

Protected Sites Strategies Project



Emerging Insights Report

In conversation with Local Planning Authorities

August 2024



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1. Background and scope

Natural England have commissioned the Planning Advisory Service (PAS) to lead a project engaging with local authorities to help research and develop advisory tools for Protected Site Strategies (PSS). The Protected Site Strategies powers in the [Environment Act 2021](#) equip Natural England with the means to convene formal local partnerships that tackle pressures on the biodiversity and geodiversity of Protected Sites¹ in ways that boost socio economic performance.

Protected Site Strategies are a vital tool for delivering the Nature Recovery Network and contribute towards the [Environmental Improvement Plan](#) target p45 '...to restore 75% of protected sites to favourable condition by 2042'. The PAS project runs from January 2024 to the end of March 2025.

From March to July 2024 we held conversations with 15 local authorities across England, from small and medium size boroughs and districts to large counties and combined authorities to understand their thinking about [Protected Sites Strategies](#) purpose, process, opportunities, challenges and support required.

A total of 27 officers joined the conversations, a list of local authorities is set out in Appendix 1.

These conversations were held within a wider context of PAS contact with local authorities through the [Nature Recovery for Local Authorities](#) project also commissioned by Natural England. The first stage of this project produced a report [Nature Recovery Emerging Insights Snapshot - In conversation with early adopter local authorities | Local Government Association](#) based on initial interviews and a follow up event in winter 2022.

¹ <https://www.local.gov.uk/pas/environment/protected-sites-strategies>

2. Acknowledgements

We are grateful to the local authority officers who participated in these conversations for their time and expertise. The officers contributed their own opinions, based on experience, and these are not necessarily the formal views of their authority.

3. Key insights

Identified challenges to protected sites:

1. Development pressure
 - a. Development & hydrology (water quality & availability)
 - b. Coastal & offshore development & coastal squeeze
 - c. Housing - available space; recreational pressure; air quality
2. External factors
 - a. Climate Change
 - b. Physical & organisational scale of the pressures
3. Our systems to support protected sites – covered below

Looking ahead for PSS – insights:

All the local authorities had some experience of strategic mechanisms for protected sites mostly through mitigation strategies and nutrient neutrality programmes.

There was a general frustration in the current mechanisms and support for protected sites and that protected sites appear to have been ‘left out’ of the wider nature recovery mechanisms & legislation of LNRS and BNG. However, there is a corresponding enthusiasm for the potential of PSS and many authorities were keen to understand how they may be applied in their areas.

The feedback has been distilled into six key insights which are covered in the following tables. Indicative quotes from the local authority interviews have been included.

1. Confidence in the data and evidence
2. The need for expertise and guidance
 - i) Specific feedback for Natural England
3. Resourcing the change required
4. Collaboration – the importance of partnership and stakeholders
5. Clear communication and messaging essential for success
6. Capacity and desire within LAs to engage with PSS
 - Additional reflections – national accountability

1. Confidence in the data & evidence	
INSIGHT: There is little confidence in the protected sites data, local authorities (LAs) already feel vulnerable and compromised when making decisions, in many instances there is little to no relationship with and support from Natural England (area teams) to help.	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘There isn't really a really good understanding of what state a lot of those protected sites are really in in the first place’. • ‘Everybody is fudging HRAs [habitat regulation assessments²] because we don't have the technical data to be able to answer those questions... we're making assumptions we're extrapolating old data... and letting developments go through where we think there's going to be an impact, but nobody can prove it’. • ‘The evidence base [HRA] for our local plan - it's not always clear what evidence we need’. • ‘We need Natural England's information and data and expertise to be up to date for us to be able to look at how it impacts on our local plan and our growth strategies because we can't do either our plan level HRA or our application-by-application HRAs without that information’. • ‘...not enough factual information...to allow us to do proper factual HRAs.’ • ‘We can't start to make any sound decisions about their [Natural England's] strategies until we have the up-to-date monitoring’. • [our data is] ‘expected to be there for the local nature recovery strategy... to be there when developers submit their biodiversity net gain proposals... to have that information there for local wildlife site system to evidence our local plan... why are we not treating our best of the best with the same sort of principles’. • ‘Management is being tweaked but without the actual data to demonstrate that that's having any positive effect’. • [climate change adaption] ‘there isn't then at the moment the flexibility within those designations to vary those uses or to give consideration to a different use’. 	<ul style="list-style-type: none"> • ‘We need them [Natural England] to be doing their bit for us to <i>understand what the actual pressures are</i>, what's the carrying capacity’. • ‘Understand what data we need for each of those European sites to be able to then <i>answer the questions that we need answering at the local planning authority level.</i>’ • ‘We need to decide which is the <i>most important (data)</i> and then we need to commit and have an investment strategy’.
PAS Queries:	
<ol style="list-style-type: none"> i. Is the new SSSI Impact Risk Zone getting to local planning authorities (LPAs)? Is there an evaluation of the launch & roll out of it and how it is being applied? ii. Where is the programme of protected sites condition surveys up to? (nationally and by an area by area) does this need to be communicated with LPAs so they can get a sense that something is planned/happening to address the outdated data. 	
PRIORITY: Invest to build confidence in the data and evidence	

