

**Meeting** Executive  
**Portfolio Area** Environment and Regeneration  
**Date** 10 March 2021



## THE IMPACT OF DEVELOPMENT ON BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT: ADOPTION

### KEY DECISION

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### 1 PURPOSE

- 1.1 To provide Members with an overview of the consultation responses to the Draft Biodiversity Supplementary Planning Document (SPD) between November 2020 and January 2021.
- 1.2 To provide Members with an overview of the changes made to the Draft Biodiversity SPD to take account of consultation responses.
- 1.3 To seek Members' approval to adopt the Impact of Development on Biodiversity SPD (Appendix A).

### 2 RECOMMENDATIONS

- 2.1 That the outcomes of the Draft Impact of Development on Biodiversity SPD consultation be noted.

- 2.2 That delegated powers be granted to the Assistant Director: Planning and Regulation, following consultation with the Portfolio Holder for Environment and Regeneration, to make minor amendments as necessary in the final preparation of the Impact of Development on Biodiversity SPD prior to its adoption.
- 2.3 That the Executive approve the adoption of the Impact of Development on Biodiversity SPD as a material consideration for planning applications.

### **3 BACKGROUND**

#### *SBC The Impact of Development on Biodiversity SPD*

- 3.1 Supplementary Planning Documents (SPDs) are produced to add detail to the policies included in an adopted Local Plan. They are used to build upon and provide further guidance for development on specific sites or on particular issues. Whilst they are not part of the Development Plan for an area, and cannot add unnecessarily to the financial burdens on development, the contents of a SPD are a material consideration when determining a planning application.
- 3.2 The Council does not have a Biodiversity SPD. The overarching aim of the SPD is to ensure that development in Stevenage results in a net gain for biodiversity. It requires developments to adopt the mitigation hierarchy and demonstrate that impacts to biodiversity have been avoided, where possible, and minimised before compensation is considered.
- 3.3 In November 2020, the Executive approved the publication for consultation of The Impact of Development on Biodiversity SPD.  
*Consultation*
- 3.4 A link to the Draft Impact of Development on Biodiversity SPD (which was placed on the Council's consultation page) was sent to all individuals who had signed up to the Council's planning consultee register. The register mainly consists of individuals who have responded to previous Local Plan consultations or specific planning applications, and also contains all statutory consultees and Duty to Cooperate bodies, as required by Regulations.
- 3.5 Those who provided an email address when registering to the list were sent an email with a link to the document and an explanation of the consultation process. This was the majority of consultees. Approximately 200 letters were also sent to individuals who had not provided an email address. The letters advised recipients how they would be able to view the document (both electronically and physically) and the process for responding to the consultation.
- 3.6 In addition, the consultation document was advertised on the Council website, on social media, in The Chronicle and hard copies were made available in Daneshill House, in accordance with COVID-19 restrictions at the time.

