

Note to accompany Statutory Biodiversity Metric calculation including on-site and off-site mitigation

Introduction

1. Planning condition 44 states:

“No development (barring demolition) hereby permitted shall commence until a Biodiversity Impact Assessment Calculation using the DEFRA 3 Metric (or its successor) based on the landscaping plans submitted under Condition 28 and the offsetting scheme detailed in the legal agreement or unilateral undertaking hereby agreed, demonstrating a net gain of at least 10% in biodiversity units, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to secure biodiversity enhancement in the long term, according with Paragraph 186 of the NPPF (2023), Policy EN12 of the Reading Borough Local Plan 2019, the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.”

Challenges of including off-site mitigation in the Metric

2. The approach used at the public inquiry by both Berkeley Homes and RBC adapted the Biodiversity Metric for the purposes of facilitating discussion on the amount of habitat enhancement that would be appropriate to compensate for the indirect impact of increased shade to marginal vegetation adjacent to the site. However, the Metric is not designed to assess indirect impacts and this presents difficulties when completing the Metric. The Biodiversity Metric 4.0 User Guide states at paragraph 1.5.2. that *‘It is a simple assessment tool and only considers direct impacts on habitats, within the footprint of a development, estate or project.’*
3. In addition, the impacts to marginal vegetation were assessed in the Habitat section part of the Biodiversity Metric. As the Habitat section does not include riparian habitats, the closest non-riparian habitats were used.
4. Despite the short-comings outlined above, off-site mitigation has been entered into the Statutory Biodiversity Metric as far as possible based on the Inspector’s findings but the

reduction in condition of the marginal vegetation adjacent to the site cannot be entered. The following information therefore needs to be considered when assessing the results of the Metric.

Existing Marginal Vegetation at (Ref: MVA1)

5. The area of marginal vegetation adjacent to the site which the Inspector considered would be adversely affected in 70m² in area (Appeal Decision paragraph 110) with a 'moderate' condition (Appeal Decision paragraph 131). The closest non-riparian habitat to marginal vegetation was considered by both parties to be 'reedbed'.
6. The Inspector concluded that this would survive in 'poor' condition post-development (Appeal Decision paragraph 133).
7. 70m² of reedbed in moderate condition has therefore been entered in the Off-Site Habitat Baseline of the Metric.
8. However, the Metric will not accept a reduction of condition – it only allows for maintaining habitat in the same or an enhanced condition. Therefore, the decrease in habitat condition cannot be accounted for in the Metric. The loss of habitat units resulting from a decrease in condition from 'moderate' to 'poor' is $0.1 - 0.05 = 0.05$ units.

Enhancement of open water to marginal vegetation at (Ref: MVA2)

9. The Inspector concluded that the closest habitat type to open river is 'reservoir' (Appeal Decision paragraph 136) but did not assess its condition. A 'moderate' condition (proposed by RBC) has been entered into the Metric. This will be enhanced to 'reedbed'.
10. 34m² of 'reservoir' in 'moderate' condition has therefore been included in the Off-Site Habitat Baseline of the Metric and this has been enhanced to 'reedbed' in 'good' condition.

Results

11. Without accounting for the reduction in condition of the existing marginal vegetation, the Metric shows a net gain off-site of 0.02 Habitat units. If this is combined with loss of units through the reduction in condition of the existing marginal vegetation in paragraph 9 above, there is an off-site net loss calculated in table 1 below.

Table 1: Change in off-site Habitat units

Change	Habitat units
Loss of habitat units resulting change from 'moderate' to 'poor' condition of existing marginal vegetation	-0.05
Increase of habitat units from enhancement of open water to marginal vegetation	+0.02
Net gain/loss	-0.03

12. The Inspector noted at Paragraph 139 of the Appeal Decision: *'The disparity between the party's calculations means that a clear conclusion on the adequacy of the compensation proposed in numerical terms is not possible. It suggests that a degree of pragmatism is required.'*
13. The Inspector stated at paragraph 141: *'Whilst the requirement to calculate off-site compensation using recognised metrics has proved challenging, overall I have found that the compensation proposed would be a proportionate and reasonable response to this situation'* (Appeal Decision paragraph 141). The compensation proposed is 34m² of new marginal vegetation (Appeal Decision paragraph 140).
14. The combined Total net % change is calculated using the Table 2 below. There is an increase of 171% and this satisfies the requirements of planning condition 44. Please note that the figures in the Metric differ from those presented in this statement because the reduction in condition of existing marginal vegetation cannot be accounted for in the Metric as explained in paragraph 9.

Table 2: Change in On-site and Off-site Habitat units and % change

	Existing value in Habitat units	Proposed value in Habitat units	Change in Habitat units	% change
On-site	0.38	1.29	0.91	240.98%
Off-site	0.13	$0.14 - 0.05 = 0.09$	-0.04	-30%
On-site and off-site combined	0.51	1.38	0.87	171%

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