² <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

2. The need for expertise and guidance	
INSIGHT: Recent programmes like nutrient neutrality have shown technical expertise is essential to successful nature recovery project delivery. Even with an LPA ecologist it is specialist knowledge that is needed.	
Issues raised - indicative comments from LPAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘a lot of planners will be very, very uninformed about any of this... just giving them a level of understanding that means they can have a sensible part in in any conversation’. • [PSS]...definitely have to have a significant amount of scientific expertise and knowledge feeding into them... That’s what we have certainly learnt over the phosphates issue...even consultancies have struggled with it!’ • ‘We’re planners. We’re not scientists!’ • ‘there’s an awful lot of experience and knowledge locally on the ground and [Natural England should] tap into that rather than saying we know better than you!’ • ‘there’s quite a lot of disappointment in the [LNRS] regulations and guidance’. • ‘Definitely have to have a significant amount of scientific expertise and knowledge feeding into them [PSS]’. 	<ul style="list-style-type: none"> • ‘Guidance or a more standardised approach on the appropriate levels of mitigation of recreational pressures’ • Mitigation strategy - ‘A more standardised approach / national guidance would have been useful at the time of its development’.
PAS Queries: <ol style="list-style-type: none"> Has training been considered for LPAs? Some LPAs have engaged with their local academic institutions for support how will specialist support beyond Natural England be rolled out to the PSS areas to ensure equitable access to expertise? 	
PRIORITY: Guarantee the provision of specialist expertise and guidance	

CASE STUDY: Somerset Levels & Moors Nutrient Neutrality Programme

On the direction of the Secretary of State Natural England set up a national nutrient mitigation scheme in 2022. Somerset has one of the [nutrient neutrality catchments supported by PAS](#) ‘it’s impacting the delivery of about 18,000 houses across the entire catchment area... main priority is the water quality agenda’.

‘we’ve got a long track record of dealing with [mitigation strategies] and we’ve got solutions that we’ve got proof that they work and they they’re able to be signed off...whereas with nutrient neutrality...we’ve known for a long time that there are issues to do with nutrient loading on the Levels and the Moors but the need to actually demonstrate that nutrient neutrality has come and now solutions need to be found and it’s not as simple as it might be for other issues’

Somerset County Council has therefore partnered with Bristol University for their technical knowledge and understanding of their site ‘it’s the research and the work that they do that will help inform the best way forward to get a protected site back into a favourable condition’.

When considering a PSS ‘it needs to be a key piece of evidence to support any future local plan that we do to understand what the plan is to get that site back into a favourable condition, how realistic that plan is, what the time scales are. For example, ‘I can’t foresee a time when we won’t need Phosphate mitigation... [and] we will continue to need housing for a good many years.’

