

Response ID ANON-C7YZ-EB3B-9

Submitted to **Net gain**

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Introductory information

A Would you like your response to be confidential?

No

If "yes", please provide an explanation here:

B What is your name?

Name:

Andy Broadhurst

C What is your email address?

Email:

info@hampshireswifts.co.uk

D What is your organisation?

Organisation:

Hampshire Swifts

E Please specify which option best describes the sector you work in or otherwise represent

Conservation organisation

If you selected other, please specify your sector or interest here:

Summary and what we want to achieve

Definitions and current practice

Scope

1 Should biodiversity net gain be mandated for all housing, commercial and other development within the scope of the Town and County Planning Act?

Yes

Please provide any explanation for your answer here:

One objective of the proposals is to simplify the whole planning process, whilst integrating biodiversity net gain. The easiest way to ensure simplicity is to enforce a consistent approach across the board so developers know exactly what is required without a complex system of exemptions or exclusions.

2 What other actions could government take to support the delivery of biodiversity net gain?

Please provide your answer here:

A major omission from the proposals is the lack of recognition that new housing developments are a new habitat in their own right. Building a house or houses on a greenfield site creates a series of "cliff faces", or a whole new set of habitats which wildlife can use if provision is made as part of the construction. For example, birds or bats that require nesting or roosting sites high above the ground can easily be catered for by integrating nest sites within the structure of each property. Equally, nest boxes for other species can be added to suitable features of properties with minimal aesthetic impact. Such measures could significantly boost the biodiversity of a housing estate at virtually no cost and with no impact on building practices and would create effective sites for wildlife which are discrete and maintenance-free. An example is Swift bricks, installed in clusters throughout housing developments, which would provide nest sites for Swifts as well as red-listed species such as House Sparrows

3 Should there be any specific exemptions to the mandatory biodiversity net gain requirement (planning policies on net gain would still apply) for the following types of development? And why?

Other (please provide an explanation)

Please provide any explanation for your answer here:

Basic biodiversity enhancements such as integrated Swift bricks can easily be included in all developments without causing delays or problems. There is no reason why any development should be exempt. More complex enhancements could perhaps be restricted to larger developments.

4 Are there any other sites that should be granted exemptions, and why? For example, commercial and industrial sites.

Please provide your answer here:

Basic biodiversity enhancements such as integrated Swift bricks can easily be included in all developments without causing delays or problems. There is no reason why any development should be exempt. However, more complex enhancements or those which require suitable habitat not found in the vicinity of industrial sites could perhaps be restricted to larger developments where such enhancement is feasible. In such cases exemption should be considered or, as mentioned below, be subject to a simplified process.

5 As an alternative to an exemption, should any sites instead be subject to a simplified biodiversity assessment process?

Yes

Please provide any explanation for your answer here:

As above, sites (e.g. industrial parks) where the development does not result in habitat loss could be subject to a simplified biodiversity net-gain process whereby the development itself is enhanced, rather than the land upon which it is located. So, for example, a new warehouse built on an industrial park with no wildlife value should be designed to include nest sites for species which are capable of colonising and making use of the structure (e.g. Swifts, House Sparrows, Starlings, Kestrels etc)

6 Do you agree that the Defra metric should allow for adjustments to reflect important local features such as local sites? Should the Defra metric consider local designations in a different way?

I don't know

Please provide any explanation for your answer here:

We are unsure how widely the DEFRA metric is used. It is unclear if any ecologists in Hampshire are routinely using this and, as such, we have neither the experience nor any examples of feedback from any ecologists who are using the metric

7 Should local authorities be required to adopt a robust district level licensing approach for great crested newts, where relevant, by 2020?

I don't know

Please provide any explanation for your answer here:

8 For what species is it plausible to use district level or strategic approaches to improve conservation outcomes and streamline planning processes? Please provide evidence.

Please provide your answer here:

In any new development the conventional approach to assessing impacts on biodiversity is to survey the area before the work begins and then incorporate mitigation into the landscaping of the development itself. This can be done, for example, by incorporating meadows, tree-lines, water courses etc in the overall design. The details of this mitigation will be driven by the nature of the original habitat and so has to be site-specific.

In contrast, incorporating features to encourage biodiversity net-gain in the fabric of new houses is not reliant upon the preexisting habitat and a standardised approach could be adopted which would significantly streamline the planning process. For example, it is quite feasible to expect every new property of 2 stories or more to include, on average, at least one integral nesting or roost site for each of the following species: Swifts, House Sparrows, House Martins, Swallows, Starlings, insects and bats.

Integrating such a specification into the routine design process of new developments would clearly assist in optimising the efficiency of the planning process.

9 Are there wider elements of environmental net gain that could be better incentivised? If so, please specify which, and any benefits that such incentives could provide.

