

Process for developing a 20% BNG policy



Introduction

- Local Plan: Strategy and Sites 2019
 - General requirement for biodiversity net gain
- Local Plan: Development Management Policies
 - Policy P7 – Biodiversity in New Development
 - Sets standards and rules for biodiversity in new development
 - Includes 20% BNG that uses national methodology

Why have a BNG policy?

- NPPF 179b: plans should identify and pursue opportunities for securing measurable net gains for biodiversity

Also, having a biodiversity policy will deliver:

- NPPF 15: Positive vision and framework for addressing environmental priorities (biodiversity recovery is local and national priority)
- NPPF 93: Policy for shared/open space should enhance sustainability of communities and resi. environments
- NPPF 169: Multifunctional use of SuDS
- NPPF 145: Enhance the beneficial use of Green Belts, opportunities to retain and enhance biodiversity – offsite habitat banks
- NPPG: Set out a suitable approach to BNG and how it will be achieved.

Why go above 10%

- Can go higher
 - Govt - 10% is a minimum not a cap, LPAs can go further
 - 10% national target - necessarily cautious due to differing local viability and context.
- Defra Impact Assessment: 10% is “the most achievable” level of net gain that could be confidently expected to deliver genuine net gain, or “at least no net loss”
 - ‘No net loss’ not compliant with NPPF 179
 - NPPF 16: plans must be aspirational but deliverable
- Local need
 - Local species loss is higher than national (same everywhere).
 - SyNP recommend 20% for Surrey – SyNP mandated by govt to lead on biodiversity recovery.
 - EA and NE supported.

Challenges from developers

- No justification for local divergence
- Not viable
- Not feasible onsite
- Not ready to proceed (e.g. no BNG regs)
- Inspector:
 - New to BNG. Very cautious. Probably discussed with MV inspector.
 - Very interested in specific local need for BNG
 - Not interested in “at least no net loss” issue
 - Concerned about impact on delivery
 - Concerned about lack of BNG regulations at commencement

Justification: Local need

- Surrey Nature Partnership (SyNP) – have a status in planning system
- SyNP recommendation for 20% BNG:
 - high degree of habitat loss/fragmentation due to
 - routine wildlife persecution
 - intensification of agriculture and eutrophication of soils and water.
- SyNP: The State of Surrey's Nature – Surrey extinction rate over 5x national rate
- s.41 species loss worse for Guildford than Surrey

Viability (1)

- 20% not a huge increase over 10%
 - 110% provision vs 120% provision (9% uplift)
 - Defra Impact Assessment: 'level of gain makes little difference to costs'
- Developers: Defra's costs which we used in plan viability assessment were unreasonable
- Key issues
 - How many offsite credits would development need?
 - How much will they cost?
- Commissioned additional studies from Stantec ecology
 - Development Sites Study
 - Tyting Habitat Bank Study

Sites study (1)

- BNG potential on 3 permitted sites
 - Keen's Lane (large greenfield, urban edge)
 - Clockbarn Nursery (medium, constrained greenfield, outside a village).
 - Just Tyres (small brownfield)
- Conservative approach – didn't redesign the sites
- Limited dataset, but aligned with data from
 - Defra Impact Assessment
 - Emerging schemes/planning apps

Table 3.4 Summary of the Biodiversity Metric 3.1 Outcome for Keens Lane

| | On Site Baseline (Units) | On Site Post Intervention ⁹ (Units) | Total Net Change ¹⁰ (Units) | Net Change (% Units) |
|----------------|--------------------------|--|--|----------------------|
| Habitat Units | 16.60 | 16.43 | -0.17 | -1.01% |
| Hedgerow Units | 6.36 | 13.22 | 6.86 | 107.82% |
| River Units | 0.86 | 1.04 | 0.18 | 20.40% |



Sites study (2)

- Conclusions:
 - Brownfield sites with a low baseline biodiversity value can exceed 20% BNG easily (Just Tyres >4000%, North Street c. 730%)
 - Strategic sites with bespoke SANGs that are capable of hosting distinct BNG measures can exceed 20%
 - Many greenfield sites will be able to achieve no net loss plus a level of BNG
 - Constrained greenfield sites will have a biodiversity loss onsite BUT this is true at both 10% and 20% BNG. Uplift results in a small increase in credits needed
 - See Matter 3 statement for details – sets out evidence and arguments for examiner.

