



# **Regulation 12 Consultation Statement**

## **Draft Biodiversity and Green Infrastructure Supplementary Planning Document**

**May 2026**

## 1. Introduction

- 1.1 Regulation 12 of 'The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)' requires Local Authorities to prepare a statement prior to the adoption of a supplementary planning document (SPD) which sets out:
- Who was consulted
  - A summary of the main issues raised
  - How those issues have been addressed in the supplementary planning document
- 1.2 This Statement relates to the consultation which took place in relation to the Draft Biodiversity and Green Infrastructure supplementary planning document (BioGI SPD).
- 1.3 The role of the BioGI SPD is to provide guidance on the application of Bracknell Forest Local Plan policies (as adopted in March 2024) in relation to the following matters:
- Policy LP 30 Green infrastructure
  - Policy LP 31 Designated nature conservation and geological sites
  - Policy LP 53 Biodiversity
- 1.4 The purpose of the consultation was to seek the views of those living and working in the Borough, and those who submit planning applications on the approach to be taken to planning applications in relation to biodiversity and green infrastructure matters.
- 1.5 A four-week (plus two days to allow for public holidays) public consultation on the draft supplementary planning document took place between 25<sup>th</sup> March and 24<sup>th</sup> April 2026, and involved the following:
- Update of the 'Biodiversity and Green Infrastructure Supplementary Planning Document' webpage on the Council's website [Biodiversity and Green Infrastructure Supplementary Planning Document | Bracknell Forest Council](#)
  - Publication of the consultation documents on the Council's consultation portal
  - Email (or letters to those without an email address) to those on the Council's planning policy consultation database which included:
    - Local residents
    - Developers
    - Adjoining local authorities
    - Parish/Town Councils
    - Statutory consultees
  - Provision of a hard copy of the draft supplementary planning document during the consultation period at the Council office at Time Square, Bracknell and Bracknell Town library. Warfield and Crowthorne Parish Councils also requested hard copies.
  - Press release at the start of the consultation on the Council's web page

- Information on the Council's Facebook page (posted 25th March)
- Item in the 'Your Bracknell Forest Extra' (a Borough e-newsletter) (26th March edition)
- Drop-in session (by invitation) for Borough Councillors (in person and virtual). At these sessions Councillors were able to ask questions and were reminded that they should submit their comments formally by the end of the consultation period.

1.6 Twenty-three individuals/organisations responded to the consultation. **Appendix A** provides a summary of the main issues raised and how they have been addressed in the final version of the supplementary planning document.

## Appendix A – Summary of representations and Council's response

Please note that all document references relate to the consultation draft supplementary planning document, and these may differ from the adopted version.

New text added to the supplementary planning document is shown in **bold and underlined**.

A ~~strikethrough~~ has been applied to text that is deleted from the supplementary planning document.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
Statutory consultees (6 responses)			
National Highways		No comment.	Noted
Natural England		No comment	Noted
Historic England		No comment	Noted
National Grid Electricity Transmission (NGET)	General	References an overhead transmission line in the south of the borough.  The Council should ensure that development proposals located near transmission assets demonstrate that they will not compromise safety, operability, maintenance access, asset replacement or future network expansion. The	Noted. The supplementary planning document does not allocate land for development nor deal with specific development proposals. The explanatory text to Policy LP 24 'Infrastructure' in the Bracknell Forest Local Plan states that the Council will work with infrastructure providers. No changes necessary.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		Council should safeguard existing and potential access routes required for the delivery and removal of Abnormal Indivisible Loads (AILs) associated with the construction, replacement and maintenance of transmission-scale equipment, including large transformers at strategic substations and resist development or highway alterations that would prejudice, constrain or render impractical AIL access unless suitable mitigation or alternative agreed routes can be secured.	
Waverley Borough Council		No comment.	Noted.
Crowthorne Parish Council	General comment	Could BFC mandate that any biodiversity net gain for developments in Crowthorne Parish are delivered in the parish or its surrounds to ensure that the biodiversity net gain benefit	Unfortunately, this would not be lawful. However, the intention is to utilise funds received as green infrastructure payments (as set out in section 7 in the supplementary planning document) to carry out improvements in all parishes across the borough so that local residents can benefit from improved local access to nature. No changes necessary.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		is directly impactful to the parish rather than some distance away?	
	Section 2	<p>There does not appear to be any overt reference to the Neighbourhood Plan adopted by Crowthorne and those the other parishes and towns within Bracknell Forest have adopted via referendum. These are legally binding planning legislation at the most local level and must be adhered to by developers. The Crowthorne Neighbourhood Plan contains its own biodiversity provisions, along with the Biodiversity Policy Council adopted pursuant to NERC 2006 duties.</p> <p>These should be referred to in the supplementary planning document under the local planning context section.</p>	<p>The supplementary planning document provides guidance on the implementation of Bracknell Forest Local Plan policies LP 30 Green Infrastructure, LP 31 Designated nature conservation and geological sites and Policy LP 53 Biodiversity. Neighbourhood Plans are part of the Development Plan and form a material consideration in the determination of planning applications. The supplementary planning document will be used alongside the Neighbourhood Plans. No changes necessary.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>Policy CR12 in the Crowthorne Neighbourhood Plan is solely focused on Biodiversity.</p> <p>Appendix D to the Crowthorne Neighbourhood Plan is a report on Biodiversity from 2019 and shows just what a wildlife and habitat rich and diverse parish Crowthorne is and Council wishes to ensure this is protected and preserved in perpetuity.</p> <p><a href="#">201908071301180.Appendix D TVERC.19.077 Crowthorne Parish Biodiversity Report.pdf</a></p> <p>Appendix 1, 'Glossary' refers to the Local Plan with Neighbourhood Plans buried in the subtext, in brackets. Could the Neighbourhood Plans and Parish and Town Biodiversity Policy Statements under NERC be included in their own</p>	

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		glossary boxes to afford them greater prominence?	
	Section 3 paragraph 3.2.5	Veteran Trees - other sections of the draft supplementary planning document contain links but there is not one for Veteran Trees. A link to the Ancient Tree Inventory interactive map for veteran trees, on page 9 would be thorough. See <u>Tree Search - Ancient Tree Inventory</u>	Agree. A paragraph has been added after paragraph 3.2.5 as follows:  <b><u>Ancient woodland is mapped in Natural England's Ancient Woodland Inventory, which can be viewed on <a href="#">Magic Map</a>. Many veteran trees are mapped on the Woodland Trust's <a href="#">Ancient Tree Inventory</a>, however this may not be a complete record.</u></b>
	Section 3 paragraph 3.4	It would be really beneficial for the general public to understand how to identify an invasive weed species. Would it be possible to include photographs of the invasive weeds to aid in identification?	Partly agree. To avoid the document getting too long, a link has been added to the GB non-native species secretariat after paragraph 3.4.2 as follows: <b><u>For further information on invasive species, see the <a href="#">GB Non-Native Species Secretariat</a>.</u></b>
	Section 3.5	With regards to the statement 'Water and flood management can be a significant issue.' CPC is not aware of flooding in Bracknell Forest – is the reference therefore to	Agree that flooding is not a significant issue across the whole borough. Paragraph 3.5.1 has been amended as follows:  Water and flood management can be a significant issue <b><u>in some areas</u></b> .

