

GMEU response

Summary

Note this is retrospective. The only ecological issue is biodiversity net gain.

Wildlife

Even if the application was not retrospective, it is very unlikely that we would have recommended any ecological surveys or conditions for wildlife.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

A metric has been provided indicating the site was bare ground and will remain bare ground. Both in my opinion are incorrect, with streetview clearly showing a brownfield site in 2023, with scattered early successional vegetation and the post development habitat would be regarded as artificial unvegetated surface, ie a low value habitat replaced with a habitat with no value. Current guidance for calculating BNG where site clearance occurred in advance is:

“Where unauthorised degradation of the onsite habitat has taken place on the land between 30 January 2020 and the date of the application, the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value of the habitat on the date immediately before the carrying out of these degradation activities. The relevant date should therefore be set as a date immediately before these activities. Unauthorised degradation of onsite habitat is any degradation which is not in accordance with a previous planning permission.”

I have run a metric based on the area of the development . This results in a loss of 0.2 biodiversity units and an overall shortfall to achieve 10% of 0.22 BU. This is based on the site being a brownfield site in low ecological condition and the current site having no ecological value. Ie unvegetated unsealed artificial surface.

I realise that the applicant was probably unaware that planning permission was required. Some on site mitigation is achievable through urban tree planting. It will take 18 native trees planted around the perimeter of the site to achieve 10% BNG assuming they achieve moderate condition and survive for 30 years. This appears achievable if planted around the perimeter of the site. Alternatively they may wish to use part of the car park as a mitigation and enhancement area.

I therefore recommend that prior to determination, the developer put forward a biodiversity net gain proposal, produced by a suitably experienced ecological consultant.