Yes

Please provide your answer here:

The primary driver behind the design of housing developments is financial profit. This derives from the sale of the properties being built and so effectively removes any incentive for developers to provide any more than the minimum level of biodiversity enhancement. Society, however, places a different set of values upon these living spaces and access to nature is high up that list. Developers are providing the houses that people need but this is only the start of what is required to create areas where people are happy to live and so much more should be expected from them. Many of society's problems stem from poor access to the countryside, lack of safe places to play and the absence of a community spirit: all of these features could be designed into new developments if appropriate incentives were applied. We should really take a much longer term view of these developments: they are not just a quick fix to solve the lack of housing, they are the spaces where citizens of the future will grow up and they need to be nurtured, not forced to live in nature-free concrete/brick jungles.

Measuring biodiversity

10 Is the Defra biodiversity metric an appropriate practical tool for measuring changes to biodiversity as a result of development?

I don't know

Please provide any explanation for your answer here:

We have no experience of the metric

11 What improvements, if any, could we most usefully make to the Defra metric?

Please provide your answer here:

As above

12 Would a mandatory 10% increase in biodiversity units be the right level of gain to be required?

I don't know

Please provide any explanation for your answer here:

13 In clearly defined circumstances, should developers be allowed to pay through the tariff mechanism without fully exhausting on-site and local compensation opportunities?

No

Please provide any explanation for your answer here:

Providing developers with a convenient opt-out is not appropriate. Developers provide the investment and capital to build developments and are well rewarded for the risks they take. However, the needs of society must also be recognised and this requires strong and clear management of developers by planning authorities.

14 Would this be an appropriate approach to directing the location of new habitat?

I don't know

Please provide any explanation for your answer here:

The question is unclear. If we take it to mean "would tariffs provide an appropriate approach to directing the location of new habitat?" then we accept the value of tariffs in the rare event that insufficient biodiversity enhancements are possible on-site.

15 How could biodiversity assessments be made more robust without adding to burdens for developers or planning authorities?

Please provide your answer here:

This question approaches the issue from the wrong angle. Robust biodiversity assessments are essential if net-gain is to become the default position. If this requires greater involvement from planning authorities then this needs to be properly funded, either from developer contributions or from government sources. Local authorities should be acting to protect the interests of the public, not inadvertently facilitating the activities of developers by being inadequately funded to properly manage the planning process.

16 Should a baseline map of broad habitats be developed?

Yes

Please provide any explanation for your answer here:

This idea should be extended to develop a map of critical habitats, or areas to be maintained for perpetuity as development-free reserves in order to protect their wildlife value. Having access to such information would surely speed up the planning process as it would eliminate development proposals for these sites and the consequential expense of appeals and refusals.

17 Should this be applied, as a minimum baseline, to:

Please provide any explanation for your answer here:

n/a

18 What other measures might reduce the risk of incentivising intentional habitat degradation?

Please provide your answer here:

n/a

19 How can the risks of penalising landowners making legitimate land use change decisions before deciding to sell their land for development be mitigated?

Please provide your answer here:

n/a

Delivering biodiversity outcomes

20 The provision of compensatory habitats would need to be guided by habitat opportunity maps. At what scale should these maps be developed?

Other (please provide an explanation)

Please provide any explanation for your answer here:

Probably a mixture of both: local involvement to capitalise on local knowledge and then centrally to provide a coherent overview

21 What other measures should be considered to identify biodiversity and natural capital priorities?

Please provide your answer here:

n/a

22 Would mandating net gain through the planning system be enough to stimulate the growth of a market for biodiversity units?

I don't know

Please provide any explanation for your answer here:

This is a possibility although quite why anyone who really has a strong view on enhancing biodiversity would be interested is a moot point. Markets can be an efficient means to achieve certain objectives but it is difficult to see how conservation or mitigation of key habitats and preservation of declining species could be one of them. The whole point of having strong governance of the planning process is to ensure developments provide for the whole of society, not just the developers. Introducing the market economy to the planning system would be a retrograde and unwelcome step

23 What further measures would help to ensure that the market provides:

a. Sufficient biodiversity units for development?:

The market is not the way to do this. It would be a massive mistake

b. Cost-effective biodiversity units?:

The market is not the way to do this. It would be a massive mistake

24 Should there be a minimum duration for the maintenance of created or enhanced habitats?

No

Please provide any explanation for your answer here:

These habitats should be permanent; there is absolutely no point providing short-term biodiversity enhancement

25 If so, what should the minimum duration be?

d. Permanent

Please provide any explanation for your answer here:

Simplicity is the key to speeding up and making the planning system more efficient and this is best achieved by building in simplicity: no exemptions, no areas for discussion, no minimum durations. Provide absolute clarity, not grey areas which can be exploited in the future

26 Would conservation covenants be useful for securing long term benefits from biodiversity net gain or reducing process and legal costs?

I don't know

Please provide any explanation for your answer here:

27 What safeguards might be needed in the implementation of conservation covenants?

Please provide your answer here:

n/a

Calculating and collecting the tariff

28 Does this proposed range for tariff costs fit with the principles set out in this section?

I don't know

Please provide any explanation for your answer here:

29 Would this proposed range for tariff costs provide opportunities for cost-effective habitat banks and compensation providers to compete?

I don't know

Please provide any explanation for your answer here:

30 Do you agree with the proposed principles for setting the tariff rate, as set out in this section? Please suggest any other factors that should be taken into account.

I don't know

Please provide any explanation for your answer here:

31 How should the tariff revenue be collected?

Not Answered

Please provide any explanation for your answer here:

no opinion

32 How should the tariff revenue be spent?

Not Answered

Please provide any explanation for your answer here:

no opinion

33 If tariff revenue was collected and spent nationally, should spending prioritise areas which have contributed the most through biodiversity net gain tariff payments?

I don't know

Please provide any explanation for your answer here:

Delivering net gain in the planning system

34 What further measures will help to prevent burdens on local authorities increasing?

Please provide your answer here:

This seems to be a repeat of an earlier question: the issue is not to reduce the burden on local authorities. Instead they need to be properly funded to ensure the public's interests are best protected

35 How could the proposals be refined to manage any negative impacts on the scale and delivery of other developer contributions (e.g. through Section 106 or Community Infrastructure Levy payments)?

Please provide your answer here:

no opinion

36 Would you, as a planning authority stakeholder, prefer any net gain tariff revenue to be paid through:

Not Answered

Please provide any explanation for your answer here:

no opinion

37 How could the proposed net gain process be improved for developers?

Please provide your answer here:

Simplicity, as discussed in replies in earlier sections of this consultation document

38 What other steps, considerations or processes in environmental planning should be integrated within a net gain approach?

Please provide your answer here:

See earlier responses

39 Would any particular types of development (e.g. commercial, industrial, public sector, local infrastructure) be disproportionately affected by a mandatory biodiversity net gain requirement?

Please provide your answer here:

Once biodiversity is lost it is lost forever. The question needs to be asked from the opposite viewpoint: how can biodiversity be best served? Answer: ensure the requirement for biodiversity enhancement is clear and consistent, free from any possibility of exemption and is ambitious enough to achieve meaningful biodiversity net-gain on a national scale.

40 Do you agree that the proposal for staggered transitional arrangements would help to ensure smooth implementation of biodiversity net gain policy?

I don't know

Please provide your answer here:

41 Would the existing dispute resolution process provide the best way to overcome any disagreement over whether net gain is achieved?

I don't know

Please provide any explanation for your answer here:

42 Would an additional arbitration or approval process be necessary? If so, please specify why.

I don't know

Please provide any explanation for your answer here:

Monitoring and evaluation

43 Are there any issues or measures, other than those outlined, that we should take into account when considering how to monitor biodiversity net gain?

Please provide your answer here:

Resource needs to be provided to ensure that the planning system works for the population as a whole, not just the developers.

44 Should local authorities be required to provide information about habitat losses and gains?

Yes

Please provide any explanation for your answer here:

Local authorities should not have to rely on third parties to provide this critical information. Surely local authorities have responsibility for obtaining, recording and protecting key habitats as part of the process of creating Local Plans?

45 What technological or other innovative mechanisms could facilitate the delivery and monitoring of biodiversity net gain?

Please provide your answer here:

Advances in mapping and information technology could facilitate this process

Key evidence gaps

G We would welcome further evidence that addresses the following identified evidence gaps. Please submit evidence, or related enquiries, below or to netgainconsultation@defra.gsi.gov.uk.

Please provide any relevant evidence here:

Generally, our approach is to use the hook of Section 170 (d) of the National Planning Policy Framework (NPPF); 'Planning policies and decisions should contribute to and enhance the natural and local environment by: ...minimising impacts on biodiversity and providing net gains in biodiversity....'.

This is of particular relevance to two species of birds. Swifts are entirely dependent on man-made structures for nesting and in urban environments, House Sparrows are also dependent on dwellings for nesting. Both species are undergoing national declines of > 50% in 20 years for Swifts and > 60% in 20 years for House Sparrows caused mainly by the loss of nesting sites on existing houses due to re-roofing and replacement of soffits and fascias with UPVC. House Sparrows are a red-listed species of conservation concern and Swifts are expected to be notified as red-listed at the next review.

Both species readily use Swift bricks when these are incorporated into new developments and recent research has shown that home owners are almost entirely supportive or ambivalent to having swift bricks in their homes so developers need have no fear that it will affect sales. Integration of Swift bricks in particular is very easy to include into routine building practices and results in a permanent, discrete, maintenance-free biodiversity enhancer which will provide much-needed breeding spaces for these declining species.

For these reasons we strongly recommend the provision of Swift bricks in all suitable buildings in new developments. These provide biodiversity net gain at virtually zero cost or impact on the development.

Please upload any relevant information in common word, PDF or spreadsheet formats. Other formats may be uploaded, but might not be reviewed.:

No file was uploaded

Consultee feedback on the online survey

F Overall, how satisfied are you with our online consultation tool?

Very satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :