

# Appendix A GCSP Interim offsite BNG protocol

July 2022

## Introduction

This Technical Note provides interim local guidance in relation to proposed offsite Biodiversity Net Gain (BNG) to ensure that applicants and decision makers are clear on what is expected by the councils when considering offsite BNG proposals, prior to November 2023.

BNG delivers measurable improvements for biodiversity by creating or enhancing habitats affected by development. BNG can be achieved on-site, off-site or through a combination of on-site and off-site measures, with a starting point always being what can be done on-site.

The mandatory 10% BNG as set out in the Environment Act (November 2021) is likely to become law in autumn 2023 and will apply to all Town and Country Planning Act (TCPA) applications. In the interim, Greater Cambridge Shared Planning (GCSP) Biodiversity Supplementary Planning Document (BSPD) outlines that measurable BNG is the minimum legal requirement, however, developers are encouraged to seek the 10% BNG now. In addition, both councils aspire for a 20% BNG requirement, to be tested through the emerging Greater Cambridge Local Plan.

The Environment Act also introduces a statutory requirement for Local Nature Recovery Strategies (LNRS) to be produced by a responsible authority appointed by the Government. The responsible authority is yet to be officially confirmed but is likely to be the Local Nature Partnership, Cambridgeshire County Council or similar body. These strategies will be developed with stakeholders to map important habitat areas where there is an opportunity to improve the local environment to guide BNG and other policies.

However, there is a clear and present need for credible interim guidance from the Local Planning Authority for developers and planners prior to November 2023, as planning applications will require a consistent approach to the provision of BNG, particularly how to support offsite BNG within the GCSP area.

## Interim BNG decision sequence

- 1. Through careful site selection, application of the mitigation hierarchy, good practice and design principles, seek to achieve BNG on site and wherever ecologically feasible aim to achieve a minimum 10% net gain within the red line boundary.**

BNG best practice is to deliver on site (within the red line) and this approach is rewarded through the Defra BNG metric 3.0. However, it is recognised that on many sites practical, sustainable ecological enhancement may not be viable. Onsite BNG invariably forms part of a multifunctional

space and may not be the primary function, for example recreational space or Sustainable Urban Drainage Systems. This can lead to compromises in habitat condition and long-term value of the new habitats. In these circumstances offsite BNG provides a more sustainable option. A key policy aim of mandatory BNG is to improve people's access to nature, but this needs to be balanced against the risk of overwhelming the biodiversity goals of the policy, which may favour placing a proportion of BNG offsite, away from public access.

- 2. Where onsite options for BNG are agreed between the LPA and the promotor have been exhausted, compensatory arrangements to provide BNG shortfalls should be provided offsite (outside of the redline boundary) in identified strategic locations. Strategic offsite proposals can be a bespoke scheme devised by the applicant or through purchase of units from a habitat bank provider, provided they meet the guidance set out below for those services.**

BNG has been identified as one of the primary mechanisms for the restoration of biodiversity across the UK and the local need is recognised within the Natural Cambridgeshire Doubling Nature vision. To achieve the vision, a strategic approach to habitat creation and enhancement will be required in line with the Lawton principles of more, bigger, better and more joined up. This will require focus on improving the condition of existing designated biodiversity sites (must demonstrate additionality), increasing their size, and improving connections between them by creating stepping-stones and corridors of biodiversity rich habitats.

Where off-site habitat measures are required, they must provide UK habitat assessment surveys to agree a baseline metric of the existing offsite habitats, conform to BNG CIEEM/IEMA/CIRIA- Good Practice Principles for Development and seek to deliver strategic BNG as close as feasible to the impacts of the development. The Defra Biodiversity Metric trading rules should also be observed.

This interim guidance considers strategic BNG to be enhanced and new habitats delivered within the developments surrounding Natural Cambridgeshire priority landscape areas such as Cambridge Nature Network, West Cambridgeshire Hundreds and Ouse Valley, (see map below). These provide an interim Local Nature Recovery Strategy. Where proposals are for enhancement to a designated Local Wildlife Sites or Local Nature Reserve, they must provide measurable additionality to existing management arrangements.

