

HEARING STATEMENT

Matter 10: Biodiversity and Green Infrastructure

On behalf of Redrow Homes.

Date: January 2025 | Pegasus Ref: P19-2924

Author: Carly Goodman- Smith (Tyler Grange)/ Sarah Hamilton-Foyn



Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
1	March 2025	C Goodman-Smith	S. Hamilton-Foyn	



Contents.

10.	Matter 10: Biodiversity and Green Infrastructure	1
	Issue 10.1: Whether the Plan’s policies on biodiversity are positively prepared, justified, effective and consistent with national policy.	1
	Issue 10.2: Whether the Plan’s policies on open space and green infrastructure are justified, consistent with national policy and effective.....	9



10. Matter 10: Biodiversity and Green Infrastructure

Issue 10.1: Whether the Plan's policies on biodiversity are positively prepared, justified, effective and consistent with national policy.

General matters

Q10.1. Is the Plan's overall approach to biodiversity justified, consistent with national policy? In particular:

- a) **As required by paragraph 179a of the NPPF, does the plan identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation?**

The Bristol Local Plan Policies Map Publication Version (Nov 2023) indicates the location of internationally important sites (Ramsar, Special Protection Areas, Special Areas of Conservation), nationally important sites (Sites of Special Scientific Interest, National Nature Reserves), sites of county importance (Sites of Nature Conservation Interest) and sites of local importance (Local Nature Reserves). Policy BG2 sets out a hierarchy for the assessment of impacts and in the case of SNCIs, states development would not be allowed if there was a significantly harmful impact. In the case of the Yew Tree Farm site there is a designation across the whole site as SNCI, based largely on the presence of protected and notable species, largely associated with the hedgerows. The designating feature of the SNCI could be retained and indeed enhanced with connections to offsite features of higher importance through appropriate development design and securing of long-term appropriate management (something which cannot be guaranteed through the existing farming practices).

The Policies Map does not identify key areas of wildlife corridors or stepping stones identified by national and local partnerships, including the West of England Local Nature Recovery Strategy (LNRS) Toolkit. In the case of the Yew Tree Farm site, this identifies the area as being in the Colliters Brook Rolling Vale Farmland focus area for nature recovery which does not preclude development but seeks restoration of nature alongside and as part of development, which is not recognised or indicated within the Local Plan Policies Map. Development of the Yew Tree Farm site offers opportunities for alignment with the aims of the LNRS, as required by the NPPF and Policy BG1 which does meet the requirements of the NPPF in requesting opportunities for integrity of the Nature Recovery Network.



- b) As required by paragraph 179b of the NPPF, does the plan promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity?**

Policy BG1 promotes the conservation, restoration, and enhancement of priority habitats, ecological networks, and the protection and recovery of priority species. It also identifies and pursues opportunities for securing measurable net gains for biodiversity. Policy BG2 recognises that development that requires loss of nature conservation value to enable development, which is in accordance with the local plan, proposals will be expected to provide mitigation on-site, and where this is not possible, provide mitigation off-site. As such development of the Yew Tree Farm site is not precluded by the policy in light of its designation and indeed offers the opportunity to further enhance the SNCI designation. It states that this is in addition to policy requirements for Biodiversity Net Gain. Only developments that fail to take the opportunities available to enhance ecological networks or result in significant harm to biodiversity which cannot be appropriately mitigated will not be permitted. With appropriate mitigation measures and sensitive design, development of the Yew Tree Farm site could avoid harm to biodiversity and in fact contribute to ecological networks in line with this policy.

Policy BG1: Green infrastructure and biodiversity in new development

Q10.2. Is Policy BG1 justified, consistent with national policy and effective? In particular:

- a) Is the policy sufficiently clear as to what developers would be expected to deliver?**

The policy provides broad factors to accord with and allows flexibility to make appropriate design relating to the constraints and opportunities associated with a specific site. The requirement for multi-functional GI is welcomed but needs to be considered alongside the requirements of BNG and the suggested use of the urban greening factor (see below).