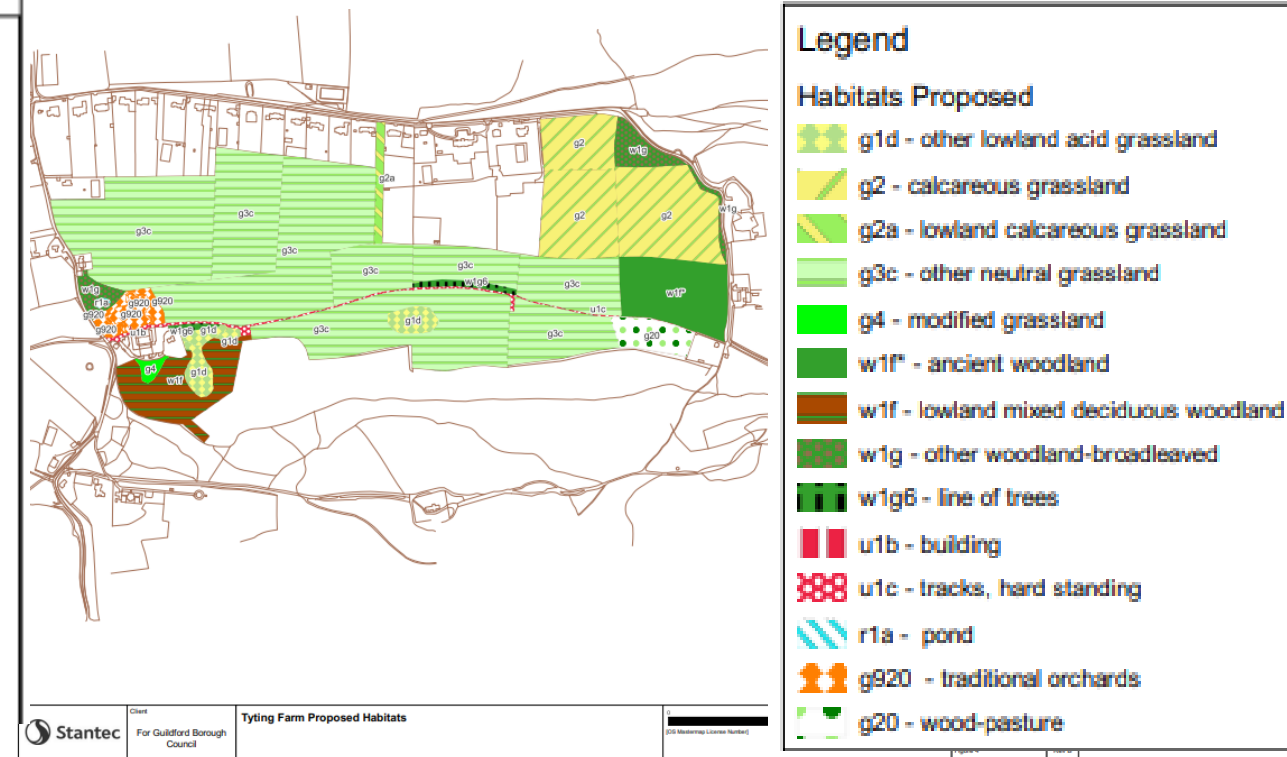
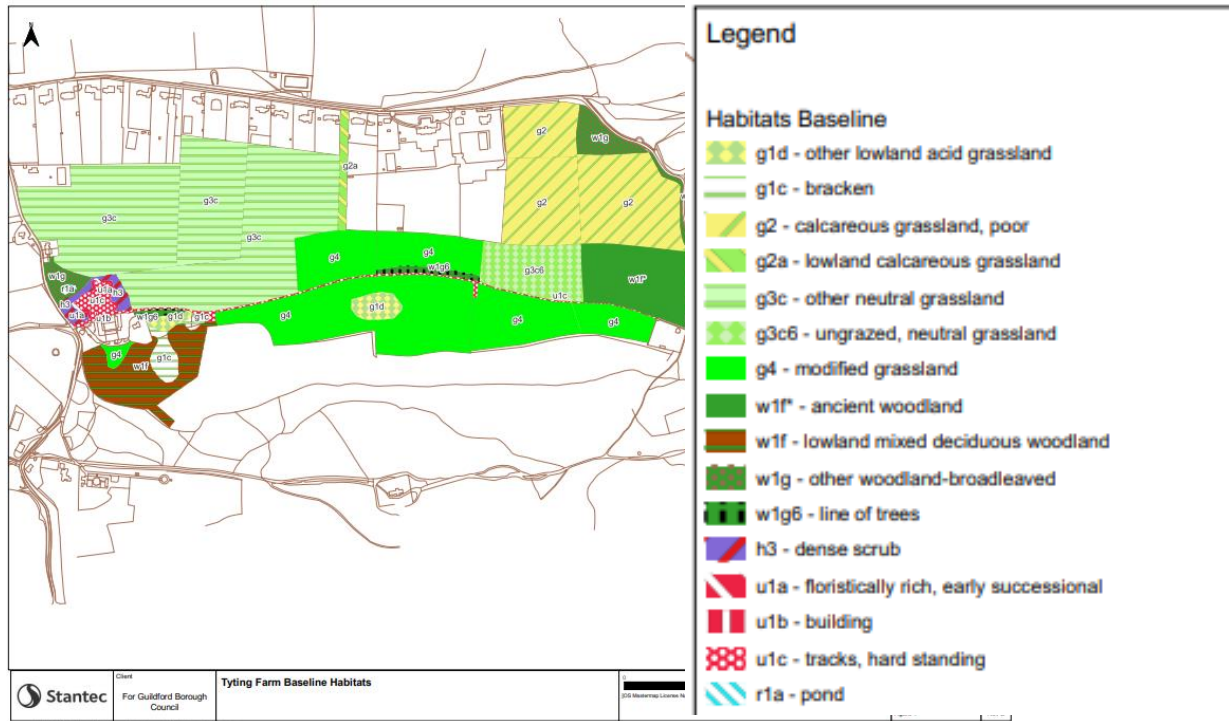
Tyting Farm habitat Bank study (1)

