

Biodiversity Duty Statement: First consideration by Test Valley Borough Council

February 2024

1 Introduction

- 1.1 This report provides an overview of Test Valley Borough Council's approach to conserving and enhancing biodiversity. It has been prepared in the context of the requirements of the Environment Act 2021.

2 Background

Environment Act 2021 duties

- 2.1 Since 1 January 2023, there has been a statutory duty on all public bodies to conserve and enhance biodiversity, which has been updated from the previous duty¹ that focused on the conservation of biodiversity. Additional obligations were set out in the Environment Act 2021 in the context of this duty, with public authorities needing to²:

- a) Consider what they can do to conserve and enhance biodiversity;
- b) Agree policies and specific objectives based on their consideration; and
- c) Act to deliver the policies and achieve these objectives.

- 2.2 The first stage in considering these requirements is to reflect on what the Council is already doing that contributes to conserving and enhancing biodiversity, including through working with partners. This has been used as a basis for exploring the approach we take going forward.

Environmental Improvement Plan

- 2.3 The [Environmental Improvement Plan \(2023\)](#) was published by the government to set out plans to improve the natural environment. An apex goal is set out relating to improving nature, with the intention to halt the decline in biodiversity so thriving plants and wildlife can be achieved. A further nine environmental goals are identified that are intended to help achieve this overarching goal. The plan also included a commitment to halt the decline in species abundance and protect 30% of UK land by 2030.

- 2.4 Action taken at a local level has a role to play in helping to achieve the national scale goals and aspirations.

Brief overview of biodiversity in Test Valley

- 2.5 The borough supports a range of biodiversity assets, including internationally and nationally important wildlife sites³, as well as those of local significance.

¹ Through the Natural Environment and Rural Communities Act 2006

² Additional information is available at: <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty>

³ Statutory nature conservation designations cover about 3% of the borough.

Some of these are show on the map in Appendix 1. A variety of habitats can be found in Test Valley, including chalk rivers and streams, woodlands, heathlands, grasslands, and wetlands. It is also home to a range of species, including notable species of fish, butterflies, birds, and plants.

3 Approach to biodiversity in Test Valley

- 3.1 There are a number of ways that the Council is delivering on the duty to conserve and enhance biodiversity. Within this section, a summary is provided of the key policies and actions we take, with further information set out in Table 1. Please note, this statement does not cover all the work the Council does in relation to biodiversity but focuses on the key work areas.

Our policies, objectives, and actions

- 3.2 The Council's Corporate Plan was developed through a collaborative approach, which incorporated cutting-edge community engagement. This engagement process highlighted the importance residents place on the protection and conservation of local wildlife and nature for the future. As a result, one of our five strategic priorities for 2023-2027 focuses on the environment and the provision of a greener borough for our communities. As part of this, we intend to take opportunities to further invest in and nurture the natural environment and biodiversity across Test Valley. There are also clear links with the Council's Climate Emergency Action Plan (2020), which includes actions under the theme of the natural environment, and regeneration proposals for Andover town centre and land south of Romsey town centre.
- 3.3 The delivery of our planning functions is one of the routes through which we have regard to our duty in relation to biodiversity. This includes through the preparation of the planning policy framework and determination of planning applications. From February 2024 applications for major development will have to deliver 10% Biodiversity Net Gain (BNG) and this will then apply to most proposals submitted in April this year. We also work with a number of partners in relation to the establishment, implementation, and review of mitigation frameworks, for example in relation to international nature conservation designations.
- 3.4 The Council manage seventeen sites covering an area over 200 hectares with a primary focus on the conservation of wildlife and providing safe well managed spaces for the community to encounter nature. Our work has a focus on delivering objectives in the national Environmental Improvement Plan (2023) and targets to achieve 30 by 30⁴, through bespoke approach to management and monitoring according to the habitat and species. This work is coordinated through the delivery of site management plans for each site which are reviewed annually.
- 3.5 Partnerships are key to delivery of nature rich spaces at a landscape scale, and we work closely with statutory bodies, conservation charities, private

⁴ This relates to a national commitment to seek to protect 30% of land by 2030.

landowners, and local communities in our work. Table 1 sets out more information on some of the partnership working, including with the Hampshire and Isle of Wight Wildlife Trust, the Wessex Rivers Trust and Andover Trees United.

