

Biodiversity and Planning Supplementary Planning Document (SPD) Consultation Statement, March 2023

Introduction

In accordance with Section 12 (a) of The Town and Country Planning (Local Planning) (England) Regulations 2012 this 'Consultation Statement' has been prepared to set out the consultation procedures undertaken in preparing the Biodiversity and Planning SPD. This statement covers the following:

1. How consultation was undertaken and who was consulted about the SPD
2. A summary of the main issues raised by people who responded to the consultation.
3. How the issues raised have been considered and addressed in finalising the SPD

1. How consultation was undertaken and who was consulted about the SPD

Public consultation was undertaken on this SPD from **15 July to 9 September 2022**, a period of 8 weeks which was 2 weeks longer than the statutory requirement. Consultation was promoted via:

- the South Gloucestershire Council's website <https://beta.southglos.gov.uk/planning-policy-guidance>
- Local media and social media on South Gloucestershire Council's Facebook page
- Email/ letter sent to everyone on the South Gloucestershire Council's Local Plan database.
- A non-technical guide to help explain the concept of biodiversity net gain was made available on the council's website. [Biodiversity and planning | BETA - South Gloucestershire Council \(southglos.gov.uk\)](#)

Consultees (including statutory consultees) were invited to respond either using the online consultation system via the council's website, by letter or email.

There has also been an ongoing dialogue with South Gloucestershire Council members to explain, discuss and consider the SPD, this included the Policy Advisory Group.

Accordingly, a fully compliant public consultation exercise has taken place which fulfilled the council policies and consultation duties.

2. A summary of the main issues raised by people who responded to the consultation

A total of 28 no. respondents commented on the SPD which comprised volume house builders and their representatives, Natural England, Environment Agency, Woodland Trust, members of the public and local parish and town councils.

The main comments received from each stakeholder group in response to the document can be summarised as:

Volume house builders and the representatives:

- General support for the more detailed guidance provided, but concern regarding prematurity ahead of the new local plan

- Concern over requirement for 10% Biodiversity Net Gain ahead of legal requirement for this
- Comments on mitigation, fees and Biodiversity Net Gain calculation processes and monitoring
- Responses proposing measurement/metrics alternatives and discussing the merits of on/off site compensation
- Concern over enforcement and requirements for reporting

Members of the public

- General enthusiastic support for the document and welcomed clarity and breadth of information included
- Keen to ensure biodiversity protection and enhancement
- Interest in taking a role in monitoring, and proposes involving local councils in biodiversity protection
- Comments on broad climate change issues

Local town and parish councils

- Supportive of the SPD and provided questions on the monitoring and enforcement process. Keen to ensure development is sustainable and biodiversity net gain is achieved locally and evident in the long term

Natural England, Environment Agency and Woodland Trust

- Broadly supportive of the SPD and consider it to provide a useful framework
- Information provided on links with Green Infrastructure and consideration of the blue/green environment
- Comments on biodiversity net gain and helpful clarifying remarks in several areas
- Requests for strengthening the SPD in respect of mitigation and compensation

3. How the issues raised have been considered and addressed in finalising the SPD

A response to all comments received and specific changes to wording is set out at **Appendix 1** and is summarised below in relation to each stakeholder group.

Volume housebuilders and their representatives

- It is considered that the SPD does not introduce new or additional policy requirements but prepares/ sets the scene for the forthcoming requirements under the Environment Bill and mandatory Biodiversity Net Gain – clarification changes have been made to reflect this and how the council will seek BNG contributions ahead of it becoming mandatory.
- Minor changes to wording and some added sentences to clarify expectations and requirements for how applicants should present their BNG assessments, supporting technical evidence and the procedures and practices for how this will be progressed through the development management process.
- Clarification has been provided as to how irreplaceable habitats and indirect impacts on habitats should be taken into account in applying the BNG metric.
- Where information contained in the draft SPD is considered out of date, this has been reviewed and appropriate arrangements made.

Members of the public

- No specific changes to the document made but comments have been noted and addressed through further explanation and guidance to suitable chapters and paragraphs within the SPD.

Parish councils

- No specific changes to the document made but comments have been noted and will be assessed for inclusion in preparing the Council's the new Local Plan.
- Opportunity will be taken in the final published SPD to improve its presentation quality.

Natural England, Environment Agency and Woodland Trust

- Factual changes made in several areas throughout the document to align with Defra guidance, improve accuracy and provide clarity on terminology and BNG requirements.
- Clarification has been provided as to how irreplaceable habitats and indirect impacts on habitats should be taken into account in applying the BNG metric.

A report summarising the key issues raised, officer responses to the detailed comments and recommendation that the updated SPD be adopted was considered by the South Gloucestershire Cabinet Member for Regeneration, Environment and Strategic Infrastructure. This was made as a decision on 14th March 2023 as is available to view at <http://moderngov/ieDecisionDetails.aspx?ID=1463>

Conclusions

A fully compliant public consultation exercise has taken place which has fulfilled the Council's policies and consultation duties. The Council has appropriately reviewed and considered the comments received through public consultation. The SPD embellishes the council's existing adopted Development Plan policies, providing additional technical guidance to support existing Local Plan policies to ensure that wider biodiversity is adequately protected and seek to ensure that net biodiversity gain is derived from development throughout the development process.

Appendix 1: Biodiversity and Planning (SPD) Schedule of comments received and officer response

In preparing this SPD all stakeholders listed on the council's Local Plan Database were consulted. The following respondents provided comments on the SPD.