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		<p>localised flooding? It would be helpful to identify the area/s which are prone to localised flooding or say 'with climate change BFC is concerned with increased localised flooding'.</p>	
	<p>Section 3 paragraph 3.5.2</p>	<p>Regarding the statement 'Approximately 5,430 natural and semi-natural green infrastructure assets however, there is a large degree of duplication as many sites have more than one designation. This includes all statutory and non-statutory designated sites, priority habitat, ancient woodland, urban woodlands and other green spaces.'</p> <p>The statement by its own admission acknowledges duplication, which could be viewed as misleading and therefore lead to a lack of clarity. Could a breakdown of figures be provided? Eg 5430 green infrastructure</p>	<p>Partly agree. Section 3.5 is a summary of the Bracknell Forest Green Infrastructure Review (2017). The review acknowledges duplication of designations with regards to the figure of 5,430 natural and semi-natural green infrastructure assets. However, these are the best figures for green infrastructure that are currently available. The review document can be accessed on the Councils webpage. A link to the Green Infrastructure Review has been added to paragraph 3.5.1 as follows:</p> <p>3.5.1 The <a href="#">Bracknell Forest Green Infrastructure Review (2017)</a> <del>Bracknell Forest Green Infrastructure Review (2017)</del> identified that Bracknell Forest has few formal green spaces (parks and gardens) but has significant amenity green space.</p>

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		<p>assets, of which x are also x and x are x?</p> <p>A pie chart or Venn type diagram depicting the information would be helpful. An area figure for these green infrastructure assets would be informative here too.</p>	
	Section 6 paragraph 6.7.2	<p>It is not understood what is meant by the sentence:</p> <p>'6.7.2 Only off-site gains and significant on-site gains need to be secured for a minimum of 30 years.'</p> <p>Should the word 'only' be removed?</p>	Disagree. Paragraph 6.7.2 is correct because Government guidance states that the Council is not required to secure for 30 years on-site gains which are not considered 'significant'. What counts as a significant enhancement will vary depending on the scale of development as set out in paragraph 6.7.2. No changes necessary.
	Section 7 paragraph 7.1.2	<p>'7.1.2 'Avoidance' should be considered first. ' Could this phrase be worded more robustly as the words 'avoid' and 'consider first' give developers a great deal of scope and laxity not to deliver. Could stronger more proscriptive wording be used, rather than</p>	<p>Agree. The wording in paragraph 7.1.2 has been amended as follows to make it clearer:</p> <p>7.1.2 'Avoidance' <del>should be</del> <b>must be fully</b> considered first <b>before moving through the hierarchy</b>. For example, this may mean designing the site to avoid impacts on existing footpaths, habitats and green spaces. The provision of green infrastructure should be built into proposals at an early stage of the design process, particularly on larger sites where proposals should demonstrate how green infrastructure assets are to be incorporated.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		'avoidance' being 'considered'?	
	Section 7 paragraph 7.2.3	<p>'7.2.3 For each hectare (pro rata) increase in built footprint'</p> <p>Can BFC state 'not pro rata' as a commitment to support biodiversity / green infrastructure for damage over 0.033ha – or does BFC have to follow a central government prescribed formula?</p>	<p>There is no prescribed formula from Government on this. The financial contribution has been derived from an average cost of replacing and maintaining a range of habitats in Bracknell Forest. This is considered reasonable. No changes necessary.</p>
	Section 7 paragraph 7.2.5	<p>'7.2.5 The council may use discretion to remove the fee where major developments have provided acceptable green infrastructure on-site or off-site within the borough which is secured and guaranteed to be maintained over time in line with Table 5 below.'</p> <p>Should BFC allow developers not to pay fees/penalties? Often the most impactful way to</p>	<p>Paragraph 7.2.5 has been deleted because it refers to the mitigation requirements in section 7.4 which has now been amended and moved to a new section after section 7.1. The intention is that mitigation is provided either through a financial contribution or by the developer providing green infrastructure in the borough. In this way there is no net loss of green infrastructure in the borough and the developer complies with Bracknell Forest Local Plan Policy LP 30.</p> <p>For clarification the following new wording has been added to a section 7.2 (now 7.3) as follows:</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p> <p><b><u>7.3.4 ...To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the</u></b></p>

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		discourage behaviour/plans which negatively impact biodiversity by developers is a punitive financial sanction/fee.	<p><b><u>borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>7.3.6 ...All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7 ... In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p> <p><b><u>Retrospective applications</u></b></p> <p><b><u>7.3.8 ...As an alternative, a retrospective development can provide for the loss of green infrastructure through providing further green infrastructure within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the Borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p>This is summarised in a new table in section 7.2 (now 7.3) as follows:</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
			<b><u>Table 6 Overview of mitigation required for a net loss of habitat in the borough</u></b>			
			<b><u>Type of Application / Development</u></b>	<b><u>Impact</u></b>	<b><u>Requirement for compensation</u></b>	<b><u>Caveats/mitigating circumstances</u></b>
			<b><u>Householder</u></b>	<b><u>Not applicable</u></b>	<b><u>None</u></b>	<b><u>None</u></b>
			<b><u>Developments exempt from biodiversity net gain and no metric has been provided</u></b> <b><u>Or</u></b> <b><u>Retrospective applications which do not provide a metric calculation</u></b>	<b><u>&lt;25sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u></b>	<b><u>None</u></b>	<b><u>None</u></b>
				<b><u>25-330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u></b>	<b><u>£2,500</u></b>	<b><u>Compensation contribution may be reduced or removed where acceptable green infrastructure is secured within the borough (eg. tree planting, green walls etc.)</u></b>
				<b><u>&gt;330sqm net loss of green infrastructure in the borough as a result of increase</u></b>	<b><u>£75,000 per hectare pro rata net loss of green infrastructure in the borough as a result of increase in</u></b>	

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				<u>in built footprint and hardstanding</u>	<u>built footprint and hardstanding</u>	
			<u>Developments not exempt from biodiversity net gain and a metric has been provided</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units up to no net loss in the borough</u>	<u>Where units required for no net loss are secured for the application on-site or off-site in the borough ahead of commencement (as shown in the Biodiversity Gain Plan), the compensation figure will no longer be required</u>
			<u>Retrospective applications which provide a metric calculation</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units up to no net loss in the borough</u>	<u>Where units required for no net loss are secured for the application on-site or off-site in the borough, as agreed with the Council, the compensation figure will no longer be required</u>

