

# **Guildford Borough Council**

Report to: Executive

Date: 22 June 2023

Ward(s) affected: Castle and Tillingbourne

Report of Director: Community Wellbeing

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Report Status: Open

## **Tyting Farm SANG habitat bank and changes to scheme of delegation to enable delivery of future habitat banks**

### **1. Executive Summary**

- 1.1 Biodiversity Net Gain (BNG) refers to a requirement for developers to ensure that total biodiversity value will be higher following the development than at the outset. BNG is currently a planning requirement for new development due to national and local policy. The Environment Act 2021 and the new Local Plan: Development Management Policies (LPDMP) will set minimum BNG levels for new development of 10% and 20% respectively from November 2023 (major development) and April 2024 (minor development). Developments that are unable to achieve the minimum BNG through bespoke works on or off site will need to purchase biodiversity

credits from habitat banks: areas of land where habitat value has been increased for the express purpose of providing credits.

1.2 As a significant landowner, the Council has an opportunity to provide habitat banks funded through the sale of biodiversity credits to developers (and potentially others). Benefits include:

- helping the Council meet existing and new biodiversity duties set by legislation,
- significant uplift to the quality of Council owned land,
- environmental improvements with associated social (e.g. recreation and amenity) and economic (e.g. natural capital) benefits,
- retention of the benefits of BNG within the borough,
- avoid costs that impact on delivery of other planning benefits,
- support for the climate change agenda, and
- support for the delivery of the LPDMP.

1.3 A pilot habitat bank project is proposed on the Council owned Tyting Farm Suitable Alternative Natural Greenspace (SANG). The proposed habitat works would deliver significant biodiversity improvements over and above the proposed SANG works while enhancing the SANG function by making the site more attractive. It would not be necessary to sacrifice any existing or proposed uses so would not result in an opportunity cost. The costs of delivery will be recouped through the sale of biodiversity credits with a potential for profit. The perpetual nature of SANG will mean the habitat improvements are more likely to endure than if hosted on other land. The proposal will therefore deliver a wide range of benefits at zero cost or generate an income (to be set out through a detailed business case once the principle is agreed).

1.4 Other Council owned land could be suitable to host habitat banks on the same basis and it is proposed that this should be explored, and further habitat banks brought forward where appropriate and when there is demand.

1.5 The Council is not obliged to provide habitat banks and 'do nothing' remains an option. However, in the event that no habitat banks come

forward within the borough, BNG funding would be lost to other providers, potentially in other parts of the country.

## **2. Recommendation to Executive**

That the Executive approves:

- 2.1. The creation of a habitat bank on Tyting Farm Suitable Alternative Natural Greenspace (SANG).
- 2.2. delegated authority to the Joint Executive Head of Environmental Services, in consultation with the Lead Councillor for Environment and relevant ward councillors, to deliver, manage, and operate habitat banks on appropriate council owned land.

## **3. Reason(s) for Recommendation:**

- 3.1. The proposed pilot habitat bank at Tyting Farm SANG will deliver tangible and significant environmental improvements that would not be delivered without the proposal. The project will be cost neutral or provide an income for the Council so can be considered a 'win-win' option.
- 3.2. The provision of habitat banks on Council land will generally provide strong environmental benefits, with wider direct and indirect social and economic benefits, and direct benefits for the Council.
- 3.3. Habitat banks will emerge regardless of Council action but by taking a leading position now the Council can ensure that the public good from BNG is maximised and that other planning benefits are not jeopardised by unreasonably high costs levied by private habitat banks seeking maximum profits.
- 3.4. The proposed pilot habitat bank at Tyting Farm SANG is considered a low-risk option as it would be cost neutral at worst, result in no opportunity cost, entail limited and manageable risks, and would enhance the existing SANG function.

## **4. Exemption from publication**

No.

## **5. Purpose of Report**

- 5.1. To inform Councillors about the emerging Biodiversity Net Gain (BNG) planning obligation and new duties stemming from the Environment Act and to ask the Executive to:
- approve the creation of a habitat bank on Tyting Farm Suitable Alternative Natural Greenspace (SANG), and
  - approve changes the scheme of delegation to authorise the Joint Executive Head of Environmental Services to deliver, manage and operate habitat banks on appropriate Council owned land in consultation with the Lead Councillor for Environment.