Respondents

Respondent 1: The Coal Authority
Respondent 2: Environment Agency
Respondent 3: Natural England
Respondent 4: Woodland Trust
Respondent 5: Dodington Parish Council
Respondent 6: Oldland Parish Council
Respondent 7: Pucklechurch Parish Council
Respondent 8: Sodbury Town Council
Respondent 9: Westerleigh Parish Council
Respondent 10: ATA Estates
Respondent 11: Barton Willmore/EDP
Respondent 12: Barwood Land
Respondent 13: Bloor Homes
Respondent 14: Copperfield
Respondent 15: Crest Nicholson
Respondent 16: Ethos Environmental Planning
Respondent 17: Pegasus for Redrow
Respondent 18: Persimmon Homes Severn Valley
Respondent 19: Point Consultancy
Respondent 20: St Modwen and Tortworth Estate
Respondent 21: Vistry
Respondent 22: YTL Developments
Respondent 23: Cotswolds Conservation Board
Respondent 24: Frampton Cotterell Nature Group
Respondent 25: Mr Hitchens
Respondent 26: Mr Selman
Respondent 27: Mrs Bloor
Respondent 28: Ms Taylor

SPD Chapter 1: Key points

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
10, 11, 12, 13, 15		<i>Timing</i> Timing is premature and SPD should follow the new local plan. There is no current adopted development plan policy which seeks a 10% biodiversity net gain (BNG) & provision of the Environment Act have not been enacted.	The Environment Act requires secondary legislation to provide for the commencement of the relevant biodiversity net gain provisions, before 10% mandatory net gain becomes law. The timeline for secondary legislation and further detailed guidance on achieving 10% Biodiversity Net Gain are still unknown but it is expected to apply to development by late 2023. This SPD therefore aims to support existing local and national policy, in the context of the adopted Local Plan Policy PSP 19 and as introduced through the Environment Act (2021), as well as forthcoming legislation on BNG. However, in seeking to address the concerns raised by respondents to the consultation further clarification will be added to page 18 of the SPD to advise that no particular threshold for BNG will be required and any gain will be acceptable before the mandatory requirements are introduced.	Amend paragraph on page 18 of the SPD (with text to be added underlined and text to be removed shown as strike through) to read as follows: <i>'Paragraph 180d of the NPPF and Policy PSP19 both already set out the principle of biodiversity gain in policy terms. This SPD aims to support existing local and national policy, as well as forthcoming legislation on BNG <u>and sets out expectations for biodiversity net gain submissions. In the interim, before 10% BNG becomes mandatory, it also encourages all developments to aim to provide a minimum 10% increase (in biodiversity units) from the pre-development baseline. Prior to BNG becoming mandatory, the council would encourage applicants to achieve 10% net gain, in support of the Council's overarching BNG objectives, but any 'gain' is acceptable in accordance with PSP19. Once BNG becomes mandatory which is expected to be November 2023, then the Council will be requiring 10% net gain to be achieved on development sites as a minimum.</u></i>
Internal		Factual correction and edits to 5 th paragraph to note current status of the Government's BNG provisions and that the SPD should be read alongside any forthcoming government guidance with appropriate consideration given to the most up to date advice and guidance.	Undertake factual correction.	Amend paragraph on page 3 of the SPD (with text to be added underlined and text to be removed shown as strike through) to read as follows: The commencement of the Biodiversity Net Gain provisions in the Environment Act are subject to further regulations made by the Secretary of State. <u>At the time of publishing this SPD. The timeline for this secondary legislation and further detailed guidance on achieving 10% Biodiversity Net Gain is still unknown, but it is anticipated that the provisions will to apply to development by late 2023. Pending this , t</u> The Council's interim objectives in relation to Biodiversity Net Gain and our approach to assessment within the planning process, <u>pending further clarification from Government, is set out in section Chapter 6 and 8. The SPD should be read alongside any further forthcoming government guidance and appropriate consideration given to the most up to date advice and guidance.</u>

SPD Chapter 4: Legislation, Planning policy and Standards

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
23		<i>Cotswolds AONB</i> Reference should be made to the following:	The table covers primary pieces of legislation relating to biodiversity and nature conservation in England and does not refer to national guidance. CROW is separately covered in the document, as is NPPF.	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		<p>Section 85 of the CROW Act explaining that biodiversity contributes to AONB beauty</p> <p>Chapter 15 of the National Planning Policy Framework (NPPF)8, to the conservation and enhancement of wildlife being an important consideration in AONBs</p> <p>Government's '30 by 30' initiative and the important role that protected landscapes play in achieving this</p> <p>Cotswolds AONB Management Plan 2018-2023 Policy CE7 (Biodiversity), AONB Landscape Character Assessment, the Cotswolds AONB Landscape Strategy & Guidelines and the Cotswolds Nature Recovery Plan</p>		

SPD Chapter 5: When and where is biodiversity likely to need protecting?

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
3		All references to Natura 2000 sites should be deleted - SACs and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The term Natura 2000 site should be replaced with 'habitats site' as defined in NPPF Glossary	Checked and corrected.	Update all references to 'Natura 2000' and replaced with 'Habitat Site' throughout the document.
4		<i>Ancient Trees</i> Proposes text on protecting ancient and veteran trees, and reference to the Ancient Woodland and Ancient Tree	Ancient and veteran trees are protected through the mitigation hierarchy. Ancient and veteran trees are irreplaceable habitats, and their loss and deterioration should already be refused within planning applications, in line with existing national	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		Inventory as a resource for use in decision making Propose reference to Ancient Wood Pasture in line with Standing Advice	legislation. Accordingly it is considered no further changes are needed to be made to the SPD.	
Internal		<i>Section 5.6</i> factual correction needed to reference to forthcoming Natural England guidance	Undertake factual correction.	Update last sentence on page 16 (with text to be added underlined and text to be removed shown as strike through) to read as follows: <i>At the time of <u>publishing</u> writing this SPD (March 2023) Natural England is currently developing new guidance which will set out the definition and a definitive list of irreplaceable habitats in England. It is intended for this draft guidance to be produced by Summer 2023 to form part of the forthcoming reform of national planning policy.</i> Font also to be amended for consistency

SPD Chapter 6: What is Biodiversity Net Gain?