#### 4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

**Recommendation 2.1: That the outcomes of the Draft Impact of Development on Biodiversity SPD consultation be noted.**

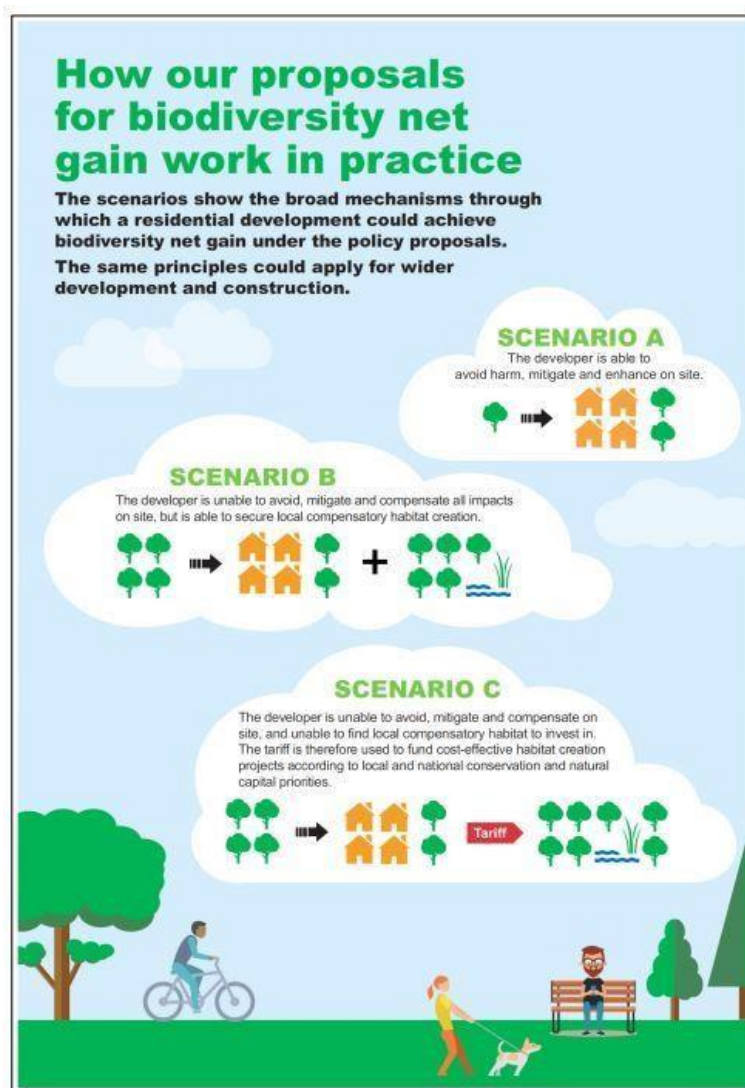
- 4.1 Consultation on the draft Impact of Development on Biodiversity SPD was held between 30 November 2020 and 25 January 2021, meeting the requirements stipulated for SPD consultations in the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 A total of 29 representations were received from a number of key consultees as well as internal teams and committees.
- 4.3 Responses were received from:
- External bodies / individuals:
- Herts and Middlesex Wildlife Trust
  - Growth and Infrastructure Unit (incorporating Hertfordshire Ecology comments), Hertfordshire County Council
  - Councillors
  - Five individuals
- Comments were received from several SBC Committees:
- The Executive
  - Overview and Scrutiny Committee
- 4.4 A full summary of responses is provided in Appendix B together with officer responses to each comment as well as a description of any amendments made to the SPD as a result of the submitted comment.
- 4.5 The key responses and amendments to the Draft Impact of Development on Biodiversity SPD are summarised below:

Amendment	Reasons for Amendment
Visualisation of what a 10% increase in biodiversity might look like.	For clarity, to allow for visualisation of what a 10% increase in biodiversity might look like on a site.
Change to nomenclature.	To ensure that the SPD is as up to date as possible and to aide updates to the SPD in the future.
MAGIC (Multi Agency Geographic Information on the Countryside) maps to be removed.	The inclusion of the maps is confusing as the Habitat potential they include may conflict with that on the Ecological/network mapping.
Add title to Appendix 3 regarding the biodiversity financial agreement.	To provide clarity as to the intention of the Appendix.
Include Acid Grassland to Field	The addition of this grassland allows for a

Assessment Table 2.	wider range of grassland communities to be included and considered in the SPD.
Add title to Appendix 5 regarding the Natural England Biodiversity Metric	To provide clarity as to the Version of the Metric that is being used in the document and to aide updates to the SPD in the future.

*Visualisation of 10% increase in Biodiversity*

- 4.6 A SBC Councillor commented that it would be useful to provide some more context of what a 10% net gain in biodiversity might look like, possibly by means of a visual aid.
- 4.7 Herts and Middlesex Wildlife Trust have been contacted to see if they are able to provide us with such a visual aid based on their previous experience with Biodiversity Net Gain (BNG).
- 4.8 A visual aid from DEFRA has been included in the document in order to provide some additional clarity to the calculations and also to aide visualisation of the 10% net gain requirement.



*Update nomenclature*

- 4.9 Herts and Middlesex Wildlife Trust and Herts County Council noted that references to the Natural England Biodiversity Metric were out of date. The Document referenced para 4.3 as the biodiversity metric. For clarity, this shall be amended to the Biodiversity Metric 2.0, Natural England December 2019. This shall clarify the version that the document relates too and will also aide updates to the SPD in the coming years as Natural England roll out new, updated versions of the Biodiversity Metric.

*MAGIC Maps*

- 4.10 HCC noted that the use of MAGIC Maps at fig 5 and fig 6 are confusing in that Habitat potential that they include may conflict with that on the Ecological/network mapping.
- 4.11 HCC also noted that the maps for an area of central Stevenage which show as potential arable assemblage for farmland birds and the remainder as potential Stone Curlew habitat is clearly inaccurate and misleading.
- 4.12 We agree that the removal of these maps would make the document simpler and less confusing.