2b - The need for expertise and guidance NATURAL ENGLAND	
INSIGHT: The level of expertise and guidance from Natural England has significantly diminished as capacity has been stretched. This has impacted LPAs resources but perhaps more importantly their relationship, trust, and respect for Natural England.	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘They [Natural England] are so pushed they only really comment on the really high-profile ones [Planning applications]’ • ‘Without support from Natural England...it's difficult to utilise the existing policy without the specific support... there is stuff in the NPPF about impacts it's really quite vague’. • ‘Natural England [NE] need to be fully resourced so that they can undertake their statutory duties.’ • ‘We have very little to do with Natural England these days because they don't have the capacity.’ • ‘NE - very often they'll say, if there's no direct impact on the SSSI then that's the end of story... it's very much left to the local authority to try and sort out’. • [NE no comment means] ‘even more challenging than them just not responding at all, because the developer can say, well, Natural England, don't have a problem’. • ‘Bland response to say that Natural England haven't got the capacity to look at it in any detail that puts us at legal risk of judicial review.’ • ‘There are capacity and budgetary implications for us where we need to understand where Natural England aren't going to be able to undertake their statutory responsibility.’ • ‘there's an awful lot of experience and knowledge locally on the ground and [Natural England should] tap into that rather than saying we know better than you.’ • ‘Natural England have the ability to go to their [seabird, peatland etc] experts... we used to have such a good relationship where you could then get that technical input from Natural England... that gave confidence then to the local authority that the decision that was being made was sound’. • ‘NE statutory duties in relation to European designated sites is quite clear, they can't even resource that!’ • ‘Example with NN ‘level of expertise and knowledge just isn't really there’... ask Natural England two years ago, what's the best nature-based solution? it was wetlands... now they're rowing back from these because they take a long time to put in place’. 	<ul style="list-style-type: none"> • Better/smarter resourcing in area teams to support LPAs. Can this be prioritised to areas that have the biggest demands/lowest level of LPA satisfaction? • Create a clear route from PSS programmes into NE Scientific directorate for specialised expertise. • Build on the connections and (hopefully) good will generated by the LNRS process. • Honest messaging – e.g. putting nature recovery into practice is a developing science we are using the best available data and techniques, but things evolve.
<p>PAS Queries:</p> <ol style="list-style-type: none"> i. How will the Natural England priority areas impact on resourcing and support? (will these be made publicly available?) ii. As there appears to be inconsistency of NE support across England how is this being addressed/considered? Training, knowledge share, better grading, or recognition of those roles within NE? 	
<p>PRIORITY: Resourcing <i>AND</i> relationship building – resource your people to support LPAs and build trust and confidence in Natural England.</p>	

3. Resourcing the change required	
INSIGHT: Even with a genuine desire to support nature recovery local authorities have many other social issues that take priority. The current natural environment funding situation is complex with many authorities reluctant to spend diminishing resources bidding for funding that may not be successful (what about those areas of need but lower capacity).	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘Fundamentally it comes down to how you fund change’. • ‘Make sure it’s properly resourced.’ • ‘If it’s not a statutory requirement to do it, do you fund it? And most of the time the answer is no! these days.’ • ‘In the current financial climate, the bits that get pushed are environment... more important things for local planning authorities are children’s services, adult social care and affordable housing.’ • ‘How on earth you’re actually going to end up with any improvement in quality without any adequate resources!’ • ‘if they [Defra/Natural England] want the local authorities to deliver, they’ve got to provide the finance to do that.’ • [sort funding timescales] ‘busy local authorities they need a bit of certainty to be able to do things.’ • [we could] ‘only employ dedicated resource at the point that it became a problem for growth’. • ‘Resourcing for the management of the implementation of the mitigation strategy has also been challenging’. • ‘Mechanisms for collecting mitigation fees, s106 contributions and unilateral undertakings was an expensive process for small scale applications... simplified the process and now collect them on minor applications at the point of submission of the planning application through a s111 agreement.’ • ‘Difficult to assess the required fees for certain applications.’ • ‘New guidance and legislation that’s coming in hasn’t really been designed very well to help support [green finance] • [we’ve] ‘done quite a bit of work around potential green financing... looked at opportunities to improve the quality of those designated areas... the mechanisms that are in place aren’t really designed [to do this] ... seems to be this baseline assumption... those sites should be looked after in the first place’. • ‘We can spend an awful lot of time and effort coming up with the strategy... there isn’t necessarily then the mechanism... in place to take those ideas forward’. • [for example] ‘estuary management plans did good work and looked at tackling issues, but then they just weren’t resourced’ 	<ul style="list-style-type: none"> • ‘Provide longer term funding settlements with more notice, which aren’t competitive either’. • ‘NE have resource issues so a system that minimises the need for a response from a person – (SSSI IRZ tool?) • ‘Provide additional resource to do the day-to-day coping with everything [to] release the people with the experience and the understanding to get properly involved.’ • ‘Current Defra funding deals... they’re all trying to improve, deliver environmental improvements are they interlinked... <i>environmental devolution deals</i> would mean that those funding streams can be coordinated to deliver multiple benefits because it’s the only the local areas that know what priorities are and what they want’.
PAS Queries:	
<ol style="list-style-type: none"> i. Will there be any seed funding to resource the strategy development? ii. Who gets this and how will Natural England ensure other players in the local sector – not just local government get resourced? 	
PRIORITY: Ensure adequate resourcing for the PSS process and means to deliver the outcomes identified.	

