

# **Local authority biodiversity net gain consultation workshop: process for TCPA development**

16 March 2022

# Agenda

## **Introduction**

BNG consultation: the TCPA process; securing BNG through conditions and S106; and phased development and minerals

## **Discussion session 1**

The overall process for TCPA development

Comfort break

## **Discussion session 2**

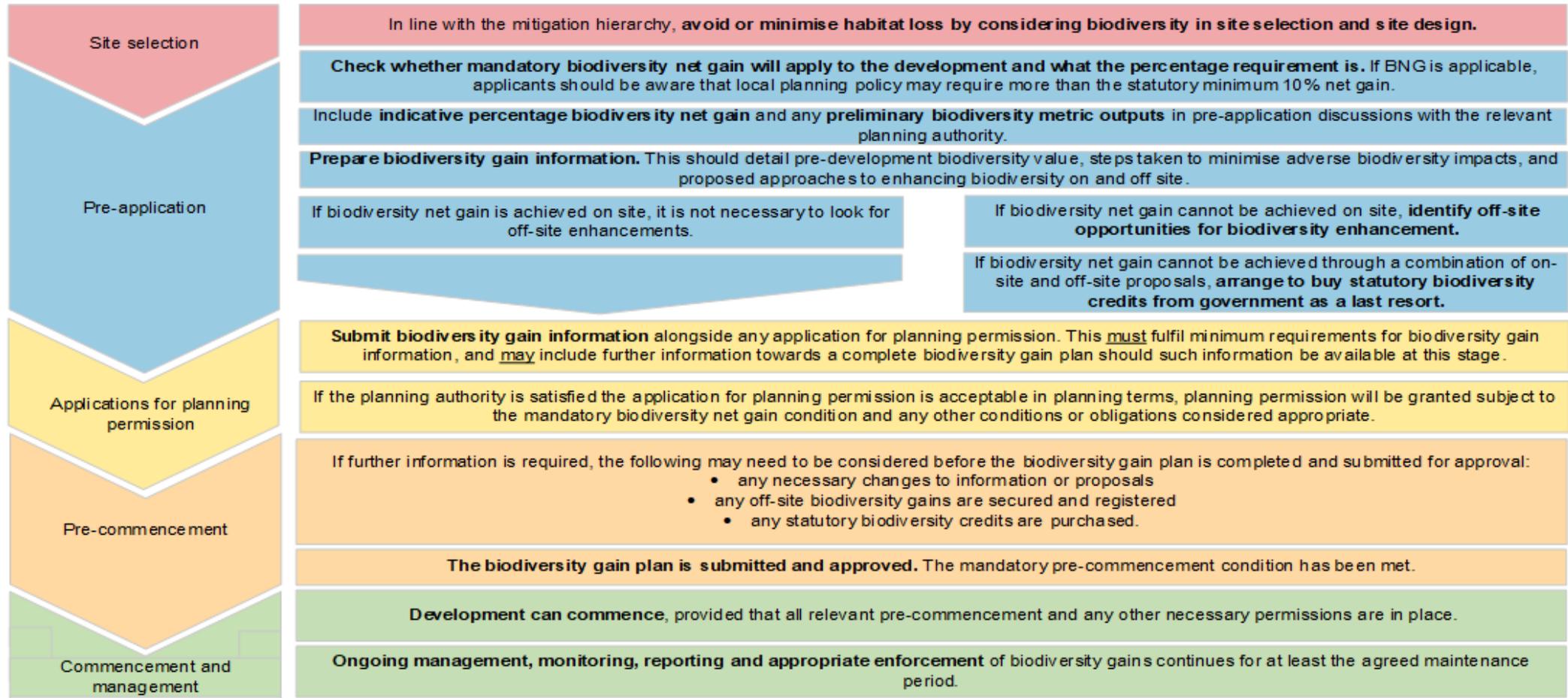
BNG in phased development, including outline planning permissions and minerals development

## **Summing up, next steps and feedback**

Finish at 4pm

# BNG consultation Figure 2: summary process diagram

**Proposed biodiversity net gain process for Town and Country Planning Act 1990 development (indicative process only – not representative of all routes to permission)**



## Process for TCPA development

- Pre-commencement condition - the biodiversity net gain plan must be approved by the LPA before development can begin
- Core biodiversity gain information must be provided with planning application
- ‘Significant’ on-site and all off-site habitat enhancement secured via planning condition, obligation or conservation covenant
- Local authority role:
  - Pre-application advice
  - Check biodiversity gain information provided with planning application
  - Approve biodiversity gain plan
  - Make sure habitat enhancement is secured
  - Scrutiny and enforcement of ongoing habitat management and monitoring

# Phased development

- Biodiversity gain information will be submitted at application stage for outline planning and phased development
- Overall strategy for delivering BNG across the whole site and phase-by-phase covering:
  - key principles to be followed
  - how BNG delivery will be tracked on a phase-phase basis
  - approach to be taken if subsequent phases do not proceed or fail to deliver BNG
  - mechanism to link the framework plan to subsequent applications
- Pre-development biodiversity value agreed and used as basis for detailed proposals through subsequent applications
- Biodiversity gain plan submitted prior to commencement of each phase

## Minerals development

- Additional discretion or considerations to apply for minerals biodiversity gain plans, accompanied by guidance
- For example, iterations of the biodiversity metric as it is applied at various extraction phases or applying the biodiversity metric in a way that better acknowledges the effects of habitats created in advance or at later stages in the scheme
- Reviews of Old Minerals Permissions (ROMPs) – do not intend to apply BNG where these involve amendment of conditions and new conditions being attached to old permissions

# Break-out 1: The overall TCPA process, including securing BNG

- What do you think about the proposed planning application and determination, and biodiversity gain plan submission and approval, process for BNG?
  - Do you think what is proposed is sufficient and achievable?
  - What do you need more clarity on?
- Do you have good examples of determining applications and securing BNG or other landscaping/habitat benefits now?
- What do you think of the proposals to secure significant BNG on-site?
- What do you think of the proposals to secure BNG off-site?
- What would you like guidance on BNG and the planning process to cover?

# Break-out 2: Phased development, including outline permissions and minerals

- What do you think about the proposals for phased development in the consultation?
  - Do you think what is proposed is sufficient and achievable?
  - What do you need more clarity on?
  - What works well at the moment to secure long-term benefits through phased development
- What do you think about the proposals for minerals sites and ROMPs in the consultation?
  - Do you think what is proposed is sufficient and achievable?
  - What do you need more clarity on?
  - What works well at the moment to secure long-term benefits through minerals development?

# Next steps

What do you think?

How did we do?

- More topic-focused events:
  - Process for TCPA development
  - Additionality
  - Biodiversity gain plan
- Ongoing support through PAS project

**Don't forget to respond to the consultation! It closes 5 April.**

# For more information:

Look at our website:

<https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain>

Sign up to the PAS bulletin:

<https://www.local.gov.uk/pas/our-work/keep-touch>

Follow us on Twitter  : @pas\_team

Email: [pas@local.gov.uk](mailto:pas@local.gov.uk)