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Non-statutory consultees (2 responses)			
Sport England	Sections 1, 2, 4, 5, 7 and 8	<p>Playing fields can often be part of green infrastructure, however there is a concern that when biodiversity net gain is added to areas containing playing fields this can result in the erosion of the playing fields. Care should be taken to ensure this does not happen.</p> <p>Sport England is about to publish guidance on this in May 2026</p>	As set out in paragraph 1.3.5 green infrastructure does include playing fields. Biodiversity net gain is a national requirement and each planning application subject to biodiversity net gain will be decided on its own merits. Unfortunately, the Council is unable to take account of guidance which is not currently published at the time of writing the supplementary planning document. No changes necessary.
	Section 8	Sport England will be publishing Design Guidance on the use of sports lighting in the late summer 2026, which will be helpful here.	Unfortunately, the Council is unable to take account of guidance which is not published at the time of writing the supplementary planning document. No changes necessary.
BBOWT	Section 2.5	There is no mention in the supplementary planning document of Biodiversity Opportunity Areas (BOAs). The identification of Berkshire's BOAs was a detailed assessment process taking account of existing concentrations of	<p>Agree. A new section has been added to section 2.5 after the 'Berkshire Local Nature Recovery' section as follows:</p> <p><b><u>Biodiversity Opportunity Areas (BOAs)</u></b></p> <p><b><u>BOAs have been identified by Berkshire Local Nature Partnership and the Thames Valley Environmental Records Centre as areas that offer the greatest opportunities for habitat creation and restoration. There are 29 BOAs in Berkshire. Five of these fall partly within Bracknell Forest:</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>habitat, important areas for species of principal importance, land with potential for habitat restoration, and several other factors. BOAs have the highest concentration of existing ecological sites such as Local Wildlife Sites and they all contain principal habitat. Like Local Wildlife Sites are not a statutory designation but they should be used to inform conservation strategies and place planning.</p> <p>While the BOAs and LNRS share similarities in their process and goals, the LNRS does not and should not replace BOAs especially as only approx. 46% of Berkshire BOAs are covered by the LNRS map.</p> <p>Therefore, we propose that information about BOAs in Bracknell Forest, including their targets and opportunities (or at least a</p>	<ul style="list-style-type: none"> <li>• <b><u>4. Blackwater Valley</u></b></li> <li>• <b><u>19. Waltham Woodlands and Parklands</u></b></li> <li>• <b><u>21. Chawridge Valley</u></b></li> <li>• <b><u>22. Thames Basin Heaths</u></b></li> <li>• <b><u>24. Windsor Great Park and Woodlands including Silwood Park</u></b></li> </ul> <p><b><u>Further information on BOAs is available on the <a href="#">Berkshire Local Nature Partnership website.</a></u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		link to the information about the relevant BOA on the Berkshire Local Nature Partnership website) are included either in Table 2 - Overview of Protected Sites in this chapter (3) or in 2.5 'Regional and local context'.	
	Section 7.3	<p>In 7.3.1, it should be made clear that the 8m distance is the minimum and that the recommended buffer between rivers or watercourses and development of any kind should be greater than the 8m minimum.</p> <p>While we welcome the LNRS being referred to elsewhere in the document, we propose that in this section reference is made to the specific relevant LNRS priority measure PM 15 'Buffer Watercourses' and encourage developments to be designed to include 25m uncultivated margins alongside any watercourses</p>	<p>Partly agree. Given the length and complexity of the Local Nature Recovery Strategy (LNRS), individual LNRS measures are not referred to in this document. A link to the LNRS is provided in Section 2.5 and the role of the LNRS in the application of strategic significance in biodiversity net gain is described in Section 6.3. Paragraph 7.3.1 is not consistent with BFLP Policy LP 30. Paragraph 7.3.1 has been amended as follows:</p> <p><del>7.3.1 Where there is a main river or watercourse on site and development is proposed within 8m of the watercourse (including parking, gardens and formal landscaping), the application will be refused.</del> <b><u>Bracknell Forest Local Plan Policy LP 30 states that 'where development is proposed adjacent to a main river or an ordinary watercourse a minimum 8 metre wide undeveloped buffer zone should be created or retained between the top of the river bank and the development. A long term landscape and ecological management plan will be required for this buffer'.</u></b> Culverting will only be accepted if there is no other means of access and opportunities should be taken to de-culvert where possible.</p>

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		to be in align with this goal of the LNRS.	
Councillors (3 responses)			
Borough Councillor	Section 3 paragraphs 3.2.5 – 3.2.6	The wording in this part is not strong enough. If something is irreplaceable, then it cannot be compensated for.	<p>Partly agree. Paragraph 3.2.5 is factual so no changes necessary. Paragraph 3.2.6 outlines what the National Planning Policy Framework (NPPF) (December 2024) says about irreplaceable habitats. The existing wording in 3.2.6 is not quite accurate so this paragraph has been amended as follows. However, no changes have been made about compensation as Footnote 70 in the National Planning Policy Framework (December 2024) states there may be wholly exceptional reasons why development may not be refused in this case. ‘For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.’ (Please note that this paragraph also appears in the draft National Planning Policy Framework (December 2025).</p> <p>3.2.6 The National Planning Policy Framework <del>includes a presumption against</del> <b>states that</b> development <del>that would result</del><b>ing</b> in the loss or deterioration of irreplaceable habitats <b>should be refused</b> unless there are wholly exceptional reasons, and a suitable compensation strategy exists.</p>
	Section 4	Highly sceptical. It is hard to believe that somewhere like Beaufort Park will be 10% more biodiverse in any meaningful way (a comparable biomass) to all the trees that were pulled	Chapter 4 provides an overview of Biodiversity, biodiversity net gain and green infrastructure in the Planning Process. It is assumed that the reference to 10% refers to biodiversity net gain. The biodiversity gain objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the on-site habitat. This is measured through the statutory biodiversity metric which is the way of measuring biodiversity value for the purposes of biodiversity net gain. The biodiversity metric takes account of many aspects of the habitats on a development site such as size, condition, strategic significance and