## **6. Strategic Priorities**

- 6.1. The creation of habitat banks will deliver significant direct environmental and social benefits while enabling new developments to conform with Local Plan policy and thereby receive planning permission. As a result, the proposal will support the strategic framework vision of “A green, thriving town and villages where people have the homes they need...”.
- 6.2. The creation of habitat banks will directly contribute to delivering the strategic priority to “Make every effort to protect and enhance our biodiversity and natural environment.”
- 6.3. By enabling development to proceed (see ‘Background’ below), habitat banks will also deliver the following strategic priorities:
- revive Guildford town centre to unlock its full potential,
  - provide and facilitate housing that people can afford,
  - create employment opportunities through regeneration, and
  - support high quality development of strategic sites.

## **7. Background**

### **Biodiversity Net Gain and the need for habitat banks**

- 7.1. The National Planning Policy Framework requires new developments to achieve an unspecified level of BNG. The adopted Local Plan strategy and sites includes Policy ID4: Green and Blue Infrastructure

which requires new development to aim to achieve BNG where appropriate.

- 7.2. The Environment Act 2021 introduces a legal obligation for most major and minor developments (but not household developments) to achieve a BNG of at least 10% (i.e. total post development biodiversity value is at least 10% higher than the pre-development value). The implementation date for this legal requirement is subject to forthcoming regulations, but it is anticipated to be in November 2023 for major development and April 2024 for minor development.
- 7.3. Under the national approach, BNG will be measured through Defra's Biodiversity Metric which assigns a biodiversity value to a site, expressed as a number of biodiversity 'units', based on the size, distinctiveness, location and condition of habitats.
- 7.4. The Environment Act allows BNG to be achieved through the provision of new habitat and/or improvement of existing habitats on-site. National and local policy requires developers to apply the mitigation hierarchy and prioritise avoidance of loss in the first instance and then improve biodiversity on-site as far as possible in pursuit of the required gain.
- 7.5. Where the full gain cannot be achieved on-site, the Environment Act and national methodology allow the use of off-site measures. Biodiversity offsetting is now, therefore, a feature of the statutory planning system.
- 7.6. The Council has recently adopted the LPDMP which includes a requirement for qualifying developments to achieve a minimum 20% BNG. The Local Plan Inspector amended the policy so that the requirement will commence at the same time as the national 10% requirement. As a result, qualifying developments in the borough will need to achieve a BNG of at least 20% from the national commencement dates.
- 7.7. Off-site measures may be undertaken by the developer through bespoke works on land it controls but may also take the form of biodiversity units purchased from a habitat bank, referred to as biodiversity 'credits'. National and local evidence shows that many

developments will need offsite biodiversity units and it is likely that in many cases this will involve the purchase of credits.

- 7.8. While officers are aware that a number of landowners and other bodies are looking into providing habitat banks, none are currently available in Guildford borough or in surrounding boroughs. The Council has already received a number of enquiries from developers of sites within and outside the borough seeking to obtain biodiversity credits.
- 7.9. Habitat banks do not need to be in the same borough as the developments they provide credits for. However, officers are of the view that locating habitat banks in the borough could provide a significant benefit to the public good and to the Council through general improvements to the borough's natural environment which help to meet new legal obligations, and the uplift in quality of council-owned land. Consequently, it would not be desirable for developments in Guildford borough to meet BNG requirements by financing habitat banks outside the borough.
- 7.10. Habitat banks can be provided on any land without sacrificing the existing use as long as the existing use is compatible (e.g. there would be no conflict between an existing recreation use and proposed habitat works). Additionally, the BNG works must be truly additional to works delivered under other habitat obligations – forthcoming regulations are expected to clarify this point.
- 7.11. All BNG habitats must be secured for 30 years. The Environment Act 2021 provides a legal mechanism for securing the habitats (Conservation Covenants) and Natural England will operate a mandatory and statutory national register of habitat banks.
- 7.12. The national BNG methodology includes a number of 'trading rules' whereby habitats that are lost or impoverished by a development can only be 'traded' for the same type of habitats or habitats of a higher value. Therefore, it is beneficial to have multiple habitat banks that provide credits across a range of habitat types.

