latest version of the metric should be used. Action: Amend the text to remove

			reference to metric 3.1 and replace with metric 4.0.
N/A	BNG/14	Does not agree with the use of Metric 3.1, highlights the inclusion of version 4.0 or the last relevant adopted update of the metric.	Agree. The latest version of the metric should be used. Action: Amend the text to remove reference to metric 3.1 and replace with metric 4.0.
Q6a – Do you agree with the proposal to encourage use of the Small Sites Metric to measure biodiversity net gain impacts on small sites in the Mansfield district?			
Q6b – Reason:			
Natural England	BNG/4	Strongly supports the use of the Small Sites Metric.	Noted.
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the proposal to encourage use of the Small Sites Metric.	Noted.
Environment Agency	BNG/9	Comments that BNG should be encouraged at every opportunity and implemented where possible.	Noted.
Q7a – Do you agree with the guidance relating to the process for measuring net gain impacts in the Mansfield district?			
Q7b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	No comments.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to the process of measuring net gain impacts, no comment received.	Noted.
Q8a – Do you agree with the guidance relating to establishing the value of biodiversity assets in the Mansfield district?			
Q8b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	7.4.1 should read 'Nottinghamshire Wildlife Trust'. Agrees with the guidance relating to establishing the value of biodiversity assets, but would like to see an amendment to 7.4.1.	Agreed. Action. Para 7.4.1 amended to read: “....This includes Nottinghamshire Wildlife Trust.... ”
Environment Agency	BNG/9	Agrees with the guidance to establish the value of biodiversity assets in Mansfield, no comment received.	Noted.

Q9a – Do you agree with the proposed guidance relating applying the migration hierarchy in the Mansfield district?			
Q9b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the guidance relating to applying the mitigation hierarchy, highlighting the importance for delivery of BNG including what should be included for applications. Highlights the NPPF where the mitigation hierarchy is set out.	Noted.
Environment Agency	BNG/9	Agrees with the guidance to applying the migration hierarchy, no comment received.	Noted.
N/A	BNG/12	Supports the use of the migration hierarchy to secure BNG. Has concerns about Part G SPD BNG 5. Suggests the same response to question 4, that the 10% BNG target should be removed to state that BNG should be provided in line with current national requirements.	Noted. The guidance seeks to protect existing features and achieve a minimum of 10% BNG in line with emerging legislation. The wording has been amended to avoid confusion that the guidance area is requiring more than 10%. Action: Amend BNG SPD5 F. (a) to read: “a. Avoid any adverse impacts on quantity and quality of ecological features and secure a minimum of 10% net gain (Avoid)”
Q10a – Do you agree with the guidance relating to approaches to securing biodiversity net gain in the Mansfield district?			
Q10b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 10a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance to the approaches to securing BNG, has recommendations of minor points to add, including: ‘Planting and landscaping’ section (pp29), consider including “creation of buffer strips along water courses and farmland”.	Noted. Action. Additional bullet point added: “Creation of buffer

		<p>'Planting and landscaping' (p29), inclusion at least one 'water' or 'river-based' feature, such as "improving and re-naturalising waterways wherever possible, when heavily modified"</p> <p>Under the heading 'drainage and water management' (p30), consider adding to the 5th bullet point: "...and actions which improve and re-naturalise waterways wherever possible"</p>	<p>strips along water courses and farmland"</p> <p>Action. Additional bullet point added: "•Improving and re-naturalising waterways wherever possible, when heavily modified"</p> <p>Action: Include new bullet point: "•Actions which improve and re-naturalise waterways wherever possible"</p>
N/A	BNG/13	Supports the guidance relating to approaches to securing biodiversity net gain. Highlights emphasis to SPD 6 for clarity regarding pre-application discussions to ensure the most appropriate approach is taken including on/off site provision.	Noted.
N/A	BNG/14	Supports the guidance relating to approaches to securing biodiversity net gain. Highlights emphasis to SPD 6 for clarity regarding pre-application discussions to ensure the most appropriate approach is taken including on/off site provision.	Noted.
Q11a – Do you agree with the guidance relating to approaches to securing biodiversity net gain in the long-term in the Mansfield district?			
Q11b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 11a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance to approaches to secure BNG long term, no comments received.	Noted.
Q12a – Do you agree with the guidance relating to biodiversity net gain in designated sites in the Mansfield district?			
Q12b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 12a but no comments received.	Noted.