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
2		Clarity is needed as to the metric being used for BNG BNG minimum should be 10% but above 10% would be supported by EA 10% BNG for river habitats for developments including a watercourse is needed Accommodating BNG off-site could enable the creation of more blue/green infrastructure. Blue/green infrastructure needs to be seen as a connected network across the area and beyond.	This would be the most up to date metric, as noted on page 18 of SPD Noted, and agree Noted, and agree Noted and agreed. Preparations for offsite BNG are in progress where this would be consistent with the mitigation hierarchy. This includes SGC's Habitat Bank Project Plan in which strategic habitat mapping is being undertaken, to identify and put forward suitable habitats in strategic locations. Please see Chapter 6.1 of the SPD for more details. SGC is also working with third-party habitat brokers to maximise offsetting opportunities. Noted and agreed. See published Green Infrastructure SPD for further details	No change No change No change No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		<p>Consideration should be given to the GI opportunities associated with managed retreat. Further advice in EA Shoreline Management Plan</p> <p>Opportunities for carbon sinks using saltmarsh habitats and increased soil depth and quality could be explored</p>	<p>Table 3, page 34 covers biodiversity offsetting options.</p> <p>This issue is separate from BNG, and so is not within the scope of this document. This could be considered as part of the Council's new Local Plan.</p>	<p>No change</p> <p>No change</p>
23		20% BNG should be the aim in the AONB. AONB should be the area of priority for delivery of BNG	The Environment Act requires secondary legislation to provide for the commencement of the relevant biodiversity net gain provisions, before 10% mandatory net gain becomes law. The timeline for secondary legislation and further detailed guidance on achieving 10% Biodiversity Net Gain are still unknown but it is expected to apply to development by late 2023. This SPD therefore aims to support existing local and national policy, in the context of the adopted Local Plan Policy PSP 19 and as introduced through the Environment Act (2021), as well as forthcoming legislation on BNG, which requires most developments to achieve 10% net gain.	No change
3		<p>Between now and when BNG becomes mandatory the council is encouraged to investigate potential land in strategic locations that could form a pipeline for off-site BNG.</p> <p>Biodiversity unit tariffs – our understanding is that once BNG is mandatory LPAs will not be able to set tariffs or hold money</p>	<p>Preparations for offsite BNG are in progress. This includes SGC's Habitat Bank Project Plan in which strategic habitat mapping is being undertaken, to identify and put forward suitable habitats in strategic locations in accordance with the mitigation hierarchy. Please see Chapter 6.1 of the SPD for more details. SGC is also working with third-party habitat brokers to maximise offsetting opportunities.</p> <p>Disagree. LPAs will be able to set tariffs expressed as the habitat unit cost and also hold the monies secured to deliver offsetting.</p>	<p>No change</p> <p>No change</p>
10		Additional text proposed until BNG becomes mandatory: "However, until 10% BNG becomes	The Environment Act requires secondary legislation to provide for the commencement of the relevant biodiversity net gain provisions, before 10% mandatory net gain becomes law.	Amend paragraph on page 18 of the SPD (with text to be added underlined and text to be removed shown as strike through) to read as follows: <i>'Paragraph 180d of the NPPF and Policy PSP19 both already set out the principle of biodiversity gain in policy terms. This SPD aims to support existing local and national policy, as well as forthcoming legislation on BNG and sets out expectations for biodiversity net gain</i>

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		mandatory proposals that achieve BNG of less than 10% will not be considered unfavourably”.	The timeline for secondary legislation and further detailed guidance on achieving 10% Biodiversity Net Gain are still unknown but it is expected to apply to development by late 2023. This SPD therefore aims to support existing local and national policy, in the context of the adopted Local Plan Policy PSP 19 and as introduced through the Environment Act (2021), as well as forthcoming legislation on BNG. However, in seeking to address the concerns raised by respondents to the consultation further clarification will be added to page 18 of the SPD to advise that no particular threshold for BNG will be required and any gain will be acceptable before the mandatory requirements are introduced.	submissions. In the interim, before 10% BNG becomes mandatory, it also encourages all developments to aim to provide a minimum 10% increase (in biodiversity units) from the pre-development baseline, Prior to BNG becoming mandatory, the council would encourage applicants to achieve 10% net gain, in support of the Council’s overarching BNG objectives, but any ‘gain’ is acceptable in accordance with PSP19. Once BNG becomes mandatory which is expected to be in November 2023, then the Council will be requiring 10% net gain to be achieved on development
Internal		Update text so that font is consistent at bottom of page 19	Undertake correction.	Change made