The Local Planning Authority will verify the accuracy of the biodiversity value calculations and consider the merits of any off-site net gain measures with reference to Greater Cambridge Local Plan Opportunity Mapping (2021), Natural Cambridgeshire Priority Areas and the Biodiversity Opportunity Maps managed by Cambridge and Peterborough Environmental Records Centre (CPERC). Any scheme of Biodiversity Net Gain must include a mechanism for delivery of the target habitats, management, and monitoring of their condition, and an approach to remediation in the event of targets not being met.

To ensure the delivery of BNG measures, the Councils will seek to secure off site habitat creation and its long-term management (minimum 30 years), through planning obligations, such as Section 106 of the Town and Country Planning Act 1990, where BNG is on land outside the applicant's control.

- 3. If no bespoke strategic site or habitat bank solution is available, opportunities should be explored for a Local community led BNG scheme proximate to the**

**development site. If a development is outside of a Natural Cambridgeshire priority landscape area, then the Greater Cambridge Green Infrastructure Opportunity Mapping, Local Wildlife Site Register (managed by CPERC), and Parish Plans (where available) should be used to identify appropriate locations near the development impact.**

As previously raised, BNG should not be delivered on Local Wildlife Sites that are in good condition where there are existing commitments, duties or requirements to manage them for nature conservation. Proposals for Local Wildlife Sites must demonstrate additionality to existing management and not support management that should already be undertaken by a public body. Sites in private ownership that are in poor condition may be suitable for BNG contributions for enhancement.

When considering local BNG proposals the LPA will be seeking to ensure that the BNG is the primary use of the space, is ecologically viable and not subsidising green infrastructure requirements for a Parish or development. Proposals will require agreement by the LPA ecologist that they provide a long-term benefit to local biodiversity that is compatible with other site uses such as recreational space or sports pitches.

- 4. If the above options have not identified a suitable scheme, then the offsite BNG should be delivered within a recognised habitat bank elsewhere within the Greater Cambridge area.**

This scenario allows for strategic delivery of BNG; however, it is the least desirable option as it is removed from the immediate impact of the development on both local biodiversity and the local community.

- 5. From November 2023 the Government will announce the provision of “off the shelf” biodiversity credits that will be available through Defra, wherein developers will be able to purchase credits for offsetting taking place at strategic biodiversity sites within England.**

### **Interim Assessment Criteria for Strategic Habitat Banks**

For strategic habitat banks established prior to the proposed national register the LPA will not provide an accreditation or specific endorsement. Proposed offsite BNG offers will be reviewed on a case-by-case basis through the application process to ensure they meet the criteria outlined by Defra and follow BNG best practice principles. Habitat bank Biodiversity Unit credits will be recognised for habitat enhancement or creation in advance of development, provided the works began after January 2020 and clear baseline evidence is available. Strategic Habitat bank sites will be assessed against the following criteria:

- **Location:** Located within a recognised strategic biodiversity location, for example Cambridge Nature Network, Natural Cambridgeshire Priority Landscape Areas or identified within Greater Cambridge Green Infrastructure Opportunity Mapping
- **Habitats:** baseline habitats are surveyed, and appropriate priority habitats are planned.
- **Scale:** Site is over 40 hectares or forms part of a 100-hectare wider priority habitat unit
- **Governance:** The site can be privately owned or managed by a public body or a non-statutory conservation provided that a minimum 30-year creation / enhancement and

management plan is in place and can be secured for the proposed development through S106 or similar agreement.

Please also see the Greater Cambridge Biodiversity SPD 2022 which can be found here: <https://www.greatercambridgeplanning.org/current-plans-and-guidance/greater-cambridge-biodiversity-supplementary-planning-document/>

The four graphics on the following pages are provided for context and to help the reader better understand the process of deciding on the siting of BNG, as well as the spatial opportunities and local landscape character. The graphics include;

- 1. A BNG offsite decision flowchart that steps through the logical sequence of how BNG siting should be considered as development mitigation and is in line with current thinking and guidance from DEFRA.**
- 2. This first map displays Greater Cambridge National Character Areas, which broadly reflect underlying geology and thus predict predominant soils and vegetative communities across the Greater Cambridge area.**
- 3. This second map displays Greater Cambridge Landscape Priority Areas, such as those suggested by Natural Cambridgeshire and the Cambridge Nature Network.**
- 4. This last map displays those sites designated for nature conservation interests across Greater Cambridge.**

