



## Report to Leader (Planning and Enforcement portfolio)

**Decision Date:** 12 February 2021

**Reference number:** PE02.21

**Title:** Biodiversity Net Gain Scheme in Buckinghamshire

**Relevant councillor(s):** Councillor Tett and Councillor Whyte

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**Ward(s) affected:** All

**The Leader is recommended to:**

- i) **Approve that public consultation commences on the Biodiversity Accounting Supplementary Planning Document.**

**Reason for decision:** Local Plan regulations require Supplementary Planning Documents to be subject to public consultation. On Enactment the Environment Act will mandate authorities to deliver biodiversity net gain and this Supplementary Planning Document provides guidance to developers on how to account for biodiversity on development sites.

### **1. Executive summary**

- 1.1 The report provides an overview of the forthcoming mandatory requirement to provide biodiversity net gain as part of the planning system and the actions that are being developed in Buckinghamshire to facilitate the successful implementation of a

biodiversity net gain scheme.

- 1.2 It sets out how those making planning applications will calculate the development impacts on biodiversity as part of their landscape plans and enables schemes to be devised to ensure that a net gain in biodiversity is delivered on site.

## **2. Content of report**

### **National Policy Background**

- 2.1 Nature is in long-term decline globally and within this country. Nature's ecosystems and their component species can play a vital role in arresting this decline. Increasing biological diversity (biodiversity) can tackle climate change by removing and storing carbon, increasing pollination, tackling flood alleviation, improving air quality and stimulating public health and wellbeing.
- 2.2 The Environment Bill currently making its way through Parliament will introduce a mandatory requirement for biodiversity net gain in the planning system. This is to ensure that all new developments enhance biodiversity by a minimum of 10% compared with the sites' existing level of biodiversity. The Biodiversity Accounting Supplementary Planning Document provides guidance on calculating biodiversity before and after the development. Integrating biodiversity net gain into the planning system will provide a step change in how development is delivered and provide positive outcomes to local and global ecosystems.
- 2.3 Net gain requirements will supplement, but not replace or undermine existing protections for protected sites, or irreplaceable habitats. The Supplementary Planning Document also sets out the process of mitigation to be followed in Buckinghamshire. This mitigation hierarchy ranks as highest the avoidance of biodiversity loss, followed by mitigation or opportunities for compensation for losses of biodiversity. The lowest point of the hierarchy is mitigation by off development provision. This Supplementary Planning Document sets out the hierarchy and provides a scheme for off development mitigation measures.
- 2.4 The Buckinghamshire and Milton Keynes Natural Environment Partnership have taken a lead role in helping to develop a biodiversity net gain scheme for Buckinghamshire. This has been developed over the last two years with guidance from Warwickshire County Council, who have run a successful biodiversity net gain scheme since 2012. Working groups of ecologists and planners have had extensive input into a model Supplementary Planning Document which has provided a framework for this Supplementary Planning Document.

- 2.5 The Supplementary Planning Document provides guidance to implement the biodiversity policies in the Wycombe Local Plan, Wycombe Delivery and Site Allocations Plan, Chiltern Core Strategy and South Bucks Core Strategy. If consultation on this Supplementary Planning Document is approved, consultation will commence and a Supplementary Planning Document that has taken account of any consultation responses will be presented to Cabinet to be adopted in the west, south and east planning areas
- 2.6 The Supplementary Planning Document, if approved for consultation, will also be consulted on in regards to the Vale of Aylesbury Local Plan, which is currently being examined by the Planning Inspectorate. Should the council receive approval from the Planning Inspectorate to adopt the Vale of Aylesbury Local Plan, Council will be requested to adopt the Plan followed by Cabinet being requested to adopt the Supplementary Planning Document for the north and central planning areas.
- 2.7 It is expected that the Environment Bill will be enacted in spring 2021. From this it is expected that biodiversity net gain will be mandatory on all local planning authorities within two years of the commencement of the Act. This Supplementary Planning Document and other resource measures set out in a separate Cabinet report will enable the council to commence its biodiversity net gain scheme in advance of the mandatory provision.

### **3. Other options considered**

- 3.1 Buckinghamshire Council needs to prepare for the implementation of biodiversity net gain on the basis that the Environment Bill will mandate this as part of the planning system. By developing the local scheme now, the council will reduce the risk to the authority in terms of its level of readiness to implement this key national environmental policy. The alternative to wait for the mandatory scheme could result in further losses to biodiversity in developments within Buckinghamshire.

### **4. Legal and financial implications**

- 4.1 The consultation and potential future adoption of the Supplementary Planning Document can be undertaken within the existing budgets of the council.
- 4.2 The consultation and potential future adoption of the Supplementary Planning Document is governed by the Town and Country Planning (Local Planning) (England) Regulations 2012 and the council's constitution.

## **5. Corporate implications**

- 5.1 The report is directly related to the council's key priority of improving Buckinghamshire's environment, notably by addressing climate change and improving the environment from development.

## **6. Consultation with local Councillors & Community Boards**

- 6.1 The matter has been discussed with the Cabinet member for Planning and Enforcement. Consultation has been held with partner organisations including the Buckinghamshire and Milton Keynes Natural Environmental Partnership, Natural England, Historic England and the Environment Agency.

## **7. Communication, engagement & further consultation**

- 7.1 Public consultation on the Supplementary Planning Document will take place with the public, organisations and businesses through Your Voice Buckinghamshire. A press release will also be released.

## **8. Next steps and review**

- 8.1 The next steps are to consult, take account of any representations, make any revisions and seek approval for adoption of the Supplementary Planning Document.

## **9. Background papers**

- 9.1 The following background papers are applicable:

[Environment Bill](#) Part 6 Biodiversity gain in planning

[Government Impact Assessment on implementation of net gain policy](#)

Biodiversity Accounting Supplementary Planning Document

## **10. Your questions and views (for key decisions)**

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone on 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).