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		down - even if they were plantation trees.	<p>type. It also takes account of the difficulty of creation or enhancement of a habitat; the time it takes a habitat to reach its target condition and the distance from the habitat loss.</p> <p>It is a legal requirement for developments which are subject to biodiversity net gain to use the biodiversity metric to calculate biodiversity net gain. No changes necessary.</p>
	Section 5	Don't see any evidence of constructors caring and don't imagine the Council has the resources to enforce, even when it does have the inclination.	Section 9 in the supplementary planning document explains how enforcement action may be taken by the Council when a breach occurs. No changes necessary.
	Section 6	Good in theory, but not what we are seeing in practice	Biodiversity net gain is a statutory requirement, and the Council has been dealing with this since 2024 when the biodiversity net gain regulations came into force. This work takes time to filter through the planning system. At the time of writing, the Council is only just receiving the first biodiversity gain plans from developers for approval, so biodiversity net gain work has only just commenced onsite in a couple of cases. No changes necessary.
	Section 8 paragraph 8.5.1	<p>There needs to be conditions for ensuring that features are maintained.</p> <p>For example, green walls drying out within weeks and then being removed as they are seen as being ugly.</p>	<p>Agree. Features are required to be maintained, and this will be secured through planning obligations.</p> <p>Paragraph 6.7.3 states that biodiversity net gain is required to be maintained over a 30-year period. This is a statutory requirement and must be set out in the Habitat Management and Monitoring Plan (HMMP) as described in Table 4. It is also a requirement of policy LP 53 'Biodiversity' in the Bracknell Forest Local Plan (2024).</p> <p>The Council will use part of the financial contributions received for a net loss in green infrastructure in the borough to maintain green infrastructure assets (as set out in section 7.5).</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p>Paragraph 8.5.1 is however a list of the multiple benefits that should be delivered through landscaping and design choices, so maintenance is not directly relevant here. A new section has been added to section 8 following Section 8.5 as follows:</p> <p><b><u>Designing for long term maintenance</u></b></p> <p><b><u>It is important to consider management and maintenance requirements early in the design process. This will create efficiencies in the whole life cycle of the scheme, and enable delivery of landscape-led, resilient schemes which both enhance and create habitats. Considerations should include:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Planning for and minimising watering requirements</u></b></li> <li>• <b><u>Mulching to help retain moisture</u></b></li> <li>• <b><u>Using biodegradable tree guards</u></b></li> <li>• <b><u>Ensuring stakes, ties and guards are appropriate and there is a plan for their removal</u></b></li> <li>• <b><u>Appropriate spacing to minimise future replanting or thinning requirements</u></b></li> </ul>
	Section 9	There should be more enforcement.	Section 9 in the supplementary planning document explains how enforcement action may be taken by the Council when a breach occurs. No changes necessary.
Borough Councillor	Section 1	Document appears very comprehensive.	Noted.
	Section 2 paragraph 2.5.5	Please add a link to the Bracknell Forest Biodiversity Action Plan (BAP), for completeness.	Agree. Paragraph 2.5.5 has been amended as follows:  2.5.5 The Bracknell Forest <a href="#">Biodiversity Action Plan</a> Biodiversity Action Plan (BAP) (2024 – 2029) is a partnership plan...
	Section 3 paragraph 3.2.4	3.2.4 I understand hedges meeting these criteria will be identified via the biodiversity	Priority habitat hedges are ecological features as referred to in Bracknell Forest Local Plan policy LP 53. Therefore, they are subject to the requirements described in Section 5, including

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		net gain metrics, however not all sites are subject to biodiversity net gain. Please include an appropriate mechanism for protecting hedgerows on sites which are not subject to biodiversity net gain.	suitable ecological assessment and the following of the mitigation hierarchy. No changes necessary.
	Section 3 paragraph 3.3.1	3.3.1 Priority species are also identified in the Berkshire Local Nature Recovery Strategy (LNRS), as well as the BAP, though not all will be relevant to Bracknell. I suggest this needs to be added, with an appropriate process for highlighting relevant priority species to developers.	In the supporting text to Bracknell Forest Local Plan Policy LP 53 (paragraph 17.5) 'Priority habitats and species are those listed under section 41 of the NERC Act or in the Bracknell Forest Biodiversity Action Plan.' Therefore, species listed in the Local Nature Recovery Strategy cannot be considered priority species as such under the definition relevant to these documents. No changes necessary.
	Section 3 paragraph 3.5.1	3.5.1 'Productive land is dominated by forestry; there is little agriculture, and community opportunities for growing food (orchards, allotments) are few in most towns and parishes (Bracknell Town being the exception).' Unfortunately, where allotment provision is	Allotment provision in Warfield is outside the scope of this supplementary planning document. No changes necessary.

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		included in planning policy documents there is not always follow-through to ensure that the full number of plots is provided (Warfield Supplementary Planning Document).	
	Section 5 paragraphs 5.3.12 & 5.3.13	5.3.12 & 5.3.13 I strongly believe the impacts of local development should be mitigated locally but understand this is National Policy. I hope new, local mitigation schemes will be developed and made available soon. I expect to see local schemes used in preference to national ones – can a mechanism to ensure this happens be included?	The Nature Restoration Fund is a national policy. Chapter 7 'Green Infrastructure' introduces a local scheme to protect and enhance green infrastructure in the borough in accordance with Bracknell Forest Local Plan policy LP 30. The local scheme cannot be used in preference to national policy requirements but can run alongside it. No changes necessary.
	Section 5 paragraph 5.3.16	5.3.16 I would like to see an inspection report requested for all development regardless of size. Please identify the expected content of an inspection report e.g. I understand photos will be included but	Partly agree. The scale-based approach has been developed to balance the time and resources required by both developers and the council to process and discharge conditions. It is considered that requiring an inspection report for developments of 3 houses or greater provides this balance. No changes necessary.  Paragraph 5.3.18 has been amended as follows to provide further details of inspection report requirements:

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		would like to see that confirmed.	<p><b><u>5.3.18 Inspection reports should include a plan showing locations where features have been installed and photographic evidence of the feature in place. This includes hedgehog gaps provided in fencing.</u></b></p> <p><b><u>5.3.19</u></b> For further guidance see: <a href="#">Biodiversity enhancements for developments</a></p>
	Section 8	8.3.1 'Where close-board fencing is required, gaps must be included to allow wildlife such as Hedgehogs to move between gardens.' – need confirmation these gaps have been installed (via the inspection report identified in 5.3.16?)	See text added to 5.3.18 above.
	Section 9	No proposed changes but I do have concerns about ability of the Council to confirm that large numbers of biodiversity enhancements have been delivered (due to resourcing). The requirements for inspection reports must be robust.	The supplementary planning document provides guidance on three policies in the Local Plan. The Local Plan therefore contains the requirements that developers must follow. The supplementary planning document provides guidance on how these policies should be adhered to. Developers will be expected to comply with conditions and planning obligations set out in s106 agreements. Also, section 9 in the supplementary planning document explains how enforcement works. See above with respect to inspection reports. No changes necessary.
Town Councillor	Section 1 paragraph 1.2.4	How are the differences in this consultation draft shown versus the previous Biodiversity Net Gain	The Biodiversity Net Gain Requirements and Guidance (2025) is an update of the original document published at the start of 2024 when the biodiversity net gain Regulations came into force. It has been subject to minor updates as the biodiversity net gain process has matured. Section 6 in the supplementary planning document supersedes this guidance. The

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		Requirements and Guidance (2025) which this supersedes after less than a year.	supplementary planning document provides further updates following changes in Government guidance and forthcoming changes in Government policy on biodiversity net gain as outlined their recent response to the biodiversity net gain consultation carried out in May 2025. See <a href="#">Government response and summary of responses - GOV.UK</a> No changes necessary.
	Section 3 Table 2	LWS – its Shepherd Meadows not Shepherds Meadows as it is named after the wildlife artist David Shepherd.	Agree. Table 2 has been amended as follows:  There are currently 53 LWS in Bracknell Forest, including: <ul style="list-style-type: none"> <li>• <u>Shepherds Meadows</u></li> </ul>
	Section 3.5	Where can one find a list of the approximately 10,555 assets identified as corridor?	Section 3.5 is a summary of the Bracknell Forest Green Infrastructure Review (2017). A link to this document has been added to paragraph 3.5.1 as follows:  3.5.1 The <a href="#">Bracknell Forest Green Infrastructure Review (2017)</a> <del>Bracknell Forest Green Infrastructure Review (2017)</del> identified that Bracknell Forest has few formal green spaces (parks and gardens) but has significant amenity green space.
	Section 4	When a developer engages a high-cost Biodiversity consultant to write a report that claims their development will not harm the area and will offer benefits. How will the benefits be monitored once the development is a) started and b) finished.  Can a community call for an Ecological Impact	There are occasions where the Council asks developers to undertake monitoring of specific species and this is secured by condition. For biodiversity net gain, developers are required to report on habitats (which support species) over a 30-year period, and the Council is required to monitor this. This is secured by condition and S106 obligations. Where the planned improvements to habitats are not delivered, the developer is required to take action to remedy this.  The actions that the Council can take when a development is carried out without permission or fails to comply with conditions is set out in section 9.  No changes necessary.

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		<p>Assessment after the development has been in place for 2/3 or more years. What happens if it is discovered that one or more priority species is no longer present?</p> <p>Can the developer be contracted under a S106 to fund an Impact Assessment (by the councils appointed biodiversity consultant)?</p> <p>What legal action can be taken against a developer that fails to secure Biodiversity Gain. Given that developers are known to fold the company used to develop the site, how are long term commitments secured?</p>	
	Section 5 paragraph 5.1.4	The only last resort would be for the species being destroyed by habitat loss. If the loss of creatures cannot be avoided, then the application must be refused.	Specialist mitigation for protected wildlife is discussed in Section 5.3. This may include licencing and translocation of individuals where appropriate. No changes necessary.

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	Section 5 paragraph 5.2.4	Any IT based solution proposed by BFC must be subject to consultation with statutory consultees and potential users to ensure it can be used easily and the data provided is current and properly validated.	Noted. Work has not yet started on an online map. If sourced externally the Council will need to follow procurement rules. This is outside the scope of this supplementary planning document. No changes necessary.
	Section 5 paragraph 5.2.9	Does the council have a suitably qualified ecologist who can refute a developers ecology report?	The Council has several suitably qualified ecologists whose job it is to assess and challenge ecology reports from developers. This is part of the planning application process. No changes necessary.
	Section 5 paragraph 5.2.12	Where can residents find the proper way to report a site if it is thought that degradation is taking place?	Residents can make a planning enforcement complaint via the Council's website at <a href="#">Make a planning enforcement complaint   Bracknell Forest Council</a> No changes necessary.
	Section 6 paragraph 6.3.6	Under what legislation/guidance has Medium strategic importance been removed?	Strategic significance rules are laid out in The Statutory Biodiversity Metric User Guide (Defra, July 2024). The user guide provides information needed to use the statutory biodiversity metric tool, which is the official tool brought in by the biodiversity net gain legislation ( <a href="#">Schedule 7A of Town and Country Planning Act 1990</a> ) No changes necessary.
	Section 6 paragraph 6.8.3	The purpose of Suitable Alternative Natural Greenspace (SANG) is to provide an alternate space for people to go to enjoy the benefits of the countryside / open spaces. How can the	Natural England has issued guidance on how biodiversity net gain can be delivered on a Suitable Alternative Natural Greenspace (SANG). See <a href="#">Guidelines for the creation of SANGs</a> . The Council has not yet carried out biodiversity net gain calculations for its SANG sites. If the Council decides to bring forward SANG sites as habitat banks, costs would be recovered from developers who buy biodiversity units from these sites to mitigate their developments. No changes necessary.

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		<p>encouragement of human activity at a location be conducive to the protection / retention of priority species and habitats? Who will fund the biodiversity net gain calculations on our existing SANG sites so as to avoid them being used to offset developer biodiversity net gain obligations inappropriately. Do we have a current biodiversity net gain calculation for all our SANG sites?</p>	
Local residents (1 response)			
Resident 1	Section 2 paragraph 2.5.5	<p>2.5.5 - swap species and habitats in the first sentence – the BAP is primarily about habitats. There are 68 targets in the BFC BAP not 67.</p> <p>2.5.6 - Add a paragraph explaining why the BAP is relevant to developers. For example: Where land has been identified as containing one of</p>	<p>Partly agree. The biodiversity action plan is not a material consideration in planning decisions. Developers are not required to contribute towards BAP targets. The biodiversity action plan does however identify priority species, although this is explained in section 3.3. Paragraph 2.5.5 has been amended as follows:</p> <p>The Bracknell Forest Biodiversity Action Plan (BAP) (2024 – 2029) is a partnership plan for conserving and enhancing <del>species and habitats</del> <b>and species</b> of importance in the borough. It identifies core habitat types and associated species, with a series of <del>68</del> <b>687</b> targets including monitoring key habitats and sites, improving habitats, and engaging the community through volunteering and wildlife activities.</p>

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		the habitat types prioritised in the BAP, development proposals should contribute towards the appropriate BAP targets. Proposals should take suitable opportunities to improve the quality of habitats and the prospects for key species as outlined by the BAP targets.	
	Section 3 paragraph 3.3.6	3.3.6 – Does this section need to name bat species? Bracknell Forest is home to most of the UK’s bat species and they are all protected. Does this section need to name reptile species? The common lizard, not listed, is the UK and Bracknell Forest’s most common reptile.	Partly agree. Common lizard is listed along with the other reptile species found in Bracknell Forest. The most commonly identified bat species on development sites are listed. For further clarification paragraph 3.3.6 has been amended as follows:  Bats - Common Pipistrelle, Soprano Pipistrelle and Brown Long-eared bats are most commonly identified <b><u>within developments</u></b> in Bracknell Forest, <b><u>and the borough is home to many of the UK’s bat species.</u></b>
	Section 4 Table 3	Table 3, page 14 appears to be incomplete. There should be text in the left-hand column for Construction phase and Operational phase, monitoring and enforcement summarising what is expected of the developer during these phases.	Disagree. The middle column of Table 3 already contains links to other sections in the document which contain this information. No changes necessary.