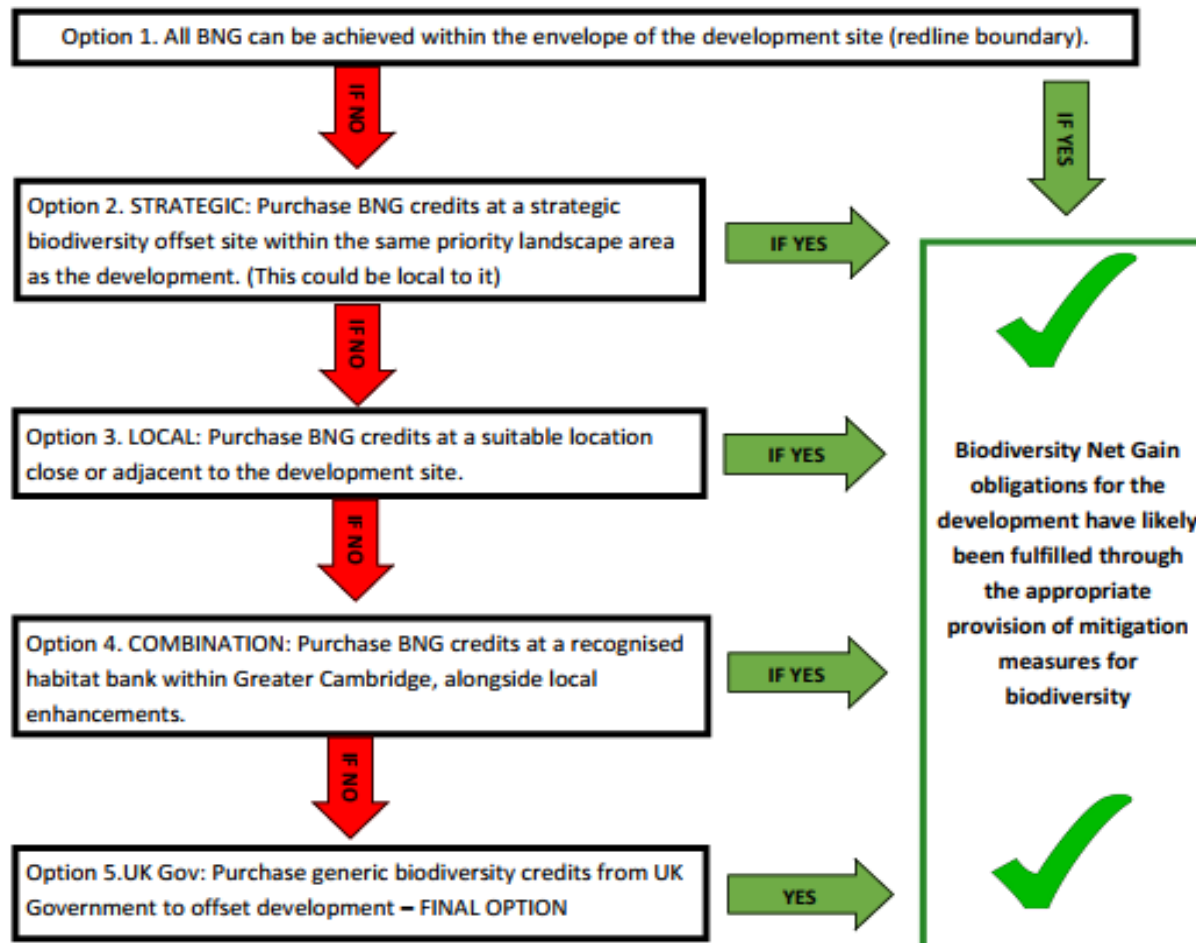
### **Additional Context**

First principles suggested in this approach are that BNG should be delivered onsite wherever possible, and that Green Infrastructure (GI), an important element including trees, accessible natural greenspace and soft edges, should typically always be included in all new developments, as set out in the recently adopted Greater Cambridge Biodiversity Supplementary Planning Document (SPD). While GI does count toward BNG scores, it's likely that some elements of biodiversity will be mitigated for, offsite, perhaps close to the development, perhaps in a wider geography where it has a better chance of persisting, connecting larger district sites or where it might add value to a strategic biodiversity goal.