Environment Agency	BNG/9	Agrees with the guidance relating to BNG in designated sites. Recommends an alteration to BNG SPD 8 on page 36 for clarity.	
Q13a – Do you agree with the guidance relating to long term management of biodiversity net gain in the Mansfield district?			
Q13b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 13a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to the long term management of BNG. Seeks an amendment to add what form of remedial action might take place, for clarity.	Noted. BNG SPD 9 considers replacement provision to be the preferable solution in terms of 'remediation' for any shortfall. Fines may not always be appropriate, as they may become the 'path of least resistance' and not deliver the required 10% gain. At the time of drafting this paper, no Natural England guidance on remediation had been provided.
N/A	BNG/12	Highlights concerns around BNG SPD9 and provides a recommendation that the 30 year management is amended to ensure policy is derived from national legal requirements.	
Q14a – Do you agree with the guidance relating to the relationship with the Local Nature Recovery Strategy (LNRS) in the Mansfield district?			
Q14b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the guidance relating to the relationship with the LNRS. Highlights the vision set out in the 25 Year Environment Plan and the Environment Act 2021.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to the relationship with the LNRS.	Noted.
Historic England	BNG/15	Highlights the utilisation of historic mapping alongside biodiversity mapping.	Noted.
Q15a – Do you agree with the guidance relating to off-setting and compensatory measures for biodiversity net gain in the Mansfield district?			

Q15b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 15a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to off-setting and compensatory measures, no comments provided.	Noted.
Q16a – Do you agree with the guidance relating to contributing to the UK 30 x 30 target?			
Q16b – Reason:			
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 16a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to the UK 30 x 30 target, no comments provided.	Noted.
N/A	BNG/12	Disagrees with the guidance as the UK 30 x 30 target is not a legal requirement and that the policy is vague and has no basis in law. Suggests an amendment to the wording around the policy and the removal of BNG SPD 12.	Noted. It is accepted that the Government's 30 x 30 policy is not a legal requirement. However, it is a key part of the Government's objectives to deliver improved environmental quality across the UK. It is supported through ministerial statements and can be considered a material consideration in the determination of planning applications. BNG12 is aspirational and not a requirement.
N/A	BNG/13	Does not agree with the guidance relating to the UK 30 x 30 target. Highlights there is no detailed county-wide spatial distribution and suggests an amendment to the requirement.	The UK 30x30 target is a key part of the Government's objectives to deliver improved environmental quality across the UK. It is supported through ministerial statements and can be considered a material

			consideration in the determination of planning applications. BNG12 is aspirational and not a requirement.
N/A	BNG/14	Does not agree with the guidance relating to the UK 30 x 30 target. Highlights there is no detailed county-wide spatial distribution and suggests an amendment to the requirement.	The UK 30x30 target is a key part of the Government's objectives to deliver improved environmental quality across the UK. It is supported through ministerial statements and can be considered a material consideration in the determination of planning applications. BNG12 is aspirational and not a requirement.
Q17a – Do you agree with the guidance relating to using the Environmental Benefits from Nature tool?			
Q17b – Reason:			
Natural England	BNG/4	Supports use of the Environmental Benefits for Nature Tool.	Noted.
Nottinghamshire Wildlife Trust	BNG/8	Agrees with 17a but no comments received.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to using the Environmental Benefits from Nature tool, no comments provided.	Noted.
Historic England	BNG/15	States that these comments are also relevant to Section 13 regarding Green Infrastructure.	Noted.
Q18a – Do you agree with the guidance relating to improving green infrastructure as part of biodiversity net gain?			
Q18b – Reason:			
Natural England	BNG/4	Supports draft policy GI SPD 14, and suggests that references are made to the recently launched Green Infrastructure Framework [https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx].	Agreed. Action: New paragraph inserted after 7.14.2 which states: “Natural England provide guidance relating to the provision of Green Infrastructure which includes potential benefits for the