- Study consisting of 2 documents:
 - Tyting Farm Biodiversity Net Gain – Baseline Report (based on proposed SANG)
 - Tyting Farm Biodiversity Net Gain Plan (proposed additional uplift)
- Would provide 140 habitat credits and 30 linear credits
- Total cost divided by 170 credits:
 - Using Green Book projections (best practice) – c.£7,500
 - Using conservative model – c.£10,500 per credit
- Demonstrates that costs used in the viability study are realistic

Tyting Farm habitat Bank study (2)

Before
Mainly poor/moderate condition

After
Mainly moderate/good condition



Tyting Farm habitat Bank study (3)

| | | |
|--|-----------------------|---------|
| On-site baseline | <i>Habitat units</i> | 298.63 |
| | <i>Hedgerow units</i> | 26.75 |
| | <i>River units</i> | 0.00 |
| On-site post-intervention (Including habitat retention, creation & enhancement) | <i>Habitat units</i> | 439.94 |
| | <i>Hedgerow units</i> | 55.78 |
| | <i>River units</i> | 0.00 |
| On-site net % change (Including habitat retention, creation & enhancement) | <i>Habitat units</i> | 47.32% |
| | <i>Hedgerow units</i> | 108.56% |
| | <i>River units</i> | 0.00% |
| Off-site baseline | <i>Habitat units</i> | 0.00 |
| | <i>Hedgerow units</i> | 0.00 |
| | <i>River units</i> | 0.00 |
| Off-site post-intervention (Including habitat retention, creation & enhancement) | <i>Habitat units</i> | 0.00 |
| | <i>Hedgerow units</i> | 0.00 |
| | <i>River units</i> | 0.00 |
| Total net unit change (including all on-site & off-site habitat retention, creation & enhancement) | <i>Habitat units</i> | 141.30 |
| | <i>Hedgerow units</i> | 29.04 |
| | <i>River units</i> | 0.00 |
| Total on-site net % change plus off-site surplus (including all on-site & off-site habitat retention, creation & enhancement) | <i>Habitat units</i> | 47.32% |
| | <i>Hedgerow units</i> | 108.56% |
| | <i>River units</i> | 0.00% |

Viability (2)

Inspector seemed satisfied that 20% BNG was viable

HOWEVER

Added caveat to policy repeating NPPF 58 (planning application “particular circumstances” viability assessment)

In the event BNG not viable, requirement will drop from 20% to 10%.

Limited viability impact – a few hundred £ per house.

Feasibility

- Loss of development land to BNG
 - Viability assessment: 15-30% of land set aside in addition to Open Space
 - Inspector not concerned once credits shown to be viable.
- Speed of implementation
 - Concerned the BNG Regulations unavailable
 - Concerned about speed of delivery of Tyting habitat bank (or other banks)
 - Modified policy to commence alongside national 10%

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