Scoring biodiversity mitigation through the Defra Metric gives weight for local mitigation, but it also gives weight for siting BNG at strategically important sites across wider geographies, and so there is a balance of local context to be weighed in each case, which should help Developers, Planners and Planning Committees arrive at the appropriate outcome for BNG.

Working more closely with Parishes in South Cambridgeshire, and Community Groups in Cambridge, we would aim to ensure that where genuine and credible opportunities exist to site BNG close to local development, that such opportunities were fully considered and supported through the planning system at Greater Cambridge

## Biodiversity Net Gain (BNG) offsite decision flowchart



### **GUIDANCE NOTE:**

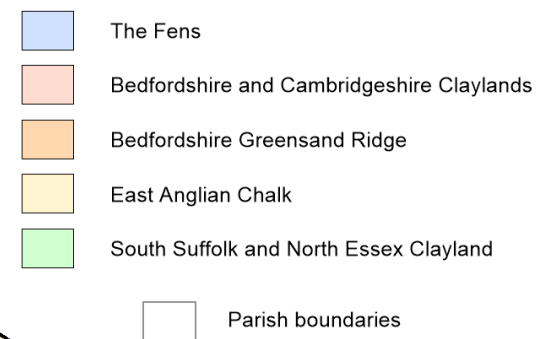
**AT ALL TIMES** the Mitigation Hierarchy must be followed by developers who should also ensure that their scheme provides evidence of high quality, appropriate Landscaping and Green Infrastructure features onsite, which if undertaken properly can count towards the overall BNG score for the development within the Defra Metric 3.1. The inclusion of bird and bat boxes etc will not add to the BNG score but will enhance the site for biodiversity along with other features.

All BNG wherever located must demonstrate that it has a 30-year management plan at minimum, has a legal agreement with the LPA for delivery and maintenance and passes the viability and sustainability tests.

#### Options criteria

1. All BNG delivered is within the redline boundary of the development
2. Within the same priority landscape area; Bespoke site or larger habitat bank.
3. Proximate to development site; Parish or community led project.
4. Within Greater Cambridge geography; Recognised habitat bank / Local.
5. Details to be announced by DEFRA in 2023.