			<p>provision of Biodiversity. This can be accessed via the following link: https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx”</p>
Nottinghamshire Wildlife Trust	BNG/8	Agrees with the guidance relating to improving GI as part of BNG, highlighting an amendment to paragraph 7.14.1.	Noted.
Environment Agency	BNG/9	Agrees with the guidance relating to improving GI as part of BNG. Suggests a change to GI SPD 14 (page 44) which seeks to incorporate more opportunities for blue infrastructure with reference to the Humber River Basin Management Plan. Also a suggestion to reference the Green Infrastructure Framework published by Natural England.	<p>Noted. The policy refers to ‘<u>Blue</u>’ and Green infrastructure and a new paragraph has been introduced which refers to Natural England’s guidance relating to Green Infrastructure. Action: Amend BNG SPD14 to add bullet points:</p> <ul style="list-style-type: none"> • “.....An extensive network of green and blue corridors (and associated buffer zones) and natural habitat • Restoring watercourses to a more natural state...”
Historic England	BNG/15	States that the historic environment could be considered under Question 18.	Noted.
Q19 – Do you have any other comments on the draft SPD?			
Derbyshire and Nottinghamshire Local Enterprise Partnership	BNG/1	No comments.	Noted.

Sport England	BNG/2	No comments.	Noted.
Nottingham & Nottinghamshire ICB	BNG/3	Does not expect the SPD to impact upon their s106 requests for health contributions from residential schemes.	Noted.
Highways England	BNG/5	The SPD will not impact the safe operation of the Strategic Road Network. As a statutory consultee on planning applications the SPD will indirectly be taken into consideration as part of any Transport Assessments / modelling work reviewed.	Noted.
Derbyshire County Council	BNG/7	No comments.	Noted.
Nottinghamshire Wildlife Trust	BNG/8	No additional comments.	Noted.
Environment Agency	BNG/9	Welcomes the document and the opportunity to comment. Recommends greater inclusion or reference to blue-green infrastructure and blue-green corridors. Highlights a grammar check on 'biodiversity' and 'bio-diversity'	Noted. The SPD makes multiple references to Blue and Green Infrastructure, most notably in BNG14. Action: 'Bio-diversity' has been replaced with ' biodiversity '.
The Coal Authority	BNG/10	No comments.	Noted.
N/A	BNG/11	Highlights paragraph 1.3 as the end date is missing, a link at paragraph 7.3.3 and a typing error at paragraph 7.1. Highlights paragraph 1.1 regarding SPDs being capable of a material consideration but not automatically deemed. Concern over whether the SPD is premature as minimum BNG isn't in force until at least November 2023 and documents referred to that are not yet available. Highlights that SPDs shouldn't set new policy and this should be done through the Local Plan process. Highlights that the SPD needs clarity over the types of applications that will not require biodiversity assessments up front and highlights the implications.	Noted. Paragraph 1.3 has been removed from the document. Link to Natural England site added as a footnote. Reference to BE2 removed and NE2 added. The SPD will be material consideration. It is noted that 10% BNG will not be mandatory until November 2023. This is only some 2 months after the anticipated adoption of the SPD. Negotiations regarding planning applications during the interim

			period will seek to take this into account.
Historic England	BNG/15	Recommends the addition of a clause in Section 7 to consider the historic environment when creating new habitats/landscapes. Highlights the need to reference the historic environment.	Principle 10 has been amended to add: "BNG should not only add to the quality of the natural environment but should also seek to enhance the built and historic environment. "

6.0 Conclusion

6.1 This consultation focused on the council's approach to securing, delivering and managing Biodiversity Net Gain (BNG) as part of new developments. There was a modest response to the consultation and comments we received were generally supportive. However, the comments received were sufficiently detailed to have helped inform the content of the SPD. There was a mix of respondents representing specific consultation bodies, general consultation bodies and a small number of landowners.

Next steps

6.2 All comments have been considered and will inform the final version. The following changes have been made to the SPD as a result of the consultation:

- Para 2.1 (10) and Guidance area BNG10 have been amended to include reference to the "...**Biodiversity Opportunities Map**....."
- Principle 10 has been amended to refer to "**the built and historic environment.**"
- Paragraph 3.6.1 has been amended to refer to the updated 'Environmental Improvement Plan (EIP)' which was revised in 2023
- A new paragraph 4.5 has been added that refers to the Council's obligations in relation to the Birklands and Bilhaugh Special Area of Conservation.
- Text has been added to Section E BNG SPD6 to reinforce that there should be no loss of rare, endangered species and protected species or their habitats.
- The text has been updated to refer to the latest version of the Biodiversity metric (version 4.0).
- Section BNG SPD5 F has been amended to read: "**a. Avoid any adverse impacts on quantity and quality of ecological features and secure a minimum of 10% net gain (Avoid)**"
- Additional text has been inserted to emphasise the importance of 'blue infrastructure' including waterways and their buffer zones / margins. It also refers to restoring watercourses to a more natural state.


- A new paragraph has been inserted that refers to natural England Guidance in relation to Green Infrastructure.

6.3 The document is due to be adopted in September 2023. Following this, the document will be used to guide developers and inform planning decisions in Mansfield district.

Appendix 1

- Letter (89 letters and 1,633 (similar) emails sent)

Mansfield District Council



«AddressBlock»

«GreetingLine»

Re: Mansfield District Council draft supplementary planning documents (SPDs) on Affordable Housing and Biodiversity Net Gains


Mansfield District Council is committed to delivering sustainable communities that are safe, healthy and inclusive. This includes the provision of affordable housing to meet the needs of the residents within the district, and providing biodiversity net gain through new developments.

The district council has produced a two draft SPDs to expand upon policies in the Adopted Mansfield District Local Plan 2013 – 2033 (which can be viewed at <https://www.mansfield.gov.uk/local-plan/adopted-local-plan-2013-2033>).

The draft **Affordable Housing Supplementary Planning Document (SPD)** relates to Policy H4 and provides more details about how the planning system will help secure the provision of affordable housing within the district. This includes cases where physical or financial planning obligations (also known as Section 106 Agreements or 'planning gain') may be required and how any financial obligations will be calculated. It also sets out the district council's position on how it will address the requirements in relation to First Homes. The planning practice guidance on First Homes can be viewed at <https://www.gov.uk/guidance/first-homes>

The draft **Biodiversity Net Gains Supplementary Planning Document (SPD)** relates to Policy NE2 and sets out the preferred approach to providing biodiversity net gain arising from new developments. The SPD will provide a basis for seeking biodiversity net gain in advance of the mandatory 10 percent target from November 2023 onwards, introduced by the Environment Act 2021.

You can make comments on the draft SPDs from **9 January to 5pm on 20 February**. All comments received will be used to inform the final documents which, upon adoption by Mansfield District Council, will be material considerations when determining planning applications.



You can view the documents and comment online by visiting our consultation portal: <https://mansfield-consult.objective.co.uk/kse> or by scanning the QR code on the left with the camera on your smartphone.

Your username is: «Username»

Contact: [REDACTED]

Your ref: «Person_ID»

Our ref: SPD2023

Direct line: 01623 463322

Email: lp@mansfield.gov.uk

Date: 5 January 2023

Andy Abrahams – Elected Mayor Adam Hill – Chief Executive Officer
Civic Centre, Chesterfield Road South, Mansfield, NG19 7BH
www.mansfield.gov.uk T 01623 463463 E mdc@mansfield.gov.uk [f MyMansfieldUK](https://www.facebook.com/MyMansfieldUK) [t @MDC_News](https://twitter.com/MDC_News)

To make comments online, please contact us quoting your reference or username, at lp@mansfield.gov.uk or on 01623 463322 / 463182 / 463200 so that we can link your account with your email address and send you a password.

You can also view a copy of each document at the Civic Centre and at each county library in the district during the consultation period. Please check opening times.

Comments must be made in writing and should preferably be sent electronically via the consultation portal or by email to lp@mansfield.gov.uk. Any comments sent by post should be addressed to the Planning Policy Team Leader at the address below and reach the council no later than **5pm on 20 February 2023**.

Mansfield District Council
Civic Centre
Chesterfield Road South
Mansfield
NG19 7BH

Please note that any comments you make may be made publicly available. We will process your data in accordance with our privacy statement. This can be viewed at www.mansfield.gov.uk/privacy.

You have received this letter because you are listed on Mansfield District Council's Local Plan database. We'd be grateful if you could let us know your email address so that we can reduce our paper usage. Please contact us, quoting your reference or username, at lp@mansfield.gov.uk or on 01623 463322 / 463200 / 463182 to update your details, for further information, or to be removed from our records.

Yours Faithfully

[Redacted Signature]

[Redacted Name]

Principal Planning Policy Officer
Mansfield District Council

- Press release (9 January 2023)

<https://www.mansfield.gov.uk/news/article/11612/have-your-say-on-documents-to-increase-biodiversity-and-affordable-housing-in-mansfield>

Have your say on documents to increase biodiversity and affordable housing in Mansfield



People are being given a chance to help shape proposed planning guidance documents for developers on how they can increase biodiversity and affordable housing.