*Addition of titles to Appendix 3 and Appendix 5*

- 4.13 HCC noted that both Appendix 3 and Appendix 5 are in need of titles for clarity.
- 4.14 Appendix 3 refers to a biodiversity financial agreement and so we are happy to make this amendment to Appendix 3.
- 4.15 Appendix 5 refers to The Defra Biodiversity Metric with supporting documents, this has been amended to reflect the version of the Metric and that it is Natural England's Metric.

*Inclusion of Acid Grassland to Field Assessment*

- 4.16 HCC noted that the Field Assessment table should include a wider range of grassland communities.
- 4.17 We are happy to broaden the range of grassland communities in this table.

**Recommendation 2.2: That delegated powers be granted to the Assistant Director: Planning and Regulation, following consultation with the Portfolio Holder for Environment and Regeneration, to make minor amendments as necessary in the final preparation of the Impact of Development on Biodiversity SPD prior to its adoption.**

- 4.18 The Impact of Development on Biodiversity SPD is included in Appendix A. However, it may be necessary to make minor changes prior to its adoption. This might include cosmetic adjustments, the correction of typographical errors and any minor factual changes.
- 4.19 It is recommended that any such amendments be approved via delegated powers.

**Recommendation 2.3: That the Executive approve the adoption of the Impact of Development on Biodiversity Supplementary Planning Document as a material consideration for planning applications.**

- 4.20 The procedure to adopt a new SPD is set out in Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.21 Now that consultation has been completed, the Council must make the SPD document available together with an adoption statement, and send a copy of the adoption statement to each of the bodies who asked to be notified of the adoption of the SPD.
- 4.22 In line with Regulation 12, the Council will also need to provide a statement setting out the persons consulted when preparing the SPD and a summary of the main issues raised by those persons and how those issues have been addressed in the adopted SPD document. This statement is included as Appendix B.

## **5 IMPLICATIONS**

### **Financial Implications**

- 5.1 The costs associated with adopting the Impact of Development on Biodiversity SPD will be met from the agreed departmental budget.
- 5.2 Any potential schemes that are mentioned in the SPD will need to be subject to a business case and/or will require third party funding.

### **Legal Implications**

- 5.3 Adoption of the Impact of Development on Biodiversity SPD will be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, specifically Regulations 12, 14 and 15. There are no further direct legal implications associated with adopting the SPD.
- 5.4 The legal ramifications of any potential schemes mentioned in the SPD will need to be considered at the point of planning and delivery.

### **Risk Implications**

- 5.5 There are no significant risks associated with adopting the Impact of Development on Biodiversity SPD.

### **Policy Implications**

- 5.6 The Impact of Development on Biodiversity SPD accords with, and has been produced to supplement policies in, the adopted Stevenage Local Plan (2019).
- 5.7 The document is also aligned with other corporate Council documents such as the Healthy Stevenage Strategy, the recently-declared Climate Emergency Motion and the emerging Climate Change Strategy, Action Plan and Charter.

### **Planning Implications**

- 5.8 The Impact of Development on Biodiversity SPD will supplement the recently adopted Stevenage Local Plan (2019).
- 5.9 The document will not form part of the Development Plan for Stevenage. However, it will be a material consideration for planning applications.

### **Climate Change Implications**

- 5.10 The Impact of Development on Biodiversity SPD has the potential to have a positive impact on climate change through the multiple benefits that prioritising the biodiversity net gain through development and minimising its loss on site.

### **Equalities and Diversity Implications**

- 5.11 The Impact of Development on Biodiversity SPD does not have any direct equality or diversity implications. When implementing any of the proposals mentioned in the SPD, the delivery body will need to consider the potential

impacts on different community groups, in particular those who are less mobile or disabled.

### **Community Safety Implications**

- 5.12 Whilst the Impact of Development on Biodiversity SPD does not have any direct community safety implications itself, when implementing any of the proposals the delivery body will need to consider the potential impacts on community safety.

## **BACKGROUND DOCUMENTS**

- BD1 [Stevenage Borough Local Plan, 2011-2031](#)  
BD2 [Draft Impact of Development on Biodiversity SPD 2020, SBC](#)

## **APPENDICES**

- A Impact of Development on Biodiversity SPD, 2021 (changes from Draft Impact of Development on Biodiversity SPD 2020, consultation version highlighted in yellow)
- B Draft Impact of Development on Biodiversity Consultation Statement
- C Impact of Development on Biodiversity SPD, Strategic Environmental Assessment Screening Statement