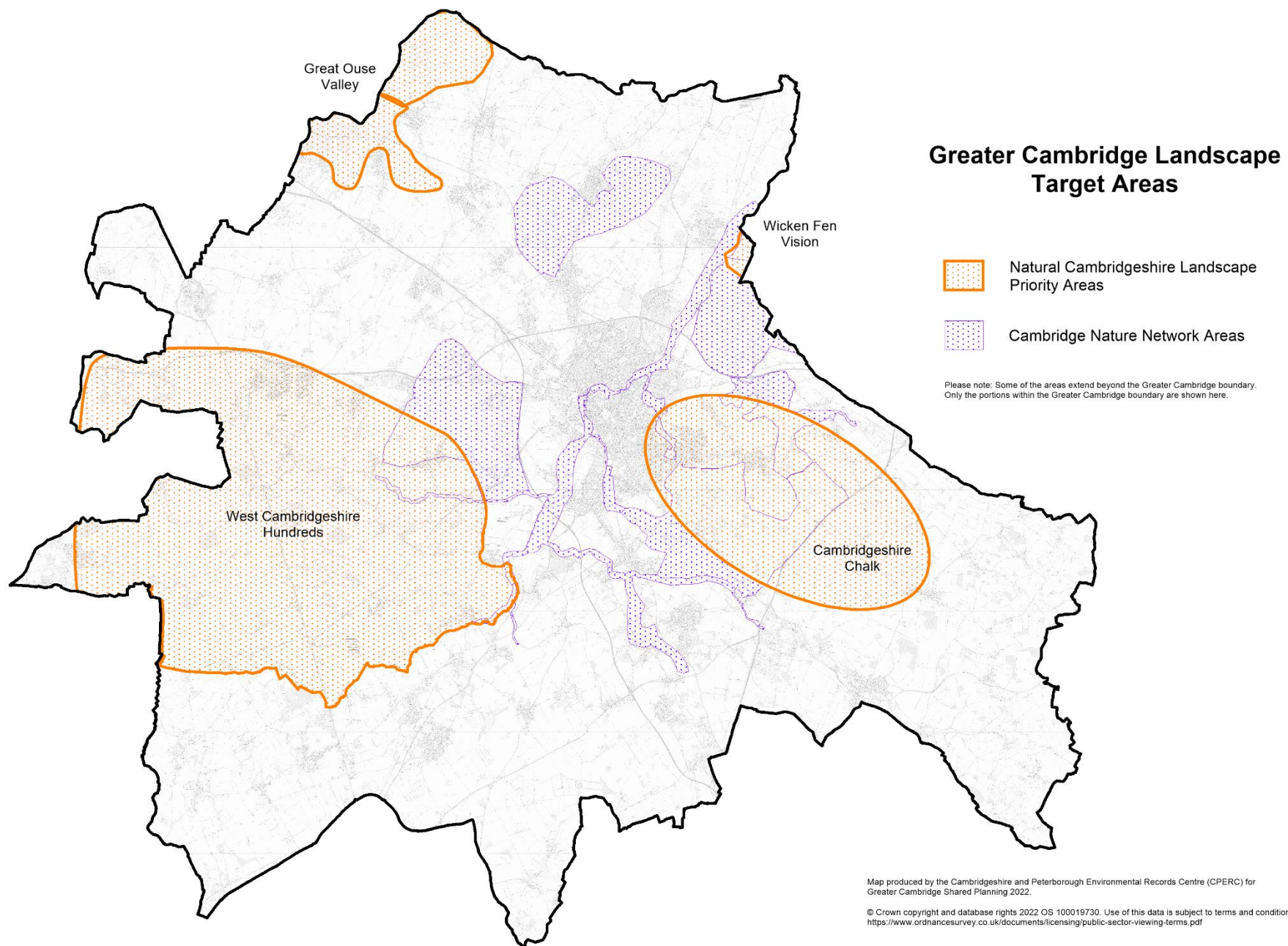
## Greater Cambridge National Character Areas (NCAs)



Map produced by the Cambridgeshire and Peterborough Environmental Records Centre (CPERC) for Greater Cambridge Shared Planning 2022. National Character Areas as classified by Natural England.

