

## Home Builders Federation

### Matter 4 – Conserving and Enhancing the Natural Environment

***Issue 2 – Whether the approach to the natural environment, biodiversity, landscape, coalescence, countryside, green and blue infrastructure and local green space is justified, effective, consistent with national policy and positively prepared?***

Q5. Is Strategic Policy 17: Green Infrastructure and Biodiversity sound?

- a) Does “Green Infrastructure” mean “Green and Blue Infrastructure”? Are main modifications needed to address this?
- b) Is the requirement for relevant development proposals to deliver at least a 12% biodiversity net gain justified and effective?
- c) Are the requirements for off-site biodiversity net gain justified?
- d) Is criterion 7 effective?
- e) Is criterion 8 consistent with national policy and legislation?

HBF do not consider the requirement for new development to deliver at least 12% BNG to be sound. Planning Practical Guidance clearly states the following:

*“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented”*

As set out in our representations there is no compelling evidence that new development in Horsham is for some reason having a greater impact on biodiversity than in other parts of the country and as such must make a greater contribution. While



the HBF recognise that biodiversity has declined across the country the State of Nature report identifies intensive agriculture required to meet increased food demand to be the primary driver of biodiversity decline in England. HBF recognises that it is necessary for new development to make a positive contribution to ensure new development improves biodiversity in the long term, but we do not support an approach that then requires it to address the wider impacts arising from the practices of other industries.

HBF have some concerns regarding the costs used in assessing the impact of BNG on new development. Firstly, the basis for the costs used in the Viability Assessment are the 2019 DEFRA Impact Assessment. Whilst in the absence of other costs these have been used across the country for assessing viability. However, it must be noted that the IA is an examination of the broad costs to the development industry based on a range of assumptions that will not necessarily reflect the type and location of development coming forward in Wealden and the costs of delivering BNG. In addition, the cost of creating and maintaining one hectare of habitat on site is based on 2017 study by Natural Trust, RSPB, and the Wildlife Trust in relation to farms and not residential development. In particular the on site management costs may well be higher compared to the study and the Council will need to provide evidence to what these costs are rather than rely on those set out in the IA.

With regard to offsite credits HBF welcome the fact that the cost of Biodiversity Units has been increased from the £11,000 assumption in the DEFRA Impact Assessment. However, HBF still consider this to be an under estimate with our members experiencing prices in the region of £30,000 to £50,000. These costs could also be higher still if there are insufficient credits locally and demand for off-site delivery of BNG is high. Given that the delivery BNG is still in its infancy HBF consider it necessary for high costs to be used in considering off site delivery.

To conclude on the issue of going beyond the statutory minimum the HBF are concerned that LPAs are seeking this without a full knowledge as to the impact of the 10% let alone any figure beyond this. The market for credits is still developing, and as such their cost and availability are still in flux. Long term management the impact on developable areas is based on broad assumptions rather than actual examples given that we are still in the early stages of delivering this new statutory requirement. HBF

and our members recognise the importance of improving biodiversity but consider it essential that we understand the impact of 10% before requiring more.

If the 12% requirement is considered to be sound it will be necessary for soundness that flexibility is included in the local plan with regard to the percentage of net gain required above the statutory minimum. The policy should clearly state that where this is impacting the viability and deliverability of a development that any BNG requirement will be reduced to the 10% statutory minimum.

Part 6 of the policy sets out the Council's approach to offsite delivery of biodiversity credits. Firstly, it is not clear why a developer should set out what will be provided to ensure no net loss and what is then provided to achieve no net gains. It may not be possible for development to achieve no net loss of biodiversity on a site and as such have to deliver a greater proportion of the required net gain to be delivered offsite. While it is clearly necessary for development to following BNG hierarchy to ensure that the loss of habitats on site is minimised and then deliver as much net gain on site as possible it is also important to recognise that it may not be possible to deliver no net loss on site as is seemingly being required by the Council. HBF consider it necessary for soundness for the Council to remove reference to no net loss within paragraph 6 of this policy and also in paragraph 6.52 of the supporting text.

The policy also refers to offsite delivery only within borough. Guidance currently states councils can seek to prioritise delivery on site they should recognise that offsite delivery at suitable locations outside of the district can be considered as well as the use of statutory credits as a last resort. This is further emphasised in Government guidance outside of PPG which states "*Biodiversity gains may be delivered anywhere in England, ...*".

HBF recognise that PPG acknowledges that it is important to deliver net gains as close as possible to the development, but this does not prevent development from achieving net gains elsewhere if it is not possible to achieve this in Horsham itself. It should also be remembered that the biodiversity metric already incentivises off-site gains close to development through the spatial multiplier. This means that off-site gains in a neighbouring local planning authority (LPA) will be worth fewer biodiversity units than off-site gains in the same LPA as the development. Off-site gains beyond the neighbouring LPA will be worth even fewer still. As such there is no need to prioritise

where offsite delivery should be achieved within the policy itself as this is addressed in national guidance and through the metric.

Mark Behrendt MRTPI

Planning Manager – Local Plans SE and E