

# BNG Habitat Bank report for Committee

AGENDA ITEM

Planning Committee 12<sup>th</sup> June 2024

Application No. 24/00687/HABITA

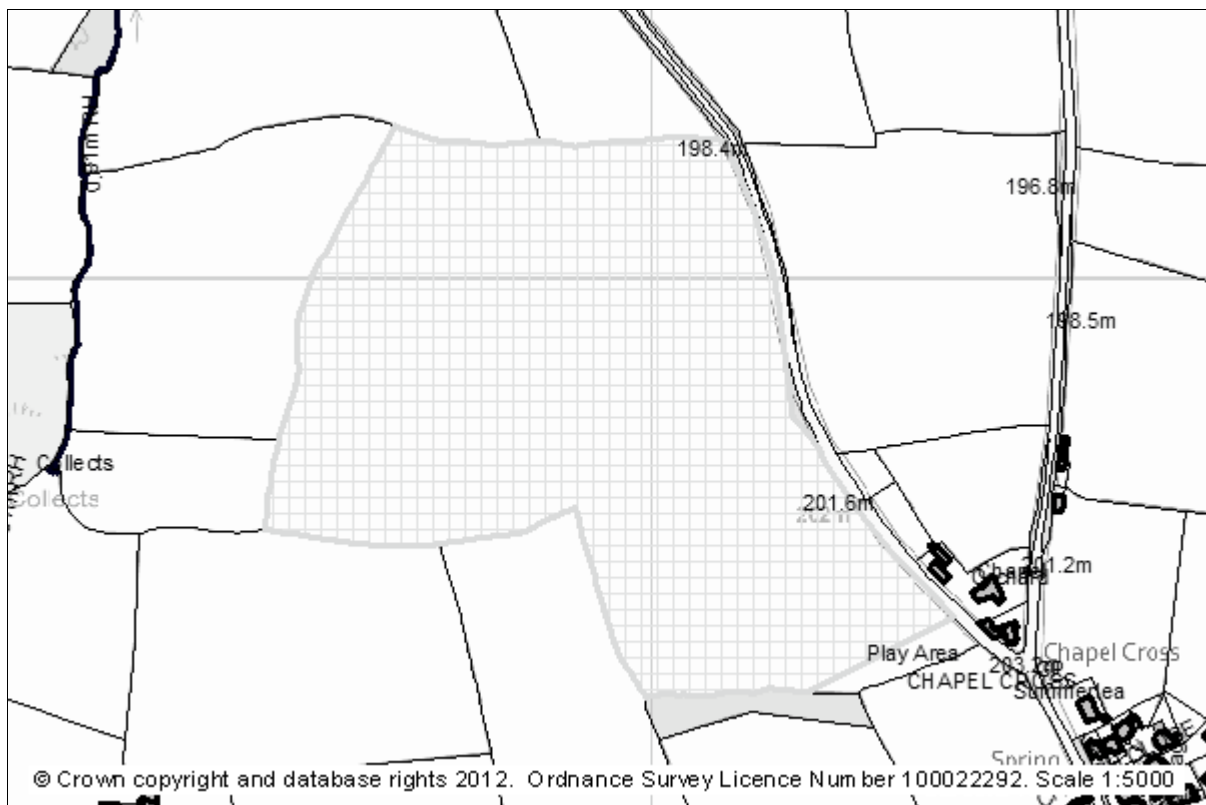
Grid Ref: 282965 : 110941

Applicant: Bella & William Lowes

Location: Land at NGR 282965 110941  
Puddington Moor  
Puddington  
Devon

Proposal: BNG Habitat Bank - 10.29ha

Date Valid: 13th May 2024



## **REFERENCE NO: 24/00687/HABITA**

### **RECOMMENDATION**

To approve the signing of a S106 agreement to secure a Biodiversity Net Gain Habitat Bank of 10.29ha.

### **PROPOSAL**

This is a proposal to create a BNG Habitat Bank of 10.29ha on a site within the Local Planning Authority of Mid Devon. Environment Bank Ltd are establishing a national network of Habitat Banks across England. Under Schedule 14 of the Environment Act 2021, all developments need to deliver at least a 10 % increase in biodiversity as a result of their proposals; Biodiversity Net Gain (BNG). This can be delivered on-site or off-site. Habitat Banks are one-off solutions that unlock more sustainable development locally and meet wider nature recovery objectives.

The Site, Puddington Moor (Environment Bank Ltd Ref: MDEV07) is situated on the northern edge of the village of Puddington. The site is a single arable field that has been subject to intensive arable management since the 1960's and there is a narrow strip of grassland present along the southern edge with the site bordered by hedgerows. The site is outside of any landscape designation and within flood zone 1.