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	Section 6 paragraph 6.10.7	6.10.7 – Is it correct that the S106 monitoring fee covers the cost of enforcement actions? Surely, the cost of enforcement actions can't be determined in advance as they will depend on too many factors outside of the council's control? Suggest that the final bullet is removed.	Partly agree. Monitoring involves seeking further information and works (if not carried out or properly undertaken) and instructing enforcement where necessary. Paragraph 6.10.7 has been updated as follows:  The monitoring fee covers the costs for the Council of: <ul style="list-style-type: none"> <li>• Reviewing the monitoring reports</li> <li>• Undertaking any necessary site visits</li> <li>• Taking any <del>enforcement</del> <b>compliance</b> actions required</li> </ul>
	Section 8 paragraph 8.2.1	8.2.1 – The first bullet is weak. Change it to something like - Appropriate native species will be used.	Partly agree. Policy LP 53 'Biodiversity' in the Bracknell Forest Local Plan contains no requirements to use native species. However, the first bullet point of paragraph 8.2.1 has been strengthened as follows:  8.2.1 Species selection should maximise value for wildlife and must be suited to the surrounding land use. Considerations should include: <ul style="list-style-type: none"> <li>• Prioritising native species <del>wherever possible</del>, especially for schemes in rural or semi-rural areas</li> </ul>
	Section 9	BFC does not currently have the capacity to check and enforce biodiversity related commitments. This will be exacerbated by the complexity of some of the biodiversity net gain related proposals being submitted to the council. The language	Disagree. The wording in section 9 is accurate, and the Council is currently actively involved in enforcement cases. No changes necessary.

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		used in Chapter 9 may lead developers to believe that BFC will not penalise non-compliance.	
Developers (11 responses)			
Persimmon Homes PLC	Section 7 paragraph 7.1.3	<p>The Green Infrastructure Map (referred to in paragraph 7.1.3) identifies four types of Green Infrastructure, and it is not clear if this supplementary planning document applies to all types identified therein. The meaning and relevance of each of these types of Green Infrastructure needs to be made clear within the finalised supplementary planning document.</p> <p>Further, while “Green Infrastructure Function Areas” are well defined and clearly related to other features shown on this map, the same cannot always be said for the “Green Infrastructure Type Lines”, and “Green Infrastructure Type Areas” it identifies. The “Green</p>	<p>Partly agree. The map is not intended to be prescriptive but can be used to support decisions on where green infrastructure connections could be made within a wider landscape context. Paragraph 7.1.3 has been amended as follows:</p> <p>The Biodiversity and Green Infrastructure Map shows the GI assets <b>identified</b> in Bracknell Forest <b>in the 2017 review</b> and helps to identify existing deficits and opportunities within the Bracknell Forest GI network. Developers should use this map to help meet GI requirements. <b><u>The map is not exhaustive and not intended to be prescriptive but shows where some existing green infrastructure and green infrastructure opportunity areas have been identified and can be used as a guide to support decisions on where green infrastructure connections could be made within a wider landscape context.</u></b></p>

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		<p>Infrastructure Habitat Networks” are shown at far too low a resolution/large scale to be related to other features on this Green Infrastructure Map or interpreted ‘on the ground’. The Green Infrastructure Map therefore needs to be updated if it is to be given weight in relation to this supplementary planning document.</p>	
	<p>Section 7 paragraph 7.2.3</p>	<p>Paragraph 7.2.3 of the draft supplementary planning document states “For each hectare (pro rata) increase in built footprint, a financial contribution for green infrastructure compensation of £75,000 will be applied. This contribution has been derived from an average cost of biodiversity losses across a number of developments in Bracknell Forest...”</p> <p>The relevant PPG (Paragraph: 002 Reference ID: 23b-002-20190901) states</p>	<p>Partly agree. How the £75,000 figure has been derived needs a clearer explanation. Paragraph 7.2.3 has been amended as follows:</p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>G</del><b><u>green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> <del>biodiversity losses across a number of developments in Bracknell Forest.</del> <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares.</u></b></p> <p>Agree that the tests in the PPG must be adhered to, in fact they are prescribed in the Community Infrastructure Levy (CIL) Regulation 122. The council produces a CIL Regulation 122 for every appeal to justify any s106 obligations it seeks and it will continue to do so. Paragraph 7.2.4 has been amended to provide clarification:</p> <p><b><u>All contributions may be timed or phased as a matter of negotiation on a case-by-case basis.</u></b> The Council may use discretion to remove the fee for development proposals with extremely small impacts on green infrastructure. <b><u>The Council will ensure that all contributions</u></b></p>

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		<p>that planning obligations must be:</p> <ul style="list-style-type: none"> <li>• necessary to make the development acceptable in planning terms;</li> <li>• directly related to the development; and</li> <li>• fairly and reasonably related in scale and kind to the development.</li> </ul> <p>However, biodiversity loss is already compensated for via the statutory, national level, biodiversity net gain requirements, which already ensures that biodiversity loss is compensate for (and an overall gain delivered).</p> <p>As the green infrastructure compensation is based on biodiversity losses, the draft supplementary planning document is effectively duplicating and existing gain/compensation requirement. It therefore fails</p>	<p><b><u>are fully justified on a case-by-case basis in line with the tests for s106 obligation in the Community Infrastructure Levy (CIL) Regulation 122 and will provide a CIL Regulation 122 Compliance Statement as evidence at any relevant appeal. In some cases, it may be acceptable for mitigation to be secured through a unilateral undertaking rather than a s106 agreement as appropriate.</u></b></p> <p>Any compensation for biodiversity net gain relates to a mandatory scheme and compensation can be purchased on the open market for registered habitat banks anywhere in England. This may be contrary to the strategic aim of the borough as reflected Local Plan Policy LP 30 which is to, at least, prevent the loss of green infrastructure of which habitats are part. The council has seen a consistent loss of green infrastructure in the borough which raises a strategic objection based on Policy LP 30 and the National Planning Policy Framework. The scheme set out in section 7.2 allows vital development to proceed and be compliant with the Local Plan.</p> <p>The draft supplementary planning document may not be entirely clear regarding the prescribed Community Infrastructure Levy Regulation 122 tests. This means that for schemes that can qualify the loss of green infrastructure in the borough via its measured biodiversity loss, the Council will seek a financial contribution towards off-site green infrastructure projects capable of serving the site. A new paragraph has been added after 7.2.1 as follows:</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p> <p><b><u>For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula</u></b></p>

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		the test of being 'necessary to make the development acceptable' because any development that delivers biodiversity net gain is already acceptable in terms of biodiversity losses.	<b><u>mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b>
	Section 7 paragraph 7.2.3	<p>Paragraph 8.5.1 of the draft supplementary planning document encourages the use "Multi-functional features", including green roofs and walls, while paragraph 1.3.5 acknowledges that green roofs and walls are themselves a form of Green Infrastructure.</p> <p>However, the fixed charge of £75,000 per hectare proposed at Paragraph 7.2.3 makes no allowance for such feature/new Green Infrastructure being included within a development. The fixed charge also fails to consider the density of a development or other factors</p>	<p>The calculation of a net loss of green infrastructure as a result of an increase in built footprint and hardstanding is being used as a simplified proxy that can be applied across a variety of developments without the need for complex assessments.</p> <p>For applications that do not require a statutory biodiversity metric the Council as a starting point will charge the £75,000 per hectare rate pro rata for a loss in green infrastructure in the borough. However, should features like green roof/walls be provided the Council will take this into account which means either a discount or a removal of the charge. This will be on a case-by-case basis. Further text for clarification is required in paragraph 7.2.2 which reads as:</p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net loss of GI-green infrastructure in the borough is-will be calculated</u></b> on the increase in built footprint <b><u>and hardstanding</u></b> on a development site.</p> <p>A new sentence has been added to paragraph 7.2.3 which reads as:</p> <p><b><u>All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p>