SPD Chapter 7: Building Biodiversity into Development

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
5, 7, 8, 9		<i>Stage 6 - Implementation, monitoring and enforcement</i> Concern over enforcement of conditions on developers and on willingness of compliance. Monitoring should take place more regularly than every 5 years.	Monitoring processes are being developed within the council and are somewhat reliant on further guidance being stipulated within secondary legislation. This information will not be included within the SPD as it is still under preparation. The council’s website and new local plan will further articulate implementation and monitoring strategies.	No change
10		<i>7.2 Planning Process</i> The draft SPD should not be used to amend the Council’s local validation requirements. Validation should be undertaken in accordance with the Council’s validation checklist. Whether or not sufficient information is provided by applicants to enable planning permission to be granted is a matter for the decision-making process and should not be used as a reason to delay validation.	Section 7.2 of the SPD is advising that the potential impacts on biodiversity are considered at the earliest possible stage of any proposal. The SPD links to the council’s webpage that gives information on what applicants need to submit with their planning applications. This is included in the SPD for information purposes and to help to assist applicants submit the correct information. To clarify the status of this as advice to applicants the text in the box on page 26 will be amended.	Delete existing text box on page 26 and replace with: <i>‘To avoid any potential delays with planning applications being determined, applicants are encouraged to ensure all appropriate ecological information is provided when the application is submitted to the Council. Further details are available at our website What you need to submit with your planning application BETA - South Gloucestershire Council (southglos.gov.uk)’</i>

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
17		7.2 Stage 1 Feasibility and Scoping Suggest stating that Ecology Officer time can be requested at pre-application stage.	Agree. Please see updated text at section 8.2	Updated section 8.2 (see below)
16		Impact Assessments page 24 Should refer to PEAs	Preliminary Ecological Assessment (PEA) and UK Habs is correct and sufficient as set out on page 24 of the SPD.	To assist clarification for the user of the SPD, the text: 'or Extended Phase 1 Habitat Survey' to be removed
17		7.3 Stage 3 Scheme Design Suggest rewording shown as underlined/ strike through text. "Good design for development is based on the findings of the ecological surveys and Impact Assessments, including the BNG assessment, as set out in 7.2 – Stage 2 (<u>amongst a range of other detailed considerations, assessments and policy requirements which together formulate good design</u>). The applicant and the ecological consultant need to ensure that ecological impacts and avoidance, mitigation, compensation and BNG requirements are identified and included from the outset in the scheme design. Ideally, the design process should only begin once all relevant <u>preliminary</u> surveys have been completed and assessed and the council consulted in regard to the species and habitats <u>present if necessary</u> ." Suggest deletion of first bullet point (below) as conflicts with para 180 of NPPF "Locate the proposed development on another site with less harmful impacts"; 7.4 Stage 4 Submission of the Planning Application	The suggested wording " <i>amongst a range of other detailed considerations etc</i> " does not need to be added as it is not relevant to the SPD. Addition of the word " <i>preliminary</i> " is useful and is to be added to the SPD. Retain " <i>assessed and</i> " as this is considered to be necessary and useful to inform the reader. The suggested additional " <i>if necessary</i> " is not considered appropriate as this refers to a key part of the process Agree. Although considered appropriate to retain the text at the last paragraph of section 7.3 This text relates to the submission of the planning application.	Add the word preliminary. Add the word " <i>preliminary</i> " No change No change Re-locate the text to form a new sentence to the last paragraph of section 7.3. Para to read: ' <i>As previously indicated, the process of designing a development should follow the Biodiversity Mitigation Hierarchy. <u>If necessary, locate the proposed development on another site with less harmful impacts.</u></i> ' No change.

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		<p>Suggest change of wording in last sentence: “Once you have completed the requisite surveys, impact assessments and design (Stages 1 and 2 as set out in 7.2 and 7.3 above) the application can be presented to the council determined.”</p> <p>7.5 Stage 5 – Determination Suggest changing “will be subject to conditions” to <u>may</u> be subject to conditions”</p>	<p>Not agree. Planning applications will be supported with their necessary planning conditions.</p>	<p>No Change</p>

SPD Chapter 8: How to carry out a Biodiversity Net Gain Impact Assessment

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
11,14,13, 15, 21		<p><i>8.1 Additionality/Stacking</i> The draft SPD suggests that mitigation measures can be incorporated into the calculation to reach a ‘no net loss’ position but cannot contribute towards the mandatory 10% gain required. This is overly complicated and unworkable and should not relate to particular protected species. Should wait until consultation/finalisation of the Environment Act 2023</p> <p>The topic of stacking and additionality is still being ironed out and this wording seems to be ahead of anything agreed nationally. Mitigation methods can be incorporated but note mandatory. The basic purpose is to leave the environment in a measurably better state (Savills comments)</p>	<p>Agree. Wording in Section 8.1 to be amended.</p>	<p><i>Paragraph ‘Additionality’ to be deleted and replaced with the following text to read: ‘Additionality – Applications are encouraged to be additional and it is therefore necessary to have an understanding of the type and extent of habitat mitigation required without the inclusion of BNG. For example, mitigation and compensation measures required for Protected Species may be counted towards a biodiversity net gain but should not make up the full extent of a development’s biodiversity net gain (this includes off site compensation too).’</i></p>
4		<p><i>8.1</i> Recommend an extra sentence that BNG should be additional to mitigation and compensation of impact to irreplaceable habitats</p>	<p>Noted. The council is currently awaiting further DEFRA guidance on additionality from the secondary legislation and our website will be updated in due course. Any impacts on irreplaceable habitats is subject to its own legislation.</p>	<p>No Change</p>