In terms of the baseline for the site, the Habitat Bank comprises 10.26 ha of predominantly arable Cropland (Cereal crops) with a thin strip of Modified grassland. The creation of Priority Habitats within a network of supporting seminatural habitats will provide an off-site solution to Biodiversity Net Gain. The proposed habitats for the site are other neutral grassland (8.68 ha) in Good condition and mixed scrub (1.58 ha) in Moderate and Good Condition. The Habitat Bank has been secured for 33 years by legal agreement with the Land Owner to legally ensure the highest quality delivery of the habitats.

A Habitat Management Plan (HMP) is to detail the habitat creation and long-term management proposals required to achieve the proposed habitats for Puddington Moor. The management period is defined by net gain principles and planning obligations associated with the proposed development and so must cover a minimum 30-year period. The plan is designed to be an adaptive, 'live' document and should be reviewed and amended regularly to ensure the management objectives remain fit to achieve their intended aims over the 30-year management period. Third party oversight of the HMP will be carried out by Mid Devon District Council as the Local Planning Authority, who would review progress of the habitat bank against the proposed management objectives.

### **APPLICANT'S SUPPORTING INFORMATION**

BNG Appraisal, Habitat Management Plan, Monitoring Strategy, Statutory BNG Metric, Statement of Achievability, Vision Document.

### **RELEVANT PLANNING HISTORY**

There is no relevant planning history on this site.

## **DEVELOPMENT PLAN POLICIES**

### **Mid Devon Local Plan 2013 – 2033**

S9 Environment

S14 Countryside

National Planning Policy Framework

National Planning Practice Guidance

The Environment Act 2021

## **CONSULTATIONS**

### **Council's Forward Planning Team – 17<sup>th</sup> May 2024**

I've checked both our current Local Plan allocations and HELAA sites and the site is not allocated for anything.

### **Council's Planning Solicitor – 16<sup>th</sup> May 2024**

I have been instructed to prepare a s106 agreement for this one. As I understand it the land is already laid out as habitat. I don't have any comments of any value other than that.

## **MATERIAL CONSIDERATIONS AND OBSERVATIONS**

As referred to earlier in this report, Environment Bank Ltd (EBL) are establishing a national network of Habitat Banks across England. Habitat Banks are one-off solutions that unlock more sustainable development locally and meet wider nature recovery objectives. They are large-scale habitat creation and enhancement projects that deliver an uplift in biodiversity value and restore nature at scale. The Habitat Bank has been secured by legal agreement with the Land Owner to legally ensure the highest quality delivery of the habitats. The uplift in biodiversity is measured by the current version of the Statutory Biodiversity Metric (Defra, 2023) (the Metric) and translated into Biodiversity Units (BU) that can then be sold to developers to meet their BNG obligations that are now mandatory.

### **The main issues in the determination of this application are:**

- **Principle of this site as a Habitat Bank**
- **Site Specifics**
- **Biodiversity Net Gain (BNG)**
- **Section 106 agreement and monitoring**

#### **1. Principle of this site as a Habitat Bank**

1.1 The Vision Document submitted as part of this proposal for a habitat bank at Puddington Moor (MEDV07) outlines that through the MDEV07 project, it is envisaged that the existing arable field will be transformed into a diverse mosaic of wildflower grassland and native mixed scrub. These habitats will then provide a myriad of opportunities for increasing abundance and expanding populations of local species. The MDEV07 project totals an area of 10.26 ha and is composed of one field targeted for Other Neutral Grassland with bordering regions of Mixed Scrub. The field is bound by existing hedgerows which will help reinforce the newly planted Mixed Scrub.

1.2 In light of the requirements of the Environment Act, to secure a 10% net gain of biodiversity from developments, it is considered that the principle for the creation of a habitat bank is acceptable.

## **2. Site Specifics**

2.1 As commented upon above, the site is situated on the northern edge of the village of Puddington. The Council's Forward Planning Team have confirmed that there are no site constraints and as such the proposals appear acceptable for this site.

2.2 Habitat Banks are large-scale habitat creation and enhancement projects that deliver an uplift in biodiversity value and restore nature at scale. A Habitat Management Plan would be formulated for this site. The site- and habitat-specific BNG management objectives including detailed activities for creation, establishment and subsequent habitat management would be found in the Habitat Management Plan.

2.3 The purpose of the Habitat Management Plan (HMP) would detail the habitat creation and long-term management proposals required to achieve the proposed habitats for Puddington Moor (Environment Bank Ltd Ref: MDEV07) across the period of 30 years.