- 3.6 The Council is proactive in its approach to taking on new land through direct purchase and through land adoption secured through Section 106 legal agreements. This approach enables the Council to embrace opportunities to continue to develop a connected network of spaces for the benefit of both wildlife and people. Most recent acquisition covers the purchase of approximately 13 hectares for Suitable Alternative Green Space at Sherfield English, the purchase of a 16 hectare site reverted from arable to species rich chalk grassland and woodland at Bury Hill in Andover and adoption of 20 hectares of recovering chalk grassland at Harewood Common in Andover.
- 3.7 Habitat connectivity is key to nature recovery and through our work to deliver a joined up and climate resilient network of green spaces we are delivering projects to increase canopy cover and create new urban meadows in our urban parks. This work has seen over 30,000 trees planted and over 31 hectares of meadow created over the last 3 years. Further detail can be found in Table 1.

Links to other strategies

- 3.8 A Hampshire Local Nature Recovery Strategy (LNRS) is in the process of being prepared. This is being led by Hampshire County Council, with Test Valley Borough Council having a formal role as a supporting authority. The Council is engaging in the preparation of the LNRS, which is likely to be finalised by the end of 2024. At this point, the Council will have a role in supporting the delivery of the LNRS through a range of mechanisms. Having an understanding of the opportunities identified through the LNRS will be important to help inform the Council's approach going forward.
- 3.9 The Council will have regard to any species conservation strategies and protected site strategies that are relevant to the borough and will keep under review any opportunities to contribute to such strategies where they exist.
- 3.10 There are also links to strategies for the New Forest National Park and North Wessex Downs National Landscape, both of which partly lie within the borough. The Council has a role in supporting the implementation of these strategies.

Potential future actions

- 3.11 The Council will keep its approach to biodiversity under review, including opportunities for additional actions. Table 1 gives a summary of our initial thoughts and expectations on this.

Monitoring and evaluation

- 3.12 In line with the requirements of the Environment Act 2021, the Council will need to publish biodiversity reports setting out how the biodiversity duty has been complied with. The first report is to be published by 1 January 2026. Subsequent reports will each cover a reporting period of no more than five years (with the report published within 12 weeks of the end date of the reporting period). There are requirements on what these reports will cover, including a summary of actions taken and how the Council plans to comply with the biodiversity duty in the next reporting period.⁵
- 3.13 The Council has provided some updates on biodiversity projects and ecological data through the annual Authority Monitoring Reports that are published in the context of planning policy matters⁶. The most recent report was published for the period 2022/23.

4 Next steps

- 4.1 The Council will continue to exercise its functions taking account of the general biodiversity objective relating to the conservation and enhancement of biodiversity. This will primarily be undertaken in line with the approach set out in Table 1.

⁵ Additional information on reporting biodiversity duty actions is available here:

<https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions>

⁶ Available at: <https://www.testvalley.gov.uk/planning-and-building/planningpolicy/amr>

Table 1: Summary of current actions and further considerations

Work area / theme	Policies, objectives & actions	Current position	Future development
Corporate strategy	Corporate Plan 2023-2027: A Place for Everyone – Supporting our Communities to Thrive	One of the five strategic priorities relates to the environment, with an aspiration to work with communities and businesses to help Test Valley become a greener borough.	The Council is currently coordinating thriving places workshops with communities across the borough to help identify local priorities and how the Council can support communities in delivering on them. The outcomes of this may include aspirations in relation to the natural environment.
Corporate strategy	Sustainability Framework (2017) Climate Emergency Action Plan (2020)	The Sustainability Framework sets out a series of objectives that the Council is working towards – this includes conserving, and where possible enhancing, the local environment including biodiversity. The Climate Emergency Action Plan includes actions under the theme of the natural environment, which includes schemes that are likely to deliver co-benefits in relation to biodiversity.	The Council is currently reviewing its approach to these documents, including the interaction with biodiversity and nature conservation.
Biodiversity strategy	Biodiversity Action Plan (2008)	The local Biodiversity Action Plan (BAP) provides an overview of some of the habitats and species in Test Valley, as well as providing a framework for the conservation and enhancement of biodiversity in the borough. It recognises the role of multiple organisations. The Council is involved in a	Following the publication of the Hampshire Local Nature Recovery Strategy (LNRS), the Council will review the role of the BAP going forward. This could include consideration as to whether a replacement action