Mansfield District Council is running a six-week public consultation from 9 January to 20 February for its proposed Biodiversity Net Gain Supplementary Planning Document (SPD) and Affordable Housing SPD.

Both documents were given formal approval to go to consultation by the Portfolio Holder for Regeneration and Growth on 5 December.

The biodiversity document will sit alongside the council's adopted Local Plan and seeks to set out the preferred approach to delivering biodiversity net gain arising from new developments within the district.

It also seeks to provide a basis for biodiversity net gain before the introduction of the mandatory 10 percent target in November 2023, passed through the Environment Act 2021.

The affordable housing SPD covers the council's approach to First Homes, the type and tenure of affordable housing required, build-to-rent schemes and specialist housing accommodation.

In addition to the Local Plan, the affordable housing SPD will provide the process and mechanisms to help ensure that the affordable housing required is delivered through the planning application and development process.

The documents can be accessed and downloaded on the council website in the planning policy section at www.mansfield.gov.uk/planningconsultation (opens in new window). People can take part in the consultation by answering questions at the end of each section using online or paper questionnaires.

Councillor Stuart Richardson, Portfolio Holder for Regeneration and Growth, said: "The council is committed to delivering measurable environmental benefits and high-quality developments to our residents, and the new metric included encourages developers to measure biodiversity impacts will pave the way.

"Without the biodiversity document, the council would have to rely on the policy adopted within the local plan, which does not give detail or quantity for how much biodiversity is on a site, meaning it also cannot be managed or monitored.

"The affordable housing document covers the type and tenure of affordable housing required in the district, build to rent schemes, and design and layout. This guidance will be a material consideration when determining planning applications within the district.

"I would encourage all our residents to engage with the consultation and have their say on how biodiversity and affordable housing can be shaped on future developments in the district."

Printed copies of the draft guidance can also be viewed at Mansfield Civic Centre or libraries within the district. A printed copy can also be provided in exceptional circumstances where someone cannot access the document online. Comments should be returned in person or by mail.

To find out more about council planning policy, visit the council website at www.mansfield.gov.uk/planning-policy (opens in new window).

Published: January 9th 2023

See also: <https://www.planningportal.co.uk/services/weekly-planning-news/planning-news-26-january-2023>

- Social media

Posts were added to the council's Facebook, Instagram, Twitter and LinkedIn social media channels twice a week from 2 January

Examples:

- Facebook



<i>Facebook statistics – average per post</i>	
<i>Reach</i>	1,478
<i>Engagements (inc. shares, reactions, comments)</i>	567

• *Instagram*



<i>Instagram statistics – average per post</i>	
<i>Reach</i>	587
<i>Engagements (inc. likes, comments, shares)</i>	3

• *Twitter*



<i>Twitter statistics – average per post</i>	
<i>Impressions</i>	354
<i>Engagement</i>	15

- *LinkedIn*



<i>LinkedIn statistics – average per post</i>	
<i>Organic Impressions</i>	312
<i>Engagement</i>	5

- *Email newsletter – February 2023*



Have your say on biodiversity and affordable housing in Mansfield

Mansfield District Council is running a six-week public consultation from 9 January to 20 February for its proposed Biodiversity Net Gain Supplementary Planning Document (SPD) and Affordable Housing SPD.

[Read more here](#)

<i>Email statistics</i>	
<i>Circulation</i>	1.6K
<i>Open rate</i>	53.6%
<i>Click rate</i>	9.8%



Mansfield
District Council

Mansfield District Council

Are you interested in shaping guidance for developers on biodiversity and affordable housing?

We are currently consulting on two documents and would like to hear your views.

The **Draft Affordable Housing Supplementary Planning Document (SPD)** sets out guidance for developers on how affordable housing will be provided as part of housing developments within the district.



The **Draft Biodiversity Net Gains Supplementary Planning Document (SPD)** sets out an approach to providing biodiversity net gain arising from new developments.

Available to view here and at:

<https://mansfield-consult.objective.co.uk/kse>



by 5pm on
20 February 2023

Please send
your comments to:

Planning Policy Team, Mansfield District Council,
Civic Centre, Chesterfield Road South, Mansfield, NG19 7BH