4. Collaboration the importance of partnerships & stakeholders	
INSIGHT: The challenges our protected sites face are too complex and wide reaching for one organisation to deal with. A robust and inclusive PSS process has the potential to create confidence. Clear, skilful coordination of collaboration is essential to build trust and favourable outcomes.	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘Really early engagement with the local planning authority that has that statutory role is going to be key’. • a PSS could ‘enable us to bring stakeholders together to start having those discussions and agreeing that firstly there's a problem’. • ‘It's about shared levers... There's recognition from the catchment that it is a problem... but no one in and of themselves are able to deal with this problem’. • [Nutrient neutrality is a] ‘a coordination nightmare given the number of different organisations that we have to work with... there is no single body in the middle that's coordinating it all’. • ‘Farm and landowner engagement is going to be key [with] key partners who are good at working with farmers and landowners.’ • we're finding through the LNRS our landowners and land managers and farmers is there's a lot of distrust and cynicism particularly of Natural England • ‘Each of the individual constituent parties has a different purpose and a different reason for being involved... cut through that and decide well this is the right approach’. • ‘LNRS & BNG I don't think they've really understood how local authorities operate or just some of the constraints that we're under... there's a bit of a mismatch between expectations.’ 	<ul style="list-style-type: none"> • [PSS] ‘should be the framework that pins together how we all interact with each other’. • ‘Clear, thoroughly worked through and planning officers/LPAs need to be involved from day one’. • ‘To have any teeth, there's going to have to be some kind of clear governance structure... let's not have another government structure’. • ‘Key...setting up a partnership, that has a bit of teeth and a bit of funding like a catchment partnership almost is it, but focused on the, the protected areas’.
PAS Queries:	
<ol style="list-style-type: none"> i. How will existing partnerships be used, supported, mobilised? – will there be resources to support these or where they don’t exist support new ones? ii. Who ‘holds then pen’? How can you ensure accountability and ownership whilst also encouraging shared power? 	
PRIORITY: Enable collaboration - give time, expertise, and resource to do this properly	

CASE STUDY: Good facilitation is a skill vital for instilling confidence in diverse partners.

Tees Estuary Partnership set up to support the SSSI designation extension in 2016. Key to the successful collaboration between industry, local authorities, eNGO’s, Defra bodies, academia was the clear, energetic, and informed leadership of the process by the Natural England Manager as well as the commitment by parties to building a shared vision.

Environment Agency Catchment Co-ordinator, 2024

5. Communication and messaging essential for success	
INSIGHT: To partners (people, organisations) not working in the environment sector on a day-to-day basis it can appear very complex with a multitude of projects, programmes, and acronyms. Will PSS be understood or add to this complexity.	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘Could be an advantage in sort of branding something differently... We are living in a world of acronyms (and) new things coming in...’ • ‘NN - we're telling you you've got a massive problem... We're just not going to help you solve that problem... the reaction now to local authorities where something environmental gets thrust upon them is going to be poor!’ • (due to the LNRS) ‘It's good to have a sort of a door into Natural England, which we haven't had before, and a mechanism to feedback to Defra.’ • ‘I'd like to see the messaging that's going around protected site strategies in LNRS before it goes to our local councils.’ 	<ul style="list-style-type: none"> • ‘Be really clear... that we haven't been doing it right and that's why now it's not a new thing that's going to solve a problem... what we're going to do now is find a different way to do it!’ • ‘Really clear how a protected site strategy is going to be different in that it's not another management plan.’ • ‘Says what they (local authorities) need to do in that (statutory) consultation period and what's required of them.’ • ‘Clarity of PSS process & design what's the difference between an action plan and a protected site strategy? how does this differ to the nature recovery project?’
<p>PAS Queries:</p> <ol style="list-style-type: none"> i. Is there a clear vision for PSS that fits in with the bigger picture of nature recovery? ii. Is there specific work being undertaken to tailor the messages to the appropriate audience? 	
<p>PRIORITY: Provide clear and transparent messaging of purpose and process to help the journey (e.g. expectation management, roles, timeframes, resourcing)</p>	

CASE STUDY: Good communication gets results [Bird Wise | Wising Up to Bird Disturbance](#)

~2014 ‘survey done to look at people's knowledge of the protection on the species and habitats of the coast [Thames, Medway & Swale estuaries] around 51% of people didn't know any protection for habitats or species at all back then. Then that survey was repeated [in 2023] and that's now reduced down to about 30%... massively increased was knowledge of Turnstones...the reason why it's been designated as SPA - knowledge of Turnstone as being there has gone up from 4.4% to about 14%’.

6. Capacity and desire within LAs to engage with PSS	
INSIGHT: There is a national shortage of local government planning staff and ecologists. The degree to which the LA will engage will vary depending on capacity, resources, local interest and understanding	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘We need to know the impact of the work that they’re [Natural England is] doing on the future local plan and how we factor that in early so that we can put mitigation in place early.’ • ‘From a planning perspective, we are dealing with the impacts of development... doesn't start to scratch the surface on the restoration [needed].’ • ‘If we don't perform a statutory function...local authorities at the moment in the current funding position that they are in with lots of calls on their time.’ • ‘Significant turnover of planning staff over the last five to 10 years... a few of those planners are relatively new to the industry.’ • ‘we're in a financial crisis, we're being pared back quite drastically now [to] statutory duties only.’ • ‘We are extremely pressed, there aren't enough of us and I'm talking not just about local government ecologists, but local planners as well.’ • ‘So many additional pressures on us at the moment, government and local planning authorities have so little money.’ • ‘Bid for things and then nothing's come of it, but we spent an awful lot of resource which is precious and becoming more precious.’ • ‘LNRS has identified high dependency on the health of those protected sites to the rest of our nature.’ • ‘Most of the final decision making or action for things even at a sub-regional level falls to local authorities.’ 	<ul style="list-style-type: none"> • ‘It needs to be a key piece of evidence to support any future local plan... what the plan is to get that site back into a favourable condition.’ • ‘... we may need some of a push from Defra to do certain things... as something we need to do in order for us to be able to do it.’
PAS Queries: <ol style="list-style-type: none"> i. Are there any ideas/plans for supporting LPAs beyond the NE area teams capacity? ii. Beyond guidance are there any ideas/plans for training, capacity building, resourcing LPAs? 	
PRIORITY: Support the capacity and desire within LAs to engage with PSS	

CASE STUDY: [Resourcing biodiversity net gain for local authorities | Local Government Association](#)

By support existing local networks such as local nature partnerships, catchment partnerships, emerging LNRS partnerships where relationships and good will already exist the wider system can help support the local authority. With new programmes create new ones such as the Biodiversity Net Gain (BNG) and Nutrient Neutrality networks co-ordinated by PAS.

National accountability	
INSIGHT: What is the big picture and how does PSS fit in? How do we ensure consistency across the suite of PSS, how is the effectiveness of them going to be measured, will they have adequate resources and regulation for success?	
Issues raised - indicative comments from LAs	Potential solutions – what’s needed
<ul style="list-style-type: none"> • ‘PSS end goal favourable condition – some sites will never achieve this but still need support.’ • ‘We don't feel that anybody's really tackled the development pressure that we're under in a massively protected [and populated] part of the country.’ • [We want to] ‘see the front of the jigsaw box and to see the delineation and where things actually fit together.’ • ‘How will PSS ‘fit together properly with these other regulatory and legal frameworks?’ [e.g. water companies] • ‘These sites have been sort of pushed outside of that legislation because in theory there are already the mechanisms there to deal with it.’ • ‘Concern, protected site strategy tells everybody to do things that they know they should be doing already’ [i.e. regulatory requirements] • ‘Catchment management plans... nobody's resourced, there's nobody's got a statutory duty... the PSS could be enforced properly’ 	<ul style="list-style-type: none"> • ‘Somebody should be auditing and managing PSS nationally, ... if you're not meeting your protected site strategy why isn't the Secretary of State for Defra stepping in?’ • ‘There has to be a strategy with a framework to enact the strategy.’ • ‘Ensure meeting regulatory requirements are the basic requirement of a PSS’. • ‘Make sure that any recommendations that come back from Natural England are picked up by Defra and can be fed back into other policy across the board.’
PAS Queries: <ol style="list-style-type: none"> i. Is the learning from other current Defra programmes that affect LAs especially LNRS, BNG & NN going to be used to directly contribute to PSS programme development? ii. What is the bigger picture plan for on-going communication and two-way feedback from individual PSS to the national programme and beyond. 	
PRIORITY: Ensure there is a national programme that is accountable and ‘plugged’ into the wider programme of national strategies and actions for nature recovery.	

END

Research conducted and report produced by:

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Appendix 1: In Conversation Local Authorities

Basingstoke and Dean Borough Council

Buckinghamshire County Council

Cornwall County Council (questions submitted via form)

Darlington Borough Council

East Sussex County Council

Essex County Council

Fareham District Council

Lambeth Borough Council

North York Moors National Park Authority

North Yorkshire Council

Northumberland County Council

Sefton Council

South Norfolk & Broadland District Council (questions submitted via form)

Thanet District Council

Warwickshire County Council