

Planning & Regulatory Committee 20 December 2023 Item 8

UPDATE SHEET

SURREY COUNTY COUNCIL'S LOCAL LIST: REQUEST FORMAL ADOPTION OF LOCAL LIST FOR THE VALIDATION OF COUNTY DEVELOPMENT AND COUNTY MATTERS PLANNING APPLICATIONS

DISTRICT(S) ALL

Amending Information to the Biodiversity Net Gain (BNG) Sections of the National Requirements Document, and Annexes 1, 2 and 3 of the Local List for Validation of Minerals Related Development, Waste Related Development, and County Own Development (Regulation 3).

Biodiversity Net Gain (BNG)

Following recent guidance on the proposed legislation of Biodiversity Net Gain (BNG), the following proposed changes to the Local List is proposed.

RECOMMENDATION

Local List for Validation Document (National Requirements)

Insert the following wording into National Validation Requirements (after Outline Applications section):

Biodiversity Net Gain Planning Applications What you must provided:

In addition to the requirements outlined above, applications need to include the following to address National Biodiversity Net Gain validation requirements:

- A statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition.
- The pre-development biodiversity value of the on-site habitat on the date of the application (or an earlier date) including the completed metric calculation tool showing the calculations, the publication date and version of the biodiversity metric used to calculate that value.
- Where the applicant wishes to use an earlier date than the date of the application, provide the proposed earlier date and the reasons for proposing that date.
- A statement confirming whether the biodiversity value of the onsite habitat is lower on the date of application (or an earlier date) because of the carrying on of activities (degradation) in which case the value is to be taken as immediately before the carrying on of the activities, and if degradation has taken place supporting evidence of this.
- A description of any irreplaceable habitat (as set out in Column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations TBC)

on the land to which the application relates, that exists on the date of application (or an earlier date); and

- A plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or an earlier date), including any irreplaceable habitat.

Please note that these requirements will come into force on the date set by the relevant legislation being approved by Parliament.

Annex 1 (Minerals Related Development); Annex 2 (Waste Related Development); and Annex 3 (County Own Development (Regulation 3))

Amend the wording of the first paragraph under ‘what you must provide’ section within the annexes for the local list requirements for BNG to remove those points now covered by the Local List for Validation Document (National Requirements). The changes are highlighted in bold text to assist:

A **‘baseline’ (before development) and** ‘post intervention’ (post development) metric calculations using the Biodiversity Metric 4.0 **(or subsequent updates)**. The metric needs to be accompanied by a technical BNG report containing the methodology including habitat condition results, justification for approach to BNG (following mitigation hierarchy) and any caveats, assumptions, or limitations to the assessment. A UK Hab baseline and post intervention figure must accompany the metric with habitats clearly referenced which correspond to habitats within the BNG report. The report submitted with the planning application will detail how a minimum 10% gain has been met using the Biodiversity Metric and whether BNG is being provided on site, off site or statutory credits (or a combination). A copy of the Biodiversity Metric Assessment (in excel format) must also be provided.

Amend the wording of the second paragraph under ‘what you must provide’ section within the Annexes for the local list requirements for BNG to remove the reference to “edged in red” as implies it is part of application site. The changes are highlighted in bold text to assist:

If BNG is to be provided off-site, the off-site land should be identified on a site plan **and edged in red** and a baseline Ecological Assessment of that land needs to be provided, as well as the proposed ecological enhancements for it. The ‘off-site’ tab of the BNG metric will need to be completed with all data fields completed. Any caveats / justification required is to be clearly explained in the accompanied BNG report and in the ‘Assessor comments’ field of the BNG metric.