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		<p>number of projects that link to the BAP and its actions, some of which are referenced elsewhere in this table. This includes considering biodiversity through the planning system, our approach to land management and engagement with schools.</p>	<p>plan or strategy is needed that would function alongside the LNRS.</p>
<p>Planning functions</p>	<p>Test Valley Borough Revised Local Plan 2011-2029 (2016)</p> <p>Infrastructure and Developer Contributions SPD (2023)</p> <p>Test Valley Local Plan 2040 (emerging plan)</p>	<p>The Council's adopted Local Plan sets out a policy on the biodiversity (policy E5) that seeks to conserve, and where possible enhance and / or restore, biodiversity. It also provides a framework to assess proposals that could involve the loss, harm to or deterioration of habitats and species of importance to biodiversity. A number of other policies in the Local Plan also support the implementation of the duty, including in relation to green infrastructure and water management. In considering planning proposals, especially for larger sites, the Council will encourage the conservation, creation, and enhancement of wildlife corridors especially where links need to be made between currently biodiverse areas.</p>	<p>A draft Local Plan is being prepared that looks forward to 2040. This is currently at a 'Regulation 18' stage. It will provide the future planning policy framework, including in relation to biodiversity matters incorporating new statutory requirements, consideration of the Local Nature Recovery Strategy and the emerging Nature Recovery Network. The Nature Recovery Network should provide a starting point for a network of wildlife corridors that will span across and beyond the borough. The current timescale is working towards the submission of this plan for examination in 2025 and adoption in 2026.</p>
<p>Planning functions</p>	<p>Supporting communities to</p>	<p>Supporting parish councils and neighbourhood planning groups in their</p>	

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	prepare Neighbourhood Development Plans and other forms of community planning.	preparation of Neighbourhood Development Plans. In some cases these include provisions in relation to biodiversity and nature conservation, as well as ensuring compliance with legal requirements.	
Planning functions	<p>Preparing and implementing strategic mitigation strategies, including:</p> <ul style="list-style-type: none"> • Solent Recreation Mitigation Strategy (2017) • New Forest SPA Mitigation – Interim Framework (2014) 	<p>The Council has prepared and is implementing several strategic mitigation approaches for international nature conservation designations through the planning process. In many cases this has been through joint working with other authorities and partners.</p> <p>The Council has secured land for mitigation, including delivering a Suitable Alternative Natural Greenspace (SANG) site at Sherfield English.</p> <p>We also continue to work with partners on other mitigation strategies and approaches, including catchment based approaches to nutrient neutrality.</p>	The Council is working with partners to update strategic, coordinated approaches to on and off designation mitigation for recreational impacts resulting from new residential development (and other relevant accommodation) on the Solent and New Forest international nature conservation designations.
Planning functions	Delivering development management and enforcement services in a way to conserve and enhance biodiversity	Planning applications are determined in line with the development plan, which includes policies relating to biodiversity and nature conservation, as well as wider legal obligations including in relation to protected species, international and national ecological designations. In many cases this will include ensuring appropriate mitigation measures are	The Council will continue to deliver this function, in addition to securing and delivering biodiversity net gain in line with separate provisions of the Environment Act 2021.