## **3. Biodiversity Net Gain (BNG)**

3.1 An ecological assessment was undertaken to establish a baseline for the site, as well as to understand the local ecological priorities for biodiversity enhancement design, and to inform the proposed management measures that would need to be actioned for the lifetime of the project. Further surveys, including two separate soil nutrient sampling and analysis, were undertaken to further inform micro-siting of habitats.

3.2 The baseline habitats for the site are:

- Modified grassland (0.08 ha) in Good condition
- Cereal crops (10.18 ha) in condition assessment N/A
- Native hedgerow (0.10 km) in Good condition
- Species-rich native hedgerow - associated with bank or ditch (0.34 km) in Good condition
- Species-rich native hedgerow with trees - associated with bank or ditch (0.84 km) in Good condition

3.3 Following the detailed assessment including desk study and field survey, the following habitats are proposed which are considered beneficial for the Site, the local area, and which contribute to local ecological targets. The proposed habitats for the Site are:

- Other neutral grassland (8.68 ha) in Good condition
- Mixed scrub (1.58 ha) in Moderate and Good Condition

3.4 These habitats have been deemed the most suitable for the prevailing soil conditions and will complement the boundary hedges and existing areas of wildlife interest near to the site while supporting locally declining species such as Yellowhammer and Skylark. The site will help to create a stepping stone through the agricultural landscape, helping to bolster connectivity and contribute to Devon's Nature Recovery Network.

3.5 It has been stated that prior to creation works, the baseline habitats equated to 20.85 habitat Biodiversity Units (BU). Following creation works, the site will provide a total net gain in 93.35 habitat BU, before baseline has been accounted. As such the creation of a Habitat Bank at Puddington Moor will produce an overall biodiversity increase of 72.51 habitat BU.

#### **4. Section 106 agreement and monitoring**

- 4.1 As confirmed by the Council's Planning Solicitor, a S106 agreement would be entered into whereby the Habitat Bank would be secured for 33 years with the Land Owner to legally ensure the highest quality delivery of the habitats. The oversight of the Habitat Management Plan would be carried out by Mid Devon District Council as the LPA, who would review progress of the habitat bank against the proposed management objectives.
- 4.2 With respect to monitoring, this would be a programme of repeated surveys carried out to a pre-defined standardized method, with a baseline against which subsequent surveys are compared. Monitoring surveys have a specific purpose and aim to determine whether a management objective and/or target has been achieved or whether progress is being made towards achieving that target. A well-designed monitoring survey should detect changes in the data over time and trigger responses if any of the changes are undesirable.
- 4.3 Environment Bank would produce a Biodiversity Appraisal Report for the Habitat Bank which details the baseline habitats and flora found within the site. This document also provides information on the target habitats and target condition which is their aim, i.e. the uplift in BNG. A Management and Monitoring Plan (MMP) is also required to meet the British Standard requirements for Habitat Banks (BS 8683; British Standards Institution, 2021). Environment Bank would provide two separate documents that together meet the requirements of the MMP. The site- and habitat-specific BNG management objectives including detailed activities for creation, establishment and subsequent habitat management are found in the Habitat Management Plan. The monitoring aspects of the MMP are provided in this document, the Monitoring Strategy Report, which under BS 8683 (8.2 Monitoring), shall be implemented to.
- 4.4 Environment Bank's monitoring strategy is to provide data on progress towards BNG for the defined habitat within a Habitat Bank site, providing the quantifiable evidence and scientifically rigorous data required to measure gains (or otherwise) against set targets and enable us to employ adaptive management. The management period is defined by net gain principles and planning obligations associated with the proposed development and so must cover a minimum 30-year period.
- 4.5 The plan is designed to be an adaptive, 'live' document and should be reviewed and amended regularly to ensure the management objectives remain fit to achieve their intended aims over the 30-year management period. Mid Devon as Local Planning Authority (LPA) would oversee the monitoring, reviewing the progress of the habitat bank against the proposed management objectives. This is to provide the LPA confidence in the performance of the Habitat Bank in line with the Biodiversity Unit sales used as part of the planning process to secure the 10% net gain in biodiversity from developments.
- 4.6 It should be noted that the land manager is responsible for implementing the management works in the HMP and reporting back progress to Environment Bank in accordance with the terms and funding provided within the signed Habitat Management Agreement (HMA). The HMP ensures that works do not adversely affect any protected species within the site and is compliant with UK Wildlife Legislation.

## **5. Conclusion**

- 5.1 Members are recommended to sign the s106 and enable the habitat bank to be established on site, thereby allowing off site credits to be purchased within Mid Devon as appropriate.