## **Council owned habitat banks**

- 7.13. As a significant landowner that controls and manages a large number of open spaces, the Council is very well placed to become a habitat bank provider. The Council's open spaces are already in active management so provision of compatible habitat bank works is likely to be cost effective because some of the existing management practices, and potentially some of the capital works (such as fencing, dog bins and interpretation boards), may be shared. However, it is important to note that habitat bank works must be additional to other obligations.
- 7.14. Officers recommend the Council seeks to bring forward appropriate habitat banks on land where habitat works will be compatible with the primary use. The reasons for this recommendation are:
- the potential for significant improvement/uplift in quality of council owned land,
  - tangible and significant environmental benefits due to biodiversity restoration,
  - direct public social benefit resulting from improvements in the quality of open spaces (i.e. through improved recreation opportunities and associated health outcomes),
  - indirect economic benefits as a result of strengthened environmental services and growth in natural capital,
  - by appropriately locating habitat banks, the Council can ensure they are coordinated with the biodiversity restoration strategy for Surrey (the Biodiversity Opportunity Areas, the emerging Local Nature Recovery Strategy and other strategies),
  - the Council is subject to a number of legal and policy requirements covering nature recovery – habitat banks can play a significant role in meeting these,
  - by providing an alternative option, a situation where a private provider corners the market in biodiversity credits and sets the cost at a level that impacts delivery of planning benefits, or renders some development unviable, will be avoided,
  - the habitat banks will be fully funded through the sale of credits so will not result in a burden on Council finances, and

- there is potential to generate an income over and above the costs of delivery and maintenance (a matter for the forthcoming business case).

### **Suitable Alternative Natural Greenspaces (SANGs)**

- 7.15. New homes built within 5km of the Thames Basin Heaths Special Protection Area (the 'SPA') are considered to increase recreational pressure on the SPA and consequently have adverse impacts on the populations of its three resident protected bird species. Under the Conservation of Habitats and Species Regulations 2017, adverse impacts must be avoided. An avoidance (mitigation) approach has been established that centres around visitor management and habitat measures on the SPA and the provision of SANGs outside the SPA to divert potential SPA visitors. SANGs must have an attractive, semi-natural character in order to function as an effective alternative to the SPA.
- 7.16. SANG land can be particularly suitable for hosting habitat banks. SANG land is already locked away in a largely compatible use in perpetuity and therefore will not entail an opportunity cost if land is also used for BNG. The longevity of SANGs also means that the new habitats are more likely to endure. Additionally, the provision of appropriate BNG habitats will make the SANGs more attractive, improving their effectiveness in diverting visitors from the SPA. Many SANGs are well located to support the Surrey Biodiversity Opportunity Areas ('BOAs') and emerging statutory Local Nature Recovery Strategies.
- 7.17. At the LPDMP examination, it was necessary to demonstrate that the BNG policy it contains was deliverable by showing that viable habitat banks would be delivered in time for when the policy commences. Planning and parks officers developed a proposal for a pilot habitat bank on the Council's SANG at Tyting Farm (see Appendix 1).
- 7.18. The Council's development at Weyside Urban Village (WUV) is accompanied by a new SANG and habitat bank at Burpham Court Farm. It is expected that this habitat bank will provide excess biodiversity units (over and above the units required by WUV) which can be made available as credits to other developments.



## **Tyting Farm SANG habitat bank**

- 7.19. Officers recommend approval of the proposed pilot habitat bank at Tyting Farm. The proposal would deliver the benefits mentioned previously, and additionally would provide direct community benefits through the creation of an orchard.
- 7.20. The habitat bank works set out in the proposal are additional to the SANG works and represent a demonstrable, tangible and significant biodiversity gain over and above the works set out in the SANG management plan. However, the two sets of works are complementary. This approach accords with Natural England's SANG guidelines which prohibits the double counting of SANG and BNG works.
- 7.21. As a large site located within a BOA, the SANG is a good BNG site as it accords with the objectives of 'bigger, better and more connected ecological networks'.<sup>1</sup>
- 7.22. The proposed habitat bank would be created through:
- creation of new hedgerows,
  - improvement to areas of grassland,
  - enhancement of existing woodland and new woodland planting,
  - creation of an orchard,
  - enhancement of existing ponds, and
  - management of bracken and invasive species.
- 7.23. The habitat bank is expected to improve the biodiversity value of Tyting Farm by around 170 biodiversity units. Each newly created unit can be provided as a biodiversity credit.
- 7.24. Developments will have varying needs for credits. The evidence produced for the LPDMP examination suggests that most brownfield sites will achieve the full BNG onsite and will not need credits. The exceptions to this are brownfield sites that have been left undisturbed to develop a high baseline value, likely to be uncommon

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<sup>1</sup> Established through the 'Lawton Review' available at <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

in Guildford Borough due to high development pressure. Strategic sites that provide bespoke SANGs are also unlikely to require offsite credits due to the opportunity for biodiversity enhancement on the SANG but may have a limited requirement if the SANG habitats are difficult to enhance. Some greenfield sites will be able to provide the full 20% BNG on-site but most will not.