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
16		<p>8.1 Additionality - how are you going to decide what is necessary? If you are going to exclude green infrastructure, public open space or SuDS from being able to deliver biodiversity net gain, very few schemes will be able to deliver a BNG without considerable offsite delivery. There is a need to consider the multi-functional benefits of these on-site habitats. It may be better to provide advice on the types of habitats that can be delivered on site, rather than excluding all policy necessary green space from BNG calculations. Natural England have provided advice on how enhancements to SANGS can be included in BNG calculations.</p>	Noted. Wording in Section 8.1 to be amended	<p>Paragraph 'Additionality' to be deleted and replaced with the following text to read: 'Additionality – Applications are encouraged to be additional and it is therefore necessary to have an understanding of the type and extent of habitat mitigation required without the inclusion of BNG. For example, mitigation and compensation measures required for Protected Species may be counted towards a biodiversity net gain but should not make up the full extent of a development's biodiversity net gain (this includes off site compensation too).'</p>
15,16		<p>8.1 Stage 3 Run a baseline BNG calculation The exception to the use of the most up to date metric is for sites where a Biodiversity Net Gain assessment has been started with a previous version of the metric. As the biodiversity units generated by each version of the metric are unique, the same metric must be used across all stages of a project. In these instances, Natural England recommends continuing assessment with the previous version of the metric.</p>	Agreed – wording to be clarified to explain that if the previous metric has been used and submitted, the continuation of that metric is recommended.	<p>Paragraph 'Stage 3: Run a baseline BNG calculation for the development.' to be deleted and replaced with the following text to read: 'Stage 3: Run a baseline BNG calculation for the development. This should be done using the latest published Biodiversity Metric, however if a previous version of the Metric has already been used and submitted to the council, then the continuation of this Metric should be used. The spreadsheet should show the assessment of existing/pre-development habitat translated into biodiversity units, contrasted with the proposed/post-development biodiversity units (reflecting any proposed on or off-site habitat creation and restoration), and a value representing the change in biodiversity value. All habitats (existing and proposed) require a habitat condition assessment and this will need to be inputted into the metric.'</p>
15		<p>8.1 Stage 4: Priority Habitats This should read as "that these aims should be prioritised" and that it is not mandatory to restore or create Priority Habitats. Good biodiversity gains can also be attained by enhancing / creating non-priority habitats.</p>	As per paragraph 179 (b) of the NPPF, the mitigation hierarchy and the 'like for like or better' principle, the restoration and/or re-creation of priority habitats should be promoted (if impacted), although it is agreed that BNG can be achieved by enhancing/creating non-priority habitats.	<p>Amend the text to read: 'Applicants should ensure that on-site or off-site compensatory and BNG habitats promote <u>secure</u> the restoration and/or re-creation of Priority Habitats, local sites, ecological networks and the protection and recovery of legally Protected and Priority Species populations, <u>if impacted</u>.'</p>
4		<p>8.1 Stage 4 SPD should go further than priority habitats as BNG is not limited to these. Onsite measures such as street trees can count towards BNG.</p>	It is considered the SPD already goes further and broader than priority habitats, and is not limited to these in seeking BNG.	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
			Therefore no further changes are required.	
4		<p><i>Stage 2</i> Proposed amendment: Where irreplaceable habitats are impacted BNG cannot be achieved. Regulations on irreplaceable habitats are to be introduced (but are not yet covered by separate legislation)</p> <p><i>Indirect Impacts</i> Clarify that indirect impacts are not necessarily included in the biodiversity metric</p>	<p>Whilst irreplaceable habitats can be included within the metric to give an indicative picture of the biodiversity value of the habitats present on a site, they will require separate consideration which must comply with existing national and local policy and legislation. (BNG User Guide). To aid clarification for the user text to be amended.</p> <p>Agree - the Metric only accounts for direct impacts on habitats within the footprint of a development or project. The metric has been developed to be a simple assessment tool and only considers direct impacts on biodiversity through impacts on habitats. Indirect impacts are also important, but they are not included in the metric. (BNG User Guide)</p>	<p>Paragraph '<i>Stage 2: Identify irreplaceable habitats and nationally and internationally designated sites.</i>' to be deleted and replaced with the following text to read:</p> <p>'Stage 2: Identify irreplaceable habitats and nationally and internationally designated sites. If irreplaceable habitats and nationally designated sites are within the development footprint, these should be included within the metric to give an indicative picture of the habitats on site, but will require bespoke advice and separate consideration to ensure that impacts to irreplaceable habitats comply with existing national and local policy and legislation (see Chapter 5). '</p> <p>Remove paragraph: 'Indirect impacts – the assessment should also include any land outside the development boundary where there is an indirect impact on biodiversity (where possible), and additionally any offset sites which the developers are proposing to compensate for impacts on biodiversity'</p>
16		<p><i>8.1 Stages of a BNG Impact Assessment</i></p> <p><i>Stage 1</i> If other metrics are used, applicants must explain how they have translated assessment to UKHabs to ensure consistency</p> <p><i>Stage 2</i> NE guidance states that irreplaceable habitats can be included in measurement if they are not being impacted and enhanced.</p>	<p>Noted. This will be taken into consideration when reviewing the metric. However, no changes are considered necessary.</p> <p>Agreed. Whilst irreplaceable habitats can be included within the metric to give an indicative picture of the biodiversity value of the habitats present on a site, they will require separate consideration which must comply with existing</p>	<p>No change</p> <p>Paragraph '<i>Stage 2: Identify irreplaceable habitats and nationally and internationally designated sites.</i>' to be deleted and replaced with the following text to read:</p> <p>'Stage 2: Identify irreplaceable habitats and nationally and internationally designated sites. If irreplaceable habitats and nationally designated sites are within the development footprint, these should be included within the metric to give an indicative picture of the habitats on site, but will require bespoke advice and separate consideration to ensure that impacts to irreplaceable habitats comply with existing national and local policy and legislation (see Chapter 5). '</p>

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		<p><i>Table 1: Assigning Strategic Significance of the habitats</i> Are the areas in the GI network strictly about biodiversity? As BNG is a biodiversity related policy, the application of strategic significance should relate only to biodiversity and nature conservation objectives</p> <p><i>Table 2: Assigning the Spatial Risk Factor</i> Greater significance should be assigned to National Character Areas as these can be unique within an area. Greater clarity on indirect impacts is needed to ensure consistency</p>	<p>national and local policy and legislation. (BNG User Guide). To aid clarification for the user text to be amended.</p> <p>The nature recovery network, identified within the WENP mapping, forms the ecological/biodiversity core of our wider GI corridors. However, these GI corridors also encompass other components of GI, such as visually important hillsides and strategic views, landscape character and visual connectivity. Therefore no changes are required.</p> <p>Table 2 explains how the spatial risk factor for offsite BNG within the metric is governed. I.e. Whether the offsite BNG is located within the same NCA or outside of it, not how much significance is assigned to NCA's themselves. Therefore no changes are required subject to removing the 'Indirect impacts' text as highlighted above.</p>	<p>No change</p> <p>No change</p>
Internal		To assist clarification for ensuring baseline habitats are adequately reviewed.	Additional text to be added to first paragraph of section 8.2.	First sentence of the first paragraph at section 8.2 to be amended to read: <i>'The council will need to review and verify the baseline BNG calculation (the completed calculator spreadsheet document, not a 'snap shot' or summary) <u>and evidence of condition assessment results for each habitat type</u>....'</i>
11,14,13, 12, 15		<p>8.2 Review Fees Understand the authority will require the full evidence base to support the baseline calculation and assessment of BNG. However, we do not accept that the council can charge a fee for undertaking the review. The assessment of BNG will become a mandatory part of the planning process and</p>	Accept. Planning application fee is fixed but the Council does have discretion for introducing BNG fees for pre-application advice. To assist clarity to the user of the	<p>Section 8.2 to be amended to delete the wording <i>'This check is mandatory and includes a fee'</i> and replace it with the following:</p> <p><i>'This will be undertaken as part of the assessment of submitted evidence in accordance with the application determination process and as covered by the statutory application fees that apply at the time. Applicants are also able to request a review of their proposed BNG calculation as part of the Council's pre-application service, to which a fee would apply.'</i></p>

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		the authority is obliged to undertake an assessment of submitted evidence in determining the planning application.	SPD the text at section 8.2 to be amended.	
16		8.2 Consultants and developers will need access to the same data the Council uses to assess sites that have been degraded, to provide transparency and fairness to this process	Agree. Aerial imagery can be found online. Alternatively, this can be discussed with the LPA Ecologist on a case by case basis. Wording in the text box and final paragraph under section 8.2 to be amended to reflect this.	Remove phrase <i>'held by the council'</i> from the text in the box on page 32. Amend the wording in final paragraph under section 8.2 to read: <i>These calculations should need to be accompanied with GIS-based habitat/ landscape mapping that separately shows the existing/pre-development and proposed/post-development habitats /biodiversity units. If using GIS see Appendix 3 for further details on what needs to be submitted to meet GIS data standards and Appendix 4 contains a draft biodiversity gain plan template</i>
5, 9		8.3 For off-site compensation, it is necessary to take the community role of natural spaces into account, keeping new habitats area near the local community and connecting them to other areas of valuable habitat	Noted. Whilst it is agreed that offsite enhancements could provide positive biodiversity benefits, by keeping BNG onsite and following the mitigation hierarchy, local communities and wildlife affected by the development will see direct benefits and compensation through the continued provision of green space and habitats. Accordingly, it is not considered further changes are needed to be made to the SPD.	No change
18		8.3 Biodiversity Offsetting (offsite compensation) 15% administration fee is not supported by evidence that this is fair and justified	Table 3 P33 sets out the council's position and clarifies for the user that the Biodiversity Unit tariff is available on the council's website.	No change
11,14,13,12		8.3 Offsite provision of BNG Offsite enhancements could secure greater biodiversity benefits in some cases and should therefore not be considered the last resort	Whilst it is agreed that offsite enhancements could provide positive biodiversity benefits, by keeping BNG onsite and following the mitigation hierarchy, local communities and wildlife affected by the development will see direct benefits and compensation through the continued provision of green space and habitats. Accordingly, it is not considered further	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
			changes are needed to be made to the SPD.	
24,26		8.3 Off site BNG should not be an option	As per comment above. The approach set out in Section 8.3 follows mitigation hierarchy. The council's priority is to demonstrate gain. Accordingly, it is not considered further changes are needed to be made to the SPD.	No change
Internal		8.3 Change 'restoration' to 'retain/enhance' for consistency with metric terminology	Agree, making this change ensure clarity and consistency with metric terminology for the user of the SPD.	Amend the first sentence of section 8.3 to delete 'restoration' and replace with 'retain/enhance'
16		8.3 Preference for onsite delivery will not necessarily give the best biodiversity outcomes and should be considered on a case by case basis. Proposes using mitigation hierarchy and standards (like Building with Nature) to deliver good quality development The issue of extending the red line is that the baseline becomes larger and it becomes even harder to deliver a net gain. This section is contradictory and should be reworked to ensure messages are consistent	Whilst it is agreed that offsite enhancements could provide positive biodiversity benefits, by keeping BNG onsite and following the mitigation hierarchy, local communities and wildlife affected by the development will see direct benefits and compensation through the continued provision of green space and habitats. Accordingly, it is not considered further changes are needed to be made to the SPD. This matter is determined on a case by case basis as it is an option for applicant. However, to assist clarity for the user of the SPD, it is proposed to amend the text in the first paragraph of section 8.30	No change Amend the text in the first paragraph of section 8.30 to read: 'This could include the applicant deciding to extend their development footprint/ red line boundary to include adjacent land for compensatory and offsetting purposes. This could include enhancing the existing habitat of the adjacent land, or creating a higher distinctiveness habitat to achieve BNG. extending the development footprint/red or blue line boundary to include adjacent land for the BNG compensatory habitat.
4		8.3 Biodiversity Offsetting Clarify that when extending development footprint, the land is not proposed for development but offsetting	See comment above	See change proposed above.
Internal	Section 8.4	8.4 The National Biodiversity Gain Site Register	Factual update following DEFRA guidance published February 2023.	Amend Section 8.4 to read:

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
				'When BNG becomes mandatory, any off-site gains included in a Biodiversity Gain Plan will need to be registered on the national biodiversity gain site register and the registered gains allocated to the specific development in question. <u>Achievable biodiversity gains will be secured via a binding legal agreement and this will be a pre-requisite to registering for the BNG site register. Registration will involve an online application to the register operator who will assess whether the application (and its proposed enhancements) meet the eligibility criteria.</u>
16		8.5 Registering habitat banks Unnecessary to have a local habitat bank register when national register is in place.	Noted. However, as the National register is not yet in place the local register is therefore necessary and significant.	No change
Internal		8.5 Add in condition assessments	To be added to assist clarification for ensuring baseline habitats are adequately reviewed.	Amend first bullet point in the text box on page 34 to read: <ul style="list-style-type: none"> '<u>Details of baseline habitat/s (prior to habitat creation) – unit value, condition assessments, photos and supporting GISfiles and habitat maps;</u>
18		8.6 Biodiversity Net Gain Plan requirements The criteria for exempt development should be included in the document	Noted. However as the criteria for exempt development might change under secondary legislation it is not considered appropriate to introduce this proposed amendment. If required this can be included on the council's biodiversity and planning webpages.	No change.
17		8.8 BNG and Construction Clarification of monitoring and compliance arrangements needed	Noted. Monitoring processes are being developed within the council and are somewhat reliant on further guidance being stipulated within secondary legislation. This information is therefore not included within the SPD as it is still under preparation. The council's website and new Local Plan will further articulate implementation and monitoring strategies.	No change
11, 14,13, 21		8.9 Monitoring Fees It is not clear from the draft how the 'BNG sum' will be calculated, nor how the 10% monitoring figure has been derived. Needs to be justified, reasonable and proportionate to be incorporated into a Section 106 agreement	Noted. Monitoring processes are being developed within the council and are somewhat reliant on further guidance being stipulated within secondary legislation. The council's website and new Local Plan will further articulate	Delete paragraph 6 of section 8.9 to ensure clarity over monitoring

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
			implementation and monitoring strategies. To reflect this factual position and ensure clarity over monitoring, it is proposed to delete the paragraph 6 of section 8.9	
16		<i>8.9 Monitoring Management and Enforcement</i> This appears to be doubling up on the monitoring included in the LEMP or HMMP. and it is not clear what is being monitored by whom or when	See comment above	See change proposed above
18		<i>8.9</i> The proposed timelines for monitoring noted across the document do not align and should be modified	See comment above	See change proposed above
27		<i>8.9</i> It is important that the measures of the SPD are communicated to Parish and Town Councils who are responsible for the upkeep of some green space so that biodiversity is not lost through unnecessary strimming	Noted. The Council regularly liaises with parish and town councils through the P&TC forums where information relating the SPD can be provided.	No change
16		<i>Table 3: Biodiversity offsetting options</i> Lacking in detail to make it workable including: What has the Council done to acquire land in strategic locations/create habitat banks to offset development impacts? How many units are available? What habitats have been created? Are the management and monitoring plans available for scrutiny?	Noted. Monitoring processes are being developed within the council and are somewhat reliant on further guidance being stipulated within secondary legislation. The council's website and new Local Plan will further articulate implementation and monitoring strategies. To reflect this factual position and ensure clarity over monitoring, it is proposed to delete the paragraph 6 of section 8.9.	Remove paragraph 6 of section 8.9 to ensure clarity over monitoring

SPD Chapter 9: Other types of Impact Assessments

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
3		All references to Natura 2000 sites should be deleted - SACs and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 Regulations have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The term Natura 2000 site should be replaced with 'habitats site' as defined in NPPF Glossary	Checked and corrected.	Update all references to 'Natura 2000' and replaced with 'Habitat Site' throughout the document.

SPD Chapter 10: Biodiversity Design Guide

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
2		<p><i>Page 40</i> 'Removal of any invasive species' is supported but needs to go further as removal alone may not be sufficient. If the species is on Schedule 9 of the Wildlife & Countryside Act (1981) as amended, the applicant should provide a plan for the removal and control/eradication of the species to prevent spread because of development.</p> <p>Encourage the restoration and enhancement of watercourses on or adjacent to proposed development and naturalisation of any culverted lengths.</p>	<p>Agreed, however it is not the role of the SPD to lead on the control and removal of invasive species. This would be covered within the landscape specification and proposals for the site and continued management under the LEMP.</p> <p>Noted. This matter is covered in the SPD and does not need additional wording</p>	<p>No change</p> <p>No change</p>
16		Schemes should be genuinely deliverable and unlikely to fail in the long term. Policy should be more realistic on what is likely to be achieved. On site proposals will be subject to significant disruption.	Chapter 10 contains a variety of opportunities which could be included within a range of sites. A general 'realistic' approach is not possible as each development will be site specific due to a number of variables. Additionally, monitoring processes are being developed within the council and are somewhat reliant on further guidance being stipulated within secondary legislation. This information will not be included within the SPD as it is still under preparation.	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
			The council's website and new Local Plan will further articulate implementation and monitoring strategies.	
4		<i>Root Protection Area</i> Propose adding a minimum 15m buffer to ancient woodland and to the Root Protection Area of individual trees and extra in line with standing advice for Ancient and Veteran Trees	A 15m buffer is the standard requirement for SNCI's and woodland. Requirements for the protection of RPAs is covered in the tree survey and arboricultural method statement submitted as part of all planning applications where trees are impacted by the development. Please refer to out adopted trees on Development Sites SPD.	No change
11, 14	Page 39	<i>Sustainable Drainage Systems</i> Expand section cover all aspects of SUDS - source control measures, sustainable conveyance channels and wet woodland within attenuation features. <i>Formal Landscaping</i> Expand to note considerations that should be included in a biodiverse planting scheme; that multi-layered planting should be emphasised; and for a rich diversity of planting species to be introduced for climate resilience purposes. <i>Buildings and Biodiversity Features</i> Should state minimum number of features to be included within developments, especially in relation to bat and bird features, to provide clarity to developers. Proposes a minimum of one bird feature and one bat feature per every ten dwellings. <i>Artificial Lighting</i> Further advice should be included in relation to dark corridors.	This level of specific detail goes beyond the measures of this document. Please refer to the SUDs SPD for further details. Agree and where multi functionality can be provided it will be through the planning system. Biodiversity and planting details, for example, will be detailed under site specific Landscape and Ecological Management Plans, rather than throughout this SPD Noted. However this is considered to be site specific detail which is inappropriate to be included in the SPD Further information and advice is provided via the link on dark corridors which is within the document on page 43	No change No change No change No change