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		<p>that define the 'scale and kind' of the development. The proposed financial contribution also fails to differentiate between the four types of Green Infrastructure identified on the Green Infrastructure Map.</p> <p>It therefore fails the test of being 'fairly and reasonably related in scale and kind to the development'.</p> <p>Paragraph 7.2.3 of the supplementary planning document therefore needs to be revised, with a more robust and valid justification for the proposed scale of the financial contribution, and with greater flexibility to reflect the variety of developments to which it will be apply.</p>	<p>The map is not intended to be prescriptive but can be used to support decisions on where green infrastructure connections could be made with a wider landscape context. Paragraph 7.1.3 has been amended as follows:</p> <p>The Biodiversity and Green Infrastructure Map shows the GI assets <b><u>identified</u></b> in Bracknell Forest <b><u>in the 2017 review</u></b> and helps to identify existing deficits and opportunities within the Bracknell Forest GI network. Developers should use this map to help meet GI requirements. <b><u>The map is not exhaustive and not intended to be prescriptive but shows where some existing green infrastructure and green infrastructure opportunity areas have been identified and can be used as a guide to support decisions on where green infrastructure connections could be made within a wider landscape context.</u></b></p>
Solve Planning on behalf of Dandara	Section 4 Table 3	The current wording of the table suggests that all pre-application submissions require the submission of a PEA and biodiversity metric, which is unreasonable and	<p>Partly agree. Table 3 does not suggest that all pre-application submissions require a PEA and biodiversity metric. The title of the column is 'likely submissions' and it states that a biodiversity metric or small sites metric should be submitted where possible. However, for clarification the heading of the third column in Table 3 has been amended as follows:</p> <p>Likely <b><u>Possible</u></b> outputs / submissions</p>

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		<p>places significant financial pressure on applicants. Obtaining ecology surveys of sites can only be carried out at certain times of the year and is extremely costly. It is therefore unreasonable to suggest that applicants instruct these surveys and ecological work without any assurance from the Council on the principles of development.</p>	
	Section 4 Table 3	<p>In the case of the 'application stage' column in Table 3, not all planning applications will trigger the need for an Ecological Impact Assessment, specialist mitigation plans or a biodiversity net gain report or a biodiversity metric. We therefore request that this is clarified in the draft supplementary planning document, and it would be beneficial here to have a cross reference to the Council's planning application validation checklists.</p>	<p>Partly agree. Depending on the type of application, validation checklists are available on the Council's website. It is not considered necessary to add links here. Table 3 does not suggest that all planning applications will trigger the need for an EIA, specialist mitigation plans or a biodiversity net gain report as the title of the column is 'likely submissions'. However, for clarification the heading of the third column in Table 3 has been amended as follows:</p> <p><del>Likely</del> <b>Possible</b> outputs / submissions</p>

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	Section 5 section 5.2	Ecological assessments are not required for all types of development and planning applications. We therefore request that this is clarified.	Disagree. Paragraph 5.2.2 sets out when an ecological assessment is required. No changes necessary.
	Section 5 section 5.2.4	This states that an online map may be provided by Bracknell Forest Council to support decision-making regarding the need for ecological assessments and surveys. We agree that mapping would be a useful tool in establishing whether an ecological assessment is needed, and to clarify the scope of any assessment given site-specific circumstances.	Noted. No changes necessary.
	Section 5 section 5.2.11	Paragraph 5.2.11 states based on the results of surveys, the details of any ecological mitigation required must also be submitted prior to determination of the planning application. We request that flexibility be provided here to	Partly agree. It is important for both applicants and the council to be aware at application stage the mitigation which is required so it can be planned into the scheme (for example, a bat barn building will need to be included on approved site plans). However, it is acknowledged that some further and final details may be secured by condition. Paragraph 5.2.11 has been amended as follows:  5.2.11 Based on the results of surveys, <del>the details of any</del> ecological mitigation requirements must also be <b>outlined</b> submitted prior to determination of the planning application. <b>Full</b>

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		<p>allow some details to be provided post permission by condition as it is not always possible to provide mitigation details upfront with an application. In addition, the Habitat Management and Monitoring Plans and Ecological Enhancement Plans are usually provided post decision to comply with pre-commencement conditions which is the right stage for this additional information. This relies on a greater level of work being carried out which is only reasonable once comfort has been given to applicants in the form of a consent.</p>	<p><b><u>mitigation details may be required as part of the planning application or secured by condition or obligation as appropriate to the scheme.</u></b></p> <p>Habitat Management and Monitoring Plans are dealt with separately in biodiversity net gain Section 6.</p>
	Section 7 paragraph 7.2.1	<p>Financial contributions towards the loss of green infrastructure will add significantly to an applicant's overall development costs and provide an additional financial burden particularly when considered alongside other costs such as CIL, affordable housing and other</p>	<p>The Council is not double counting on ecological costs. Section 7.2 (now 7.3) has been updated as follows to explain that mitigation required to address green infrastructure losses in the borough is a Local Plan policy requirement. If the development does not lead to a net loss of green infrastructure in the borough there will be no Local Plan policy objection. The developer can provide mitigation in several ways – by providing green infrastructure on-site, by providing it off-site within the borough or paying a financial contribution so that the Council can create or enhance green infrastructure in the borough and maintain it. The calculation of whether there is a loss of green infrastructure in the borough will be carried out using the statutory biodiversity metric. For those developments which do not have a statutory biodiversity metric the loss of</p>

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		<p>planning obligations. It should also be borne in mind that any loss of green infrastructure is typically accounted for in biodiversity net gain and any costs associated with mitigation or enhancement are therefore already accounted for within this process. The Council should not be double counting on ecological costs.</p> <p>The draft supplementary planning document also does not provide any assurances regarding whether such costs can be phased, or payments deferred until later in the development process. It is important that flexibility is provided in terms of payments for planning obligations such as this. Requiring contributions upfront and a lack of flexibility in this regard could result in developments being delayed or becoming unviable and as such not being delivered. We therefore request that this is re-</p>	<p>green infrastructure will be calculated on the increase in built footprint over existing green infrastructure.</p> <p><b><u>7.3.2 This section seeks to protect against the incremental loss of habitats in the borough in accordance with Local Plan Policy LP 30. Mitigation measures are required to prevent consistent and systematic loss of habitats (as an important element of green infrastructure) in the borough. This can be through the loss of habitats on sites which are not subject to biodiversity net gain or through developments providing mitigation for biodiversity net gain outside of the borough.</u></b></p> <p><b><u>7.3.32.4 To protect the borough's GI-green infrastructure, where there is loss of GI-habitat in the borough as a result of on a development, site a financial contribution for this mitigation to the equivalent of no net loss will be applied. provided otherwise there will be a local plan policy objection to the scheme.</u></b> This will not apply to householder applications but will apply to other planning applications including retrospective applications and applications for a change of use of land.</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p> <p><b><u>7.3.4 For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks</u></b></p>