- 7.25. Based on the above, most of the need for biodiversity credits is likely to come from non-strategic greenfield sites, and there is likely to be a large variation within this development type.
- 7.26. The customers for the Tyting Farm habitat bank would primarily be those bringing forward developments within the borough of Guildford but may also include development in other boroughs and potentially nationally. Environmental offsetting is already an established industry and customers could potentially also be found outside the development industry and possibly internationally.
- 7.27. As a rough estimate, the Tyting Farm habitat bank would be expected to provide enough biodiversity credits to support development in the Local Plan for the next five to ten years. However, this does not take account of demand for credits arising from outside the borough.
- 7.28. The financial arrangements for the habitat bank, including the sale of credits, will be established through a detailed business case once the project is agreed in principle by the Executive.

### **Proposal to delegate authority to the Joint Executive Head of Environmental Services**

- 7.29. To facilitate delivery of habitat banks, officers propose an amendment to the scheme of delegation to authorise the Joint Executive Head of Environmental Services to deliver, manage and operate habitat banks on appropriate council owned land in consultation with the lead councillor for Environment and relevant ward councillors. This will reduce the administrative burden associated with developing proposals and delivering further habitat banks. As a nimbler process, this will help ensure that the supply of BNG credits is maintained at an appropriate level with regard to demand.

7.30. The delivery of BNG habitat banks aligns closely with the work currently undertaken by the Parks and Countryside team when carrying out their existing duties for managing open spaces and other Council land. Parks and Countryside officers are part of Environmental Services.

## **8. Consultations**

- 8.1. An internal consultation on the proposals set out in this report was undertaken in November 2022. The consultation included service heads, the Directors of Place and Community Wellbeing, and the Lead Councillor for Finance and Planning Policy, and the proposals were then discussed at Corporate Management Board with support for the proposals offered subject to consultation with ward councillors. The Lead Councillors for Planning and Environment were consulted on the text of this report in February 2023 and agreed with the proposals. The ward councillors for the former Holy Trinity and Tillingbourne wards were consulted on the proposal for the Tyting Farm Habitat Bank in January 2023. Following the change in administration after the May 2023 election, the current Executive was consulted informally on the proposals.
- 8.2. Prior to this, in November 2021, a briefing note was circulated to Councillors to inform them about the (then) emerging BNG planning requirements and to advise them that a landowner was considering a pilot habitat bank on a privately owned SANG (this proposal has now apparently stalled). The note recommended that the principle of BNG on SANGs should be supported. No objections were received.
- 8.3. The Tyting Farm Habitat Bank proposal was published as part of the LPDMP examination process in October 2022 and was then part of a targeted consultation undertaken by the Local Plan Inspector regarding the evidence supporting the BNG policy.

## **9. Key Risks**

- 9.1. There is a risk that funds are spent on habitat bank works but demand for the credits does not arise or is lower than expected. This risk can be minimised by phasing the delivery of habitat banks, and/or works within habitat banks, to ensure the supply of credits is

aligned with demand. Assuming that BNG is now a permanent feature of the planning system, the risk that habitat bank credits will remain unused over the long term appears low.

- 9.2. The national methodology allows for an approach whereby credits can be provided before works are undertaken. This would remove any residual risk of credits remaining unsold, but under the national approach would reduce the value of the credits.
- 9.3. BNG credits are not required to be located within the same borough as the corresponding development (though the forthcoming BNG regulations may set rules around distance). As long as habitat banks are located in the same BOA or National Character Area ('NCA'), the biodiversity units carry their full value when used as credits. Beyond this range, the national methodology considers habitat credits less valuable, meaning developments must purchase more credits to provide the same gain. BOAs and NCAs cover large areas: some NCAs covering Guildford extend as far as Rochester and Newbury. As a result, if habitat banks are not delivered in Guildford borough, development within the borough may finance habitat improvements in other boroughs, potentially a long distance away. Conversely, becoming an early provider of credits could result in development in other boroughs financing environmental improvements in Guildford borough.
- 9.4. Local Authorities across England are currently preparing to implement the minimum 10% BNG standard when it becomes mandatory for major developments in November 2023. Failing to bring forward habitat banks could result in the borough or Council being "locked out" of the market as other habitat banks come online quickly and meet the demand fully in the short to medium term.
- 9.5. Consideration is needed for BNG credits that are sold to development outside the borough and how this is monitored. The forthcoming regulations are expected to implement a national monitoring and enforcement regime that will resolve this issue (potentially by delegating responsibility to the Council). The Council has experience of providing SANG mitigation for developments inside and outside the borough and a similar monitoring process could be implemented for BNG credits.

## **10. Financial Implications**

- 10.1. BNG habitat banks will be self-funding as the price of credits will be set at a level that covers the costs of delivery as a minimum.
- 10.2. The Tyting Net Gain Plan Appendix C: Tyting Farm BNG Costings (see Appendix 1 of this report) sets out the costs associated with delivering and maintaining the proposed habitat bank works. Appendix D: Funding Model Projections then sets out funding projections based on the costs using two different models. The projections indicate that, using a very conservative funding model, the cost of providing biodiversity credits at Tyting Farm habitat bank would be £10,860 per credit. This is in line with estimates produced by Defra in its 2019 'Biodiversity net gain and local nature recovery strategies: impact assessment' and would represent a competitive rate when compared to habitat banks delivered or proposed by other organisations. As a result, it is not expected to be problematic to set the charge at a level that covers all the costs of delivery, management and maintenance as a minimum.
- 10.3. Initial capital works may need to be funded up front, with funds paid back from BNG income. In the case of habitat banks on SANGs, capital works can be funded from the existing SANG funds, again paid back from the sale of credits. This will be a consideration in the forthcoming business plan. Tyting Farm SANG is an extension to the existing SANG at Chantry Woods. Chantry Woods is a mature SANG with a significant funding pot.

## **11. Legal Implications**

- 11.1. The total budget for the habitat bank will exceed £200,000 so the decision to use Tyting Farm as a habitat bank is a Key Decision that can be made by the Executive.
- 11.2. As an executive decision, the Executive is empowered to amend the scheme of delegation in the Council's Constitution.
- 11.3. The proposals in this report respond to changes in planning law as a result of the enactment of the Environment Act 2021. The Act (schedule 14) introduces new obligations for development to achieve

a minimum 10% BNG and provides new legal mechanisms for implementing it.

11.4. The Act (ss102 and 103) also strengthens the biodiversity obligations set out in the Natural Environment and Rural Communities Act 2006 ('NERC Act') by requiring Local Authorities to:

- enhance as well as conserve biodiversity through the exercise of its functions (the NERC Act refers only to 'conserve'),
- within 1 year of implementation of s102, identify actions it can take to conserve and enhance biodiversity,
- set or revise policies and objectives to achieve the above as soon as possible after identifying them,
- complete the identified actions within 5 years,
- produce a report every 5 years detailing the actions taken, and
- have regard to the Local Nature Recovery Strategy and relevant Natural England strategies.

11.5. The Environment Act creates the Office of Environmental Protection to police public bodies and ensure they comply with their environmental obligations.

11.6. The delivery of habitat banks will lead to the enhancement of biodiversity across the borough and so will play a significant role in meeting the requirements of the two Acts. As the Council is in a position to deliver habitat banks on its significant landholding, through its policies, or both, it is arguable that not doing so would fail to meet the requirements of the Environment Act to identify, set and achieve policies and objectives for biodiversity recovery.

11.7. Payments for biodiversity credits can be secured through s106 Agreements. SANG payments are currently collected in this way and the existing process provides a practical model.

## **12. Human Resource Implications**

12.1. Delivery of habitat banks will introduce a new workload that will have human resource implications for Environmental Services. Additional resources will be needed for the planning, implementation and monitoring of BNG habitats. The costings for the proposed pilot habitat bank at Tyting Farm include funding for the required human

resource. It is envisaged that the level of resource will be set at the level needed to cover the pilot project and that the resource will be increased as and when additional habitat banks are brought forward, with further funding coming from the new habitat banks.

- 12.2. There will be an impact on the s106 monitoring officer role as the allocation of BNG credits and associated s106 agreements will need to be monitored. This role sits within Planning and Development. The government proposes that enforcement of the development BNG obligation should fall to Local Planning Authorities (to be confirmed through the forthcoming BNG regulations). This could create a significant burden on whichever team takes on the role. However, it should be noted that this situation will occur regardless of whether the Council operates habitat banks or leaves it to other providers. Monitoring is likely to be easier where a habitat bank is operated by the Council, so delivering Council habitat banks should be considered to result in a lower BNG monitoring burden than would be the case otherwise. The burden of investigation and enforcement is also likely to be lower where the Council operates habitat banks.

### **13. Equality and Diversity Implications**

- 13.1. An Equalities Impact Assessment (EqIA) has been undertaken for the Tyting Farm habitat bank proposal (see Appendix 2). The habitat bank is not expected to have EqIA implications. The existing SANG plan has been designed in accordance with Natural England's SANG guidelines, which take accessibility and safety for vulnerable groups into account. The proposal for a habitat bank will not alter the SANG infrastructure or layout, but the improved habitats will make the site more attractive and provide environmental benefits so will generally increase the public good for all groups. By improving the attractiveness of open spaces, habitat banks will encourage their use thereby fostering good relations between all community groups, including those with protected characteristics.
- 13.2. Further proposals for habitat banks will be subject to EqIA when they are identified.
- 13.3. The proposal to amend the scheme of delegation has been considered in the context of this report and it has been concluded

that there are no equality and diversity implications arising directly from this this proposal as any habitat bank projects that result will be subject to a project specific EqlA.

## **14. Climate Change/Sustainability Implications**

- 14.1. Habitat creation and management plays a key role in mitigating and adapting to climate change. The growth of plants removes carbon from the air and where habitats are subject to cut and collect management, some of the removed carbon is then sequestered in the soil as the removed material mulches. For slower growing habitats, such as woodland, carbon is sequestered for an extended period in the body of the plant. The proposed habitat bank at Tyting Farm includes examples of both of these types of carbon sequestration. The proposed orchard will produce fruit that is free from packaging and low in food-miles for local people.
- 14.2. New habitats can help to adapt to climate change impacts such as severe rainfall and flooding, high heat and increased drought:
  - ground cover plants reduce flooding by slowing surface water and prevent the ground drying out during periods of high heat or low rainfall,
  - wetlands provide natural flood management,
  - trees can absorb large quantities of excess water and provide natural shading to combat high heat, and
  - surface waterbodies help prevent surface flooding and provide water stores for surrounding habitats during dry periods.
- 14.3. Biodiversity recovery is a highly sustainable action as improving the health of the environment improves its ability to endure (sustain). There are direct and indirect benefits for society and the economy through support for recreation, forestry and agriculture and more widely through the strengthening of ecosystem services and natural capital. Habitat banks will therefore have substantial positive impact on sustainability across the economic, social and environmental dimensions.



## **15. Summary of Options**

### **Do nothing**

- 15.1. The government envisages that a market in biodiversity credits will develop, and the Council is under no obligation to create habitat banks. It is therefore possible to leave the provision of habitat banks to other landowners.
- 15.2. However, private providers of credits, at least in the early years, may be able to corner the market and demand high sums which in turn could impact on both development viability and/or the provision of other planning benefits.
- 15.3. In the event that no local habitat banks come forward, developers may seek credits provided by other boroughs or the proposed national habitat banks of last resort, resulting in development in Guildford funding environmental improvements elsewhere in the country.

### **Bring forward habitat bank(s) on Council land with a pilot project at Tyting Farm**

- 15.4. This is the recommended option for the reasons set out in this report.

## **16. Conclusion**

- 16.1. The provision of habitat banks on council land will provide strong environmental benefits, with wider direct and indirect social and economic benefits. Additionally, they could provide a new income stream.
- 16.2. Habitat banks will emerge regardless of Council action but by taking a leading position now the Council can ensure that the public good is maximised while protecting planning benefits.
- 16.3. Financial risks are limited and can be managed.
- 16.4. A plan for a pilot habitat bank at Tyting Farm SANG has been produced. The proposal does not require sacrificing any other objectives and should further the aims of the SANG use. The

proposed habitat bank can be considered a win-win option and should be approved.

- 16.5. The Council has an opportunity to bring forward further habitat banks on its significant landholding. In order to reduce the administrative burden and make the delivery of habitat banks more responsive to market movements, responsibility for this function should be delegated to the Executive Head of Environmental Services.

## **17. Background Papers**

- 17.1. 'Biodiversity net gain and local nature recovery strategies: impact assessment' (Defra, 2019) available at:  
<https://www.gov.uk/government/consultations/biodiversity-net-gain-updating-planning-requirements>
- 17.2. Other background documents relating to the proposal for Tyting Farm SANG habitat bank and the need for habitat banks generally are available at: [Examination documents - Guildford Borough Council](#)

## **18. Appendices**

Appendix 1: Tyting Farm Biodiversity Net Gain Plan

Appendix 2: Equalities Impact Assessment for Tyting Farm SANG Habitat Bank