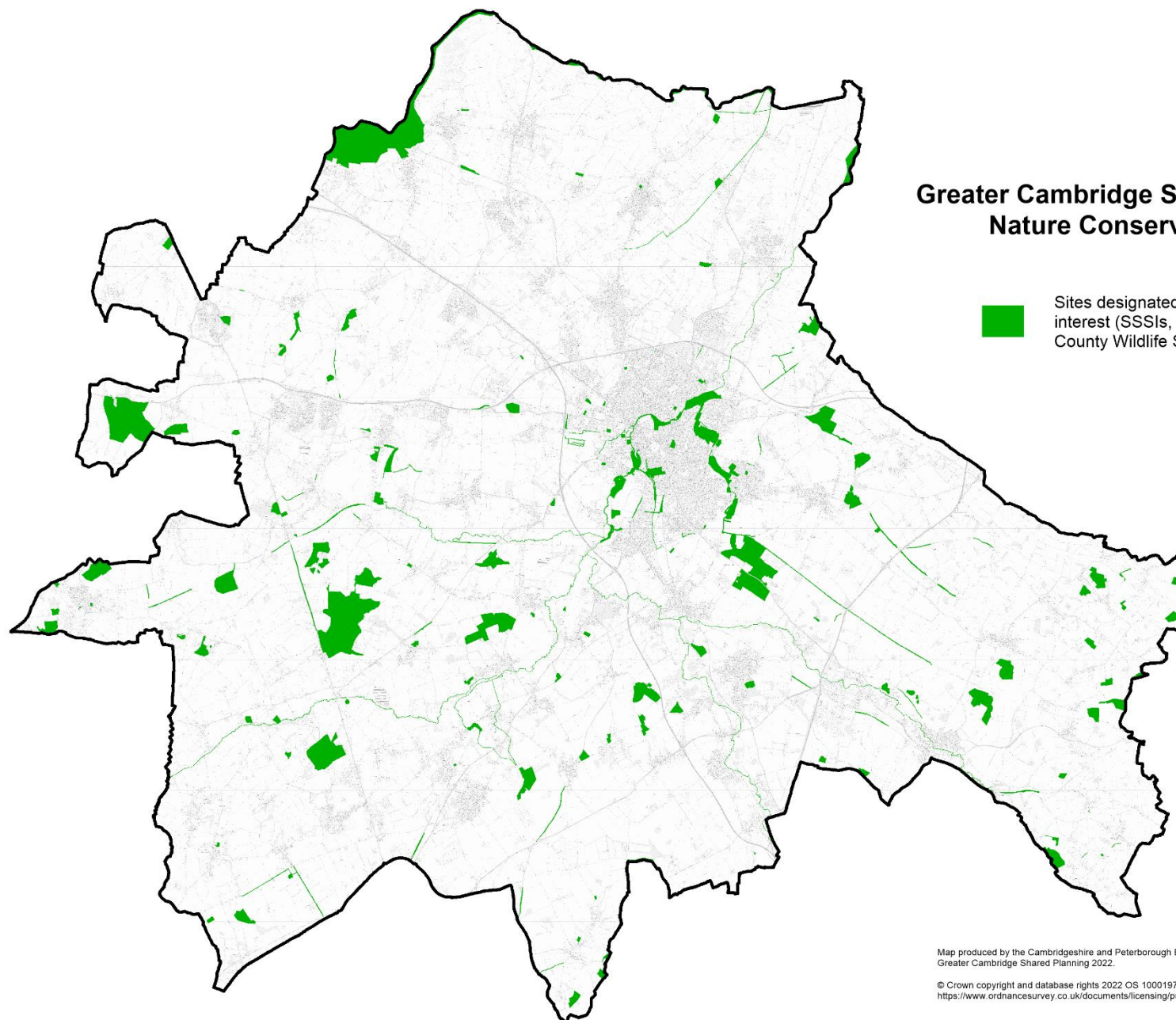
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## Greater Cambridge Sites Designated for Nature Conservation Interest



Sites designated for nature conservation interest (SSSIs, Local Nature Reserves, County Wildlife Sites, City Wildlife Sites)

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## Emerging local habitat banks

Currently, there are advance habitat creation mitigation sites being set up in Greater Cambridge in order to meet the anticipated need for offsite biodiversity net gain mitigation from development. These sites are being created, run and managed independently of any directive by the Local Planning Authority or its constituent Councils, but are important and necessary as the mandatory Biodiversity Net Gain requirement comes into law from November 2023, and will thus ensure that Greater Cambridge are day-one ready to appropriately mitigate for biodiversity loss from development in this LPA area.

Work for the Cambridge Nature Network has identified opportunities to create significant areas of new habitat which would meet the needs for BNG locally. These can either be progressed in line with demand or created in advance of development as habitat banks. Pilot BNG work in the Cambridge Nature Network, funded by Natural England, has already created some habitat banks, for example 20 acres of new habitat at Wandlebury Country Park.

An example of a larger site is Lower Valley Farm (see image below), a 140 Hectare arable farm, owned by the County Council just outside the village of Fulbourn, in South Cambridgeshire. The farm is the location of a pilot advance habitat bank project set up and managed in partnership with Bidwells, a local land agent, who will run a scheme on the site to advance-create habitats in order to offset biodiversity losses from developments taking place elsewhere. This project will support the interim BNG offsite approach being suggested in this document, and the more formal approach that DEFRA will announce in 2023. For more information on that specific project, please visit the following linked webpage for more details. ([webpage link here](#)).



From November 2023 DEFRA will regulate the process of habitat bank creation and require projects to comply with rigorous criteria for their creation, management and evidence of positive conservation outcomes. More can be found [here](#) at the regularly updated Planning Advisory Service website about Biodiversity Net Gain.