SPD Appendix 3: GIS requirements

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
16		This is difficult to read and use. Proposes the ALERC data standard for BNG data	Noted. The presentation quality of this Appendix will be reviewed as part of publishing the final SPD	No change
21		<i>BNG reporting/plan requirements</i> Unnecessarily onerous guidelines on format of GIS shapefiles to be provided.	GIS files will be needed to support an application to the national register and for mapping/monitoring purposes of offsite BNG. Generally, BNG applications have the option to submit habitat maps in other formats. Accordingly no changes are considered needed to be made.	No change

SPD Appendix 4: Biodiversity gain plan template

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
16		There should be consistency with other templates, eg Natural England to save repeating information in different formats Evidence requirements are incomplete. Full details of habitats are required, not brief summaries. This should include evidence to support condition assessments Template suggests that EclAs are no longer required for planning, is this the case? Section H1 cannot be answered as the monitoring requirements have not been clearly set out in this document	Agreed. While the template was provided for illustrative purposes it is recognised this is now out of date. Accordingly, Appendix 4 and references to it in the SPD will be deleted. Noted. See comment above. Noted. See comment above. Noted. See comment above.	Appendix 4 and references to it in the SPD to be deleted from the final published SPD. See change above See change above See change above

SPD Appendix 5: 7km Recreational Zone of Impact for the Severn Estuary

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
3, 11, 14		<i>Severn Estuary Zone Of Influence</i> This should be set out through the Local Plan not SPD so that it can be published and tested through Examination. The map is not clearly labelled and should have a key.	Agree – The 7km recreational zone of impact on the Severn Estuary is included for information purposes only. It is agreed the process for setting out zones of influence and mitigation measures in detail will be	No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
			through the Council's new Local Plan. Agree – a key will be included on the map.	A key will be included on the map as part of publishing the final SPD.

SPD Appendix 6: South Gloucestershire Council's Road verge mix specification

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
16		<i>South Gloucestershire Council's Road verge mix specification</i> The Council should not favour one seed supplier - provide a list of species included in these mixes, so that seed can be obtained from other suppliers.	Agree. Text in the Appendix will be deleted and replaced with alternative wording.	Delete current Appendix 6 and replace with the following text 'Wildflower mix specification <i>For new wildflower and rough grassland areas within new development a locally sourced seed mix should be used, appropriate for the underlying soil type, site situation and future use.</i> <i>South Gloucestershire Council's Road verge mix specification for new grasslands and reinstatement on council land is currently being trialled on a number of key sites and further guidance will be issued on our website in due course.'</i>

General Observations on SPD

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
24,26		Building housing near mature trees, should be avoided and provide a definition of what distance between the trees and buildings should be. Suggest reference to eco housing as a more sustainable option for development Document should aim to reduce soil removal as it is a valuable source of biodiversity	Noted. This is covered through arboricultural reports and tree protection plans, on a site specific basis Noted. This points is already covered in the SPD, see chapter 10 for recommendations on green roofs, green walls and integrated wildlife boxes Noted. Through application of the guidance in this SPD measures to support soil retention associated with new development can be achieved.	No change No change No change
25		Preserving the green belt and green corridors is key to nurturing a biodiverse environment Prioritise redevelopment of brownfield sites	Agree, the Council's Local Plan contains policies to maintain the Green Belt and support the delivery of green infrastructure. Planning decisions are assessed against these policies. Noted. the Council's Local Plan contains policies to promote development on brownfield sites.	No change No change

Respondent ID	Document Reference	Summary of Comments	Officer Response	Action Recommended
		<p>Avoid large developments</p> <p>Preserve and respect the historic and archaeological sites within our area</p>	<p>Planning decisions are assessed against these policies.</p> <p>Noted. The council is required to ensure it delivers sufficient new homes in accordance with its statutory planning functions. This requires a range and type of new developments to be delivered. It is the role of the Council's Local Plan to identify new developments which can include strategic scale new neighbourhoods where these are considered sustainable.</p> <p>Agree, the Council's Local Plan contains policies to conserve the historic built environment. Planning decisions are assessed against these policies.</p>	<p>No change</p> <p>No change</p>
28		Taking action on climate change through sustainability measures is crucial e.g. renewables, sustainable construction and public transport	Noted, both national and local policy reflect and take these issues into consideration.	No change