- b) Are requirements to meet Natural England Green Infrastructure Standards and Urban Greening Factor target scores justified? In allowing the potential use of other standards, is the policy clear and unambiguous for decision makers on what would be acceptable?**

Requirement in BG1 to meet Natural England Green Infrastructure standards is appropriate. However, the Urban Greening Factor was developed in London and may not be appropriate for the city of Bristol given the presence of agricultural land within the city boundary. This is largely not the case in London hence its use as a measurement and the stated factor scoring required for development in Bristol is inappropriate. It would be more appropriate to require the attainment of other standards such as the Building with Nature accreditation, which was developed in the West of England, promotes high quality development design, multi-functional GI and can be applied to varied sites in both urban and fringe/agricultural settings.



c) How do the Green Infrastructure Standards requirements relate to the issue of Biodiversity Net Gain?

There is no mention of the delivery of BNG within Policy BG1. There is a clear requirement for the need to provide multi-functional GI to deliver a range of benefits but no clear guidance on how this is to be achieved alongside on site BNG within BG1. The need for BNG is dealt with separately in BG3 and is not an integrated part of the GI Policy. The need for GI to contribute specifically to BNG as well as nature recovery networks would be more appropriate in recognising that high quality GI within developments can also deliver the requirements of BNG within a scheme.

d) Would it always be the case the artificial grass within proposals would be resisted, even where other biodiversity net gain requirements are met? Is this justified?

Use of artificial grass does not help in the contribution to biodiversity, nature recovery networks, net zero and reduction in plastic waste, hence resistance of its use is justified even where BNG and GI requirements are met elsewhere.

Policy BG2: Nature conservation and recovery

Q10.3. Is Policy BG2 justified, consistent with national policy and effective? In particular:

a) Is the policy effective in protecting and enhancing sites of biodiversity value in a manner commensurate with their statutory status or identified quality, as required by paragraph 174 of the NPPF?

The required protection and enhancement of sites required within BG2 does not recognise the quality or important features of designation within a protected site. It applies an appropriate mitigation hierarchy, but in the case of non-statutorily protected sites (SNCIs) does not specifically recognise that the quality, conditions or reasons for designation of such sites should be considered. Development can offer an opportunity and facility to further protect and enhance SNCIs by bringing them into controlled management practices to promote their nature conservation interest. This is difficult to achieve and control when in private ownership and intensive agricultural management. The policy refers to sites in a spatial capacity only, focusing on their plotted boundaries only rather than the features of interest within them. In the case of Yew Tree Farm, development of the site would offer an opportunity to improve the management practices on this and the wider environs to enhance connectivity and ultimately the features for which the SNCI is designated. Its removal from the local plan as an allocated site is at odds with the targets of the local plan therefore, given the nature of the features that support the designation, which could be retained and enhanced.



- b) Is the assessment of harm and approach to mitigation consistent with paragraph 180a of the NPPF? Is reference to Biodiversity Net Gain clear in this regard?**

The policy's approach to assessing harm and implementing mitigation is consistent with paragraph 180a of the NPPF. It emphasises the importance of avoiding harm to biodiversity and, where unavoidable, ensuring adequate mitigation measures are in place.

- c) Is the specific approach to irreplaceable habitats consistent with paragraph 180c of the NPPF? With regard to the Council's response to PQ129, would it be misleading to omit reference to the "wholly exceptional reasons" which are referred to in paragraph 180c of the NPPF?**

The policy's approach to irreplaceable habitats is consistent with paragraph 180c of the NPPF, which states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Omitting reference to "wholly exceptional reasons" could be misleading, as it is a critical component of national policy.

- d) In terms of impacts on local designations, is it consistent with national policy to only resist development which has a 'significantly harmful impact' on local wildlife and geological sites, comprising Sites of Nature Conservation Interest (SCNI) and Regionally Important Geological Sites (RIGS)?**

National policy requires plans to distinguish between the hierarchy of sites and allocate land with the least environmental or amenity value where consistent with other policies (para 188) and identify, map and safeguard components of inter alia locally designated sites. Para. 193 states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Bristol Local Plan's policy criterion to resist development that has a 'significantly harmful impact' on local wildlife and geological sites is commensurate with this approach however this does not preclude development on a SNCI if the features for which that SNCI are designated (and any functionally linked land) would not be subject to 'significant harm'. As such removal of the Yew Tree Farm allocation is unfounded as sensitive design and appropriate allocation provides the opportunity to enhance the features for which the SNCI is designated as referred to above.

- Q10.4. Are areas or sites identified as SCNI justified and based on robust and up-to-date evidence?**

The Designated Sites Protocol (Ecology and Geology) Version 12 was produced in 2011 so is 14 years old. It is itself based on criteria guided by references from 1993 and 1995. The criteria make reference to the requirements of the outdated and superseded PPS9. The suitability of the application of this criteria is therefore questioned in light of the requirement for 'robust and up to date' evidence on which to apply designation criteria.



In any event the criteria states that its application should be applied as objectively as possible using scientific data and the professional judgement of suitably qualified or experienced personnel. Some of the evidence used to inform the designation for the Yew Tree Farm SNCI was provided by a local naturalist rather than professional ecologist. Nevertheless, all reports provided as evidence recognised that the site was not of significant species richness.

The criteria states that it is essential that “all criteria are applied rigorously and that sites are found to be of substantive nature conservation interest and significant importance for biodiversity before designation. The criteria states that qualification requires application of one ‘strong’ criteria and then either 2 more strong criteria, 1 strong and 3 moderate or 5 moderate. The Yew Tree Farm site previously allocated (southern half) was found to have one strong criteria, (the presence of dormouse (no other RDB, nationally rare/scarce species found) and harvest mouse (no other BAP species were recorded present – the designation form referred to adder and skylark which have not been recorded by a professional ecologist). The designation form also refers to presence of a pond BAP habitat, but this doesn’t meet the criteria of a priority habitat pond. Application of the criteria in the case of the Yew Tree Farm site has been done because of the presence of 2 BAP fauna species and 2 BAP habitats. When considering other allocated sites within the Local Plan, many of these could be considered to meet the very low level of criteria needing to be met to allow designation of a SNCI within the area. If the criteria are considered to be “robust and up to date” then consideration of all allocated sites against the designation criteria should be conducted to determine if they too would meet the criteria, given the low bar set by the current process.

Policy BG3: Achieving biodiversity gains

Q10.5. Q10.5: Is Policy BG3 justified, consistent with national policy and effective? In particular:

- a) Does the policy unnecessarily duplicate the detailed provisions of the statutory framework in relation to Biodiversity Net Gain? If so, are those provisions consistent with the statutory framework?**

Policy BG3 aligns with the statutory framework for Biodiversity Net Gain and does not unnecessarily duplicate its provisions. Instead, it provides specific guidance on how BNG should be implemented within the local context.

- b) How does the section on the biodiversity gain mitigation hierarchy relate to Policy BG2 and is this section consistent with national policy, in particular paragraph 180 of the NPPF?**

The policy's section on the biodiversity gain mitigation hierarchy complements Policy BG2 and is consistent with paragraph 180 of the NPPF. It emphasizes avoiding harm, then mitigating, and as a last resort, compensating for biodiversity loss. It recognises that in the event BNG cannot be delivered on site, offsite solutions can be delivered.



- c) **Is the policy justified and effective in seeking to “encourage” development to secure more than the minimum 10% requirement? How would this be expected to be achieved and how would it affect the decision-making process?**

The policy encourages developments to secure more than the minimum 10% BNG requirement. This is justified as it promotes greater biodiversity enhancements. While not mandatory, exceeding the minimum could positively influence the decision-making process by demonstrating a commitment to environmental sustainability.

- d) **In paragraph 6, is reference to avoiding harm “where possible” to existing designated and non-designated habitat and species features of conservation value consistent with national policy on the protection of biodiversity assets?**

The phrase "where possible" in the policy acknowledges practical constraints in development projects. However, it should be applied cautiously to ensure it does not undermine the objective of protecting biodiversity assets, in line with national policy which states at para 193 that development causing 'significant harm' that cannot be avoided, mitigated or compensated for should be refused. 'Significant harm' is relevant in respect of the Yew Tree Farm site, given the biodiversity assets present would not be subject to significant harm with the potential for a residual positive impact.

- e) **Is the main modification suggested to the third paragraph of the policy, as set out in EXA002.1 necessary to make the Plan sound?**

Removal of reference to the requirement for the BNG plan to be submitted alongside a planning application now reflects the statutory framework and guidance especially in reference to outline applications, where a detailed BNG plan would need to be a condition of planning rather than being possible to deliver at the point of an outline application.

Policy BG4: Trees

Q10.6. Is Policy BG4 justified, effective and consistent with national policy, including:

- a) **Is reference to the loss of ancient woodland or ancient and veteran trees consistent with paragraph 180c of the NPPF and/or Policy BG2? (See also Council response to PQ130).**

The policy's approach to irreplaceable habitats is consistent with paragraph 180c of the NPPF, which states that development resulting in the loss or deterioration of irreplaceable habitats should be refused. However, omitting reference to "wholly exceptional reasons" could be misleading, as it is a critical component of national policy.



b) How have the tree compensation requirements been derived and are they justified?

Policy BG4 of the Bristol Local Plan outlines specific tree replacement requirements when development leads to the loss of trees. These requirements are based on the Bristol Tree Replacement Standard (BTRS), established in 2013, which provides a mechanism for calculating the number of replacement trees needed based on the size and category of the trees removed. The BTRS was innovative at its inception, typically requiring more than a 1:1 replacement ratio to ensure that the loss of mature trees was adequately compensated by planting multiple new trees. This approach aimed to maintain and enhance the city's green infrastructure, recognizing the ecological, aesthetic, and health benefits that trees provide. However, this has not been updated to align with statutory BNG requirements and there is disparity with how these measures can be applied between this and the BNG metric. Although the policy seeks to address this by stating that BNG requirement may be high, a holistic approach to ensure there is no competing or conflicting policy requirements within the plan is needed.

c) Is the relationship between this policy and those relating to biodiversity net gain clear and unambiguous?

See above – the specifics of the policy clearly conflict with the requirements of BNG and a holistic policy is needed to ensure the tree and application of the BNG metric policies are aligned and incorporated.

d) The final paragraph states that replacement trees should be provided as close as possible to the development site. Is this clear in terms of on-site provision?

It would provide more clarity to state “Where offsite, replacement trees should be located as close as possible to the development site”.

e) Are references in paragraph 9.1.38 to tree cover being deliberately reduced prior to an application justified and how would the Council expect to assess this (for example, what evidence would be assessed)? If justified, to be effective, should this reference be in the policy?

It would be appropriate to ensure consistency with the requirements of the schedule 14 of the Environment Act, the Levelling Up and Regeneration Act and Town and County Planning Act in respect of habitat degradation along with national guidance on BNG in respect of deliberate degradation ([Biodiversity net gain – GOV.UK](#) Paragraph: 036 Reference ID: 74-036-20240214). This requires provision of evidence in the form of aerial photographs, mapping, photographs etc to demonstrate where unauthorised habitat degradation has occurred, which would include the loss of tree cover. This covers any unauthorised degradation after 30 January 2020 and authorised activities if they took place after 25 August 2023. For consistency of approach the same should be applied in reference to trees.



- f) **Is the suggested main modification to the table, as set out in EXA002.1, necessary to make the Plan sound?**

The suggested change appears appropriate to avoid conflict with other policies and consistency of approach.

Policy BG5: Biodiversity and access to Bristol's waterways

- Q10.7. Is Policy BG5 justified, effective and consistent with national policy?**

Policy BG5 aligns with para 174 of the NPPF which states that planning policies should protect and enhance valued landscapes and sites of biodiversity, recognise the benefits of ecosystem services, and contribute to conserving and enhancing the natural environment. The policy aligns with the requirements of the BNG policy while also recognising importance of waterways for both biodiversity and public amenity, where appropriate.

Policy BG6: Private gardens

- Q10.8. Is Policy BG6 justified, effective and consistent with national policy, including:**

- a) **How does this policy relate to Policy DC1's objective for development to incorporate high quality safe and usable private amenity space?**

No comments

- b) **The requirement to retain an 'adequate' area of garden space only applies to the extension of a single house. Why is the provision of an 'adequate' amount of garden space not relevant to any other form of development?**

No comments.

- c) **On what basis would the Council determine the adequacy of retained garden space? Is the policy clear and unambiguous in this regard?**

No comments

Policy BG7: The St. Paul's green link

- Q10.9. Is Policy BG7 justified, effective and consistent with national policy?**

No comment.



Issue 10.2: Whether the Plan's policies on open space and green infrastructure are justified, consistent with national policy and effective

Q10.10. Is the Plan positively prepared and consistent with national policy in terms of open space provision?

No comment.

In this regard have the policies been based on robust and up-to-date assessments of the need for open space, sport and recreation facilities and opportunities for new provision, as set out in paragraph 98 of the NPPF?

No comment

Policy GI A: Open space for recreation

Q10.11. Is Policy GIA justified, consistent with national policy and effective? In particular:

a) Is the policy clear and unambiguous about how the scale, type and quality of open space that would be required to support new development?

No comment

b) Is it justified or effective to defer this to guidelines set out in other the Council's strategies, including the Parks and Green Space Strategy (March 2024)?

No comment

c) To be effective, should the open space standards set out in the Parks and Green Space Strategy be included in the Plan?

No comment

d) Is the suggested main modification to paragraph 9.2.6 set out in EXA002.1 necessary make the Plan sound?

No comment

Policy GI1: Local Green Space

Q10.12. Are the LGS identified under Policy GI1 justified and consistent with paragraphs 101 and 102 of the NPPF? Have they been identified using a robust and proportionate evidence base?

No comment

Q10.13. Is there any evidence to suggest any individual LGS would not be consistent with national policy 16?



No comment

Q10.14. Is Policy GI1 consistent with paragraph 103 of the NPPF? In particular, would the provisions of the policy allow for the forms of development set out in paragraphs 149 and 150 of the NPPF in principle, or other forms of development where 'very special circumstances' exist? Would Policy GI1 be more restrictive than national policy in this respect?

No comment

Q10.15. Notwithstanding paragraph 103 of the NPPF, where LGS is also open space (as defined by the NPPF) would Policy GI1 be consistent with paragraph 99 of the NPPF?

No comment

Q10.16. EXA002.1 suggested a modification to the Policies Map to include the park known as Filwood Park as a Local Green Space. Is this modification justified and necessary to make the Plan sound?

No comment

Policy GI2: Reserved Open Green Space

Q10.17. Is Policy GI2 justified, consistent with national policy and effective, including:

a) Are areas of Reserved Open Green Space identified on the policies map justified?

No comment

b) Is the policy consistent with paragraph 99 of the NPPF in relation to the assessment of the loss of open space?

No comment

c) Paragraph 9.2.16 refers to the policy approach allowing local communities to consider and review the approach to open spaces in their areas. Does this refer to anything other than review through future Local Plans or Neighbourhood Plans?

No comment

Policy GI3: Incidental Open Space

Q10.18. Is Policy GI3 justified, consistent with national policy and effective? In particular, is the policy consistent with paragraph 99 of the NPPF in relation to the assessment of the loss of open space?

No comment



Policy GI4: Stapleton allotments and holdings – food growing Local Green Space

Q10.19. Stapleton allotments are identified as Local Green Space. On what basis is a separate policy for this area justified? Is the policy consistent with paragraphs 101, 102 and 103 of the NPPF?

No comment

Q10.20. How does Policy GI4 relate to Policy FS3, which seeks to protect allotments? What additional value or purpose does Policy GI4 provide?

No comment.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Cirencester

33 Sheep Street, Cirencester,

Gloucestershire, GL7 1RQ

T 01285 641717

E Cirencester@pegasusgroup.co.uk

Offices throughout the UK

Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



All paper sources from sustainably managed forests

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.

Registered office: 33 Sheep Street, Cirencester, GL7 1RQ

We are ISO certified 9001, 14001, 45001



[Pegasus_Group](#)



[pegasusgroup](#)



[Pegasus_Group](#)

PEGASUSGROUP.CO.UK