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		<p>in place but in some cases planning applications would be refused when the Council is not satisfied that policies and legal requirements are capable of being complied with.</p> <p>The Council has been working with others to explore the opportunity to bring forward a great crested newt district licensing scheme in the borough. The Council's Cabinet (20/12/2023) resolved to become part of such a scheme with NatureSpace.</p>	<p>The Council intends to implement the option of using a district licensing scheme to consider matters relating to Great Crested Newts in terms of protected species provisions.</p>
Planning functions	Preparing for mandatory biodiversity net gain (BNG)	<p>The Environment Act 2021 introduced a system of mandatory net gain, which came into effect for planning applications for certain developments in early 2024. The Council has been making preparations for implementing BNG through the planning process. This has included through briefings to key staff, the Planning Agents Group, and member training.</p>	<p>The Council will continue to put in place and refine the relevant processes to be able to implement BNG as it is introduced.</p>
Land management & stewardship	<p>Seek to ensure sites are in positive management / favourable conservation status. The Council has a range of strategies, management plans</p>	<p>The Council manage 200 hectares across 17 sites specifically for nature conservation. These sites are set within a 500-hectare green estate which provide connectivity between spaces. Sites include SSSI, SINCs and LNRs where the management for target habitat and species are prioritised. This work includes specific river restoration objectives in chalk rivers, active management of Ancient</p>	<p>Tree and woodland strategy will be written.</p> <p>Looking at less target-based approach to nature conservation and moving to process driven to, where site characteristics and space allows.</p>

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	<p>and other information including:</p> <p>Green Space Strategy 2021-2031</p> <p>Rooksbury Mill Local Nature Reserve</p> <p>Fishlake Meadows Nature Reserve</p> <p>Urban meadow creation</p> <p>Climate Emergency Action Plan</p>	<p>Semi Natural Woodlands and the management of chalk grass management through extensive grazing.</p> <p>Site management is directed by management plans which set out detailed management prescriptions and timing of operations which are designed bespoke to each site.</p> <p>A number of sites are within the Countryside Stewardship scheme, and we are monitored for our compliance against key species and habitat quality targets.</p> <p>The Council is actively providing Suitable Alternative Natural Greenspace (SANG) to mitigate impact on the New Forest international nature conservation designations.</p> <p>Land management contribution to the Council's Climate Emergency Action Plan (CEAP) includes the urban meadows project which has seen over 30 hectares of close mown grass reverted to meadow. Over the last 3 planting seasons, 30,000 trees have been planted across the borough directly managed by the Council.</p>	<p>To ensure the landholding is climate resilient through increasing habitat connectivity between sites.</p>

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Land management		<p>The Council has been proactive in increasing its land area to benefit both wildlife and people. This has included the adoption of spaces through Section 106 agreements which are managed for nature conservation, provide contact with nature with management to encourage community participation. The most recent sites include land at Mill Lane in Sherfield English (13 hectares), Bury Hill Meadows (16 hectares) and Harewood Common (20 hectares).</p> <p>New sites are secured along with a commuted sum for capital set up, staff and on ongoing revenue resource.</p>	<p>Consideration as to how the Council's green estate could enable development in the borough through the sale BNG units.</p>
Regeneration	<p>South of Romsey town centre masterplan</p> <p>Andover town centre masterplan</p>	<p>Masterplans have been approved for both south of Romsey town centre and Andover town centre – both consider opportunities in relation to biodiversity and the natural environment. For example, as part of the Andover town centre masterplan there are proposals to deliver enhancements to the River Anton corridor.</p>	<p>The Council is working with partners to bring forward the masterplans, with specific projects ensuring that opportunities are taken into account.</p>
Partnership working	<p>Hampshire Local Nature Recovery Strategy (LNRS)</p>	<p>The Council has a statutory role in supporting the creation of this strategy, including through the provision of evidence. Hampshire County Council has overall responsibility for preparing the LNRS. We are continuing to engage in the preparation of the LNRS.</p>	<p>The Council will be one of a number of partners that has a role in delivering the LNRS, this could include through planning functions and land management for example.</p>

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Partnership working community and land management	<p data-bbox="524 679 770 786">Catchment Management (wessexrt.org.uk)</p> <p data-bbox="524 1273 837 1374">Test Valley Dormouse Project Hampshire Dormouse Group</p>	<p data-bbox="882 272 1532 603">The Council work in partnership with a variety of organisations and bodies to further the management of biodiversity across the borough and beyond its boundaries working at a landscape scale. We are an active member of the Test and Itchen Catchment Partnership which seeks to manage the SSSI/SAC catchment in positive management.</p> <p data-bbox="882 644 1532 970">The Council is represented on the project team for the Southern Water WINEP which is looking to mitigate ecological impact of water abstraction on the River Anton. At a wider scale we are working closely with the Wessex Rivers Trust and, Southern Water and the Environment Agency on a Catchment Based Approach (CaBa) to restore habitats along the Anton.</p> <p data-bbox="882 1011 1532 1193">We are board members of the Winterbournes and Wetlands project, a Heritage Lottery funded project which is delivering community focussed conservation across the tributaries of the river Test.</p> <p data-bbox="882 1235 1532 1342">We are one for the founding members of the Test Valley Dormouse project. The project has mapped the location of dormice, and we are</p>	Partnership working will be refocussed to deliver priorities set out in the LNRS.

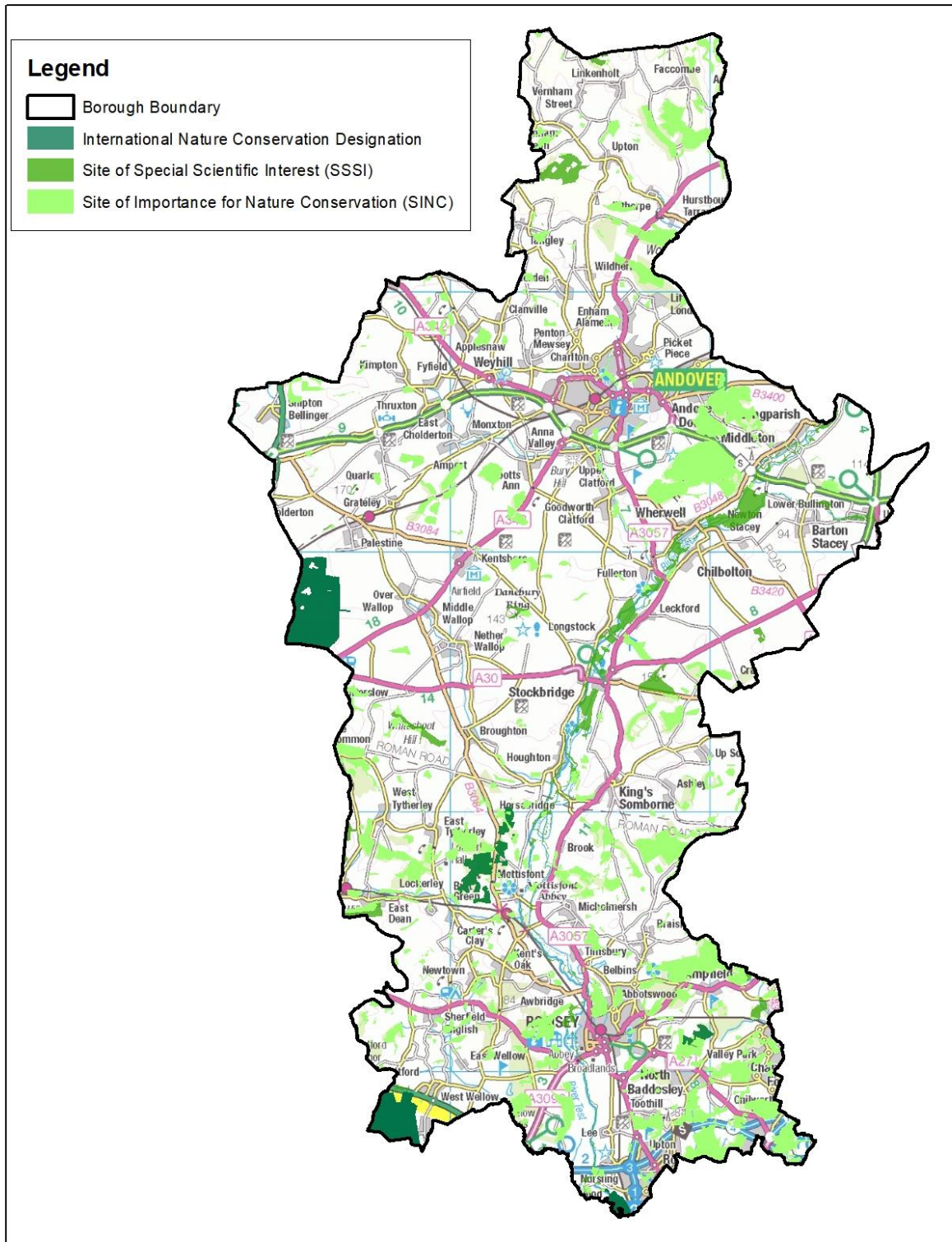
Work area / theme	Policies, objectives & actions	Current position	Future development
	<p>Andover Trees United</p>	<p>working with landowners to connect these areas with new woodland and hedgerows.</p> <p>At a community level we work closely with a variety of grass roots organisations including site friends' groups, conservation volunteers and individual naturalists.</p> <p>We support the work of the charity Andover Trees United who manage a 45-acre woodland Diamond Jubilee community woodland in northern Test Valley. The charity has recently been awarded the Kings Award for Voluntary Services.</p>	
Partnership working	<p>Supporting the delivery of:</p> <ul style="list-style-type: none"> • New Forest National Park Partnership Plan 2022-2027 • North Wessex Downs AONB Management Plan 2019-2024 	<p>Part of Test Valley lies within the New Forest National Park; therefore we form a partner in developing and delivering the Partnership Plan and associated strategies. The Partnership Plan includes an objective and actions relating to nature recovery.</p> <p>The North Wessex Downs National Landscape (formally AONB) is partly located within the borough. The Council has a role in developing and delivering the Management</p>	To work with other organisations to deliver the partnership plan actions.

Work area / theme	Policies, objectives & actions	Current position	Future development
		Plan ⁷ , which includes a specific theme relating to biodiversity.	
Partnership working		The Hampshire Biodiversity Information Centre (HBIC) has an important role in assisting us in meeting our duties in terms of ecological data, including undertaking surveys and helping to monitor changes. The Council has a Service Level Agreement with HBIC. The Council has contributed to HBIC updating the ancient woodland inventory.	
Education, advice and awareness	Countryside events Test Valley Borough Council Educational Visit to your Local Nature Reserve Test Valley Borough Council	<p>Over 25 events are hosted across the nature reserves each year offering the opportunity for communities to actively engage with site management through practical work parties, guided walks, and species surveys. Regular attendance at bat walks is over 100 people per session and over 3000 volunteer hours worked each year.</p> <p>All primary schools are invited to bring a year group to attend a day at one of the Council's nature reserves during the summer term. These Reserves Officer led sessions involves around 1000 children each summer. Outside of this programme we have a series of resources which schools can use for self-</p>	<p>A citizen science programme will be launched.</p> <p>Extension of the dormouse project boundary</p> <p>Fixed point photography site monitoring project to rolled out across sites.</p>

⁷ Through the Countryside and Rights of Way Act (as amended), there is a duty for the Council to seek to further the purpose of National Landscapes, which relates to the conservation and enhancement of their natural beauty. The Council will continue to have regard to both duties, which dovetail in many regards.

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		<p>guided visits, all linked to the national curriculum.</p> <p>We have strong links with the University of Southampton and Sparsholt College and offer regular conservation industry placements.</p>	<p>To continue to develop conservationists and ecologists of the future through practical work experience.</p>
Other work		<p>The Council is involved in a wide range of other strategies and projects, which can include ongoing and ad hoc matters, which contribute to conserving and enhancing biodiversity in the borough. For example, through the Rural Net Zero Support project, a pilot demonstrator / support programme is to be brought forward focusing on land management and regenerative farming.</p>	

Appendix 1: Map showing some of the nature conservation designations within the borough of Test Valley



Nature Conservation Designations in Test Valley

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