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		considered as it is an unreasonable proposal.	<p><b><u>in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>7.3.52.2 Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net Loss of GI green infrastructure in the borough is will be calculated</u></b> on the increase in built footprint <b><u>and hardstanding</u></b> on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a <b><u>A</u></b> measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p> <p><b><u>7.3.62.3 For each hectare (pro rata) increase in built footprint and hardstanding resulting in a net loss of green infrastructure in the borough,</u></b> a financial contribution for <b><u>GI-green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p>

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			<p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7 For any increases in built footprint and hardstanding resulting in a net loss of green infrastructure in the borough between 25m<sup>2</sup> (0.0025ha) and 330m<sup>2</sup> (0.033ha) a flat rate of £2,500 will be applied. This standard amount is to dis-incentivise small incremental losses of green infrastructure. Where a garden is being extended into a public amenity area this will be considered to be a loss of green infrastructure and treated the same way as a precaution. Developments with an increase in built footprint and hardstanding resulting in a net loss of green infrastructure of less than 25m<sup>2</sup> will be exempt from paying a green infrastructure contribution. In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the Council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The Council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p> <p><b><u>Retrospective applications</u></b></p> <p><b><u>7.3.8 For retrospective applications the applicant may submit a statutory biodiversity metric, or a calculation of the net loss in green infrastructure as a result of an increase in built footprint and hardstanding post-development. Through either of these methods the applicant will be required to demonstrate whether the development led to a net loss of green infrastructure in the borough. This will be checked and agreed with the Council. Where this is not provided, it will be based on the professional judgement of the case officer. Where there is a net loss of green infrastructure in the borough, the development is required to pay a financial contribution, as described above, towards off-site green infrastructure projects including their on-going maintenance within Bracknell Forest</u></b></p>

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	Section 7 paragraph 7.4.1 – 7.4.2	A bespoke green infrastructure financial contribution, which according to the above would be in addition to a green infrastructure losses contribution, again further adds to an applicant's financial burden, particularly	<p>Agree. The requirement for major developments to provide a bespoke financial contribution set out in section 7.4 has been removed. Table 5 has been amended and a new section added after section 7.1 as follows entitled 'Consideration of green infrastructure functions'. This provides guidance to developers about how to comply with Bracknell Forest Local Plan Policy LP 30 which states 'Where new or improved green infrastructure is proposed, the maximum benefit should be achieved by designing it to serve a variety of functions.'</p>			

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		<p>when considered in the context of wider development costs faced by the applicant and the fact that this is typically accounted for through biodiversity net gain. We also question the 'bespoke' nature of the contribution, which indicates it could be subjective and is not a cost known to applicants in the early stage of the design process.</p>	<p><b><u>7.2 Consideration of green infrastructure functions</u></b></p> <p><b><u>7.2.1 Bracknell Forest Local Plan Policy LP 30 states 'Where new or improved green infrastructure is proposed, the maximum benefit should be achieved by designing it to serve a variety of functions.' Table 5 will assist in these considerations, in particular for major schemes where on-site green infrastructure provision may be more extensive. It is recommended that a description of how the on-site green infrastructure has been designed to provide some or all of these functions is submitted to support a planning application.</u></b></p> <p><b><u>Table 1 – Green infrastructure function considerations</u></b></p> <table border="1" data-bbox="896 845 2083 1315"> <thead> <tr> <th data-bbox="896 845 1310 1018"><b><u>Functions of GI</u></b></th> <th data-bbox="1314 845 2083 1018"><b><u>Possible design and delivery</u></b></th> </tr> </thead> <tbody> <tr> <td data-bbox="896 1021 1310 1168"><b><u>Access &amp; recreation</u></b></td> <td data-bbox="1314 1021 2083 1168"><b><u>Provision of accessible greenspace, parks and gardens including sports and play and new links to the existing public access networks.</u></b></td> </tr> <tr> <td data-bbox="896 1171 1310 1315"><b><u>Wildlife habitat and connectivity</u></b></td> <td data-bbox="1314 1171 2083 1315"><b><u>Space is allowed on-site for habitats for wildlife. Designing layout so vegetated land spans the site in an unbroken corridor (or where broken, gaps/tunnels</u></b></td> </tr> </tbody> </table>	<b><u>Functions of GI</u></b>	<b><u>Possible design and delivery</u></b>	<b><u>Access &amp; recreation</u></b>	<b><u>Provision of accessible greenspace, parks and gardens including sports and play and new links to the existing public access networks.</u></b>	<b><u>Wildlife habitat and connectivity</u></b>	<b><u>Space is allowed on-site for habitats for wildlife. Designing layout so vegetated land spans the site in an unbroken corridor (or where broken, gaps/tunnels</u></b>
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				<u>are provided) and, where possible, green spaces link together off-site habitat features.</u>
			<u>Landscape and visual amenity</u>	<u>Green infrastructure will be appropriately managed for landscape and visual amenity through a landscape management plan.</u>
			<u>Water management</u>	<u>Surface-level, vegetated Sustainable Drainage Systems (SUDS) used to manage runoff and water quality.</u>
			<u>Cooling and shading</u>	<u>Space is allowed on-site for features such as trees, woodlands, hedgerows, landscaped areas, green roofs and walls, ponds, streams, and other blue infrastructure.</u>
			<u>Resilience to climate change impacts</u>	<u>Firebreaks are included in design and water and/or wildfire friendly planting is chosen in areas at high risk from wildfires.</u>
			<u>Community cohesion and opportunities for growing</u>	<u>Space is allowed on-site for features such as allotments, community gardens, community orchards.</u>
			<u>7.2.2 Development should not fragment green infrastructure assets or create barriers to the movement of people, biodiversity and water through green infrastructure.</u>	

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			<p><b><u>7.2.3 In some cases where the Council considers that GI function has not been adequately addressed, this may result in the site having to be redesigned or a refusal of planning permission.</u></b></p>
<p>Woolf Bond on behalf of Antler Homes, Larges Lane 2 Ltd, Warfield Area 3 Consortium and Warfield Park.</p>	<p>Section 7 paragraph 7.2.3</p>	<p>There is already a nationally derived mechanism that results in substantial financial contributions towards biodiversity net gain established through the long established national political decision to achieve biodiversity net gain. BNG was derived from 12 years of research, pilot studies and impact assessments led by DEFRA and Natural England.</p> <p>By comparison, the evidence underpinning the approach suggested in the supplementary planning document is either very limited or nil. The introduction of any additional contribution predicated upon a per hectare basis would result in double counting against a development that has already</p>	<p>The Council is not double counting. Section 7.2 (now 7.3) has been updated as follows to explain that mitigation required to address green infrastructure losses in the borough is a Local Plan policy requirement. If the development does not lead to a net loss of green infrastructure in the borough there will be no Local Plan policy objection. The developer can provide mitigation in several ways – by providing green infrