

Sent by EMAIL ONLY to [graeme.thompson@somerset.gov.uk](mailto:graeme.thompson@somerset.gov.uk)

4/5/2023

Dear Graeme

### **Response by the Home Builders Federation to Somerset BNG Guidance**

1. Please find below the Home Builders Federation (HBF) response to the consultation on Somerset Council's Biodiversity Net Gain Guidance. HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.
2. HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time. We therefore welcome the efforts by Somerset Council to provide guidance and help and advice to try and ensure the implementation of mandatory Biodiversity Net Gain works in practice. However, it is unfortunate that the timing of the release of the draft Planning Practice guidance from DLUHC and the Draft DEFRA BNG Guidance saw them released just before the close of your consultation period. This has left many people unable to read and fully digest the new Guidance, and consider if and how it agrees or maybe conflicts with your advice, in time to respond to your consultation by the deadline.
3. It must also be noted that the PPG has been published in draft form to allow for "familiarisation" and as such some details may change between now and the implementation date in January 2024. Similarly, HBF understand the DEFRA Guidance is still being refined before the implementation date, and indeed may be further refined once mandatory BNG is working in practice, to reflect any early lessons learnt.
4. There is a lot of new information to work through and consider the implications of, and HBF suggest that any Somerset level guidance will need to be kept under review as the national policy and advice is finalised. Although no significant changes to the approach to BNG are expected, further clarity may be needed on some of the finer details. HBF will continue to work with the Future Homes Hub to feedback comments to Government over the next



months. Once key piece of work will be considering how the PPG and DEFRA work together and if there are any gaps, overlaps or discrepancies between them.

5. HBF understand it is still the intention for BNG for small sites to come in in April 2024, and we will continue to assist our members in preparing for this as well. We would envisage the Future Homes Hub continuing its work on this as mandatory BNG is introduced for both larger and smaller sites.
6. HBF are keen to work with you on ensuring the BNG Guidance is as helpful to our members as possible. Clearly you will need to review and digest the new guidance and consider if any changes are needed to your advice. HBF would welcome the opportunity to comment on a revised version when one becomes available.
7. There are clearly some areas of your guidance that need updating, such as changing the references from metric 4.0 to the new statutory metric and reflecting the wording of this new metric (once it is available) in your guidance. There are also to be no transitional period. Once BNG is in it will be required on all relevant sites from Jan 2024 or April 2024 respectively.
8. There may be other sections of the new Advice and Guidance that require changes to be made to your documents.

For example, the way that gardens should be treated is set out here <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#>

and there is also a blog about what happens at the end of 30 years <https://defralanduse.blog.gov.uk/2023/10/10/off-site-bng-what-can-you-do-after-30-years/#:~:text=To%20re-enter%20the%20site%20into%20the%20off-site%20BNG,of%20the%2030-year%20agreement%20to%20begin%20this%20process>

9. HBF would suggest further consultation may be helpful once the definitive version of the BNG PPG and the DEFRA Guidance has been published and you reviewed and updated your Guidance to reflect these documents.

## **10. Future Engagement**

11. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.
12. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

13. We would also welcome the opportunity to feed into the Local Nature Recovery Strategy for Somerset as it is developed.

Yours faithfully

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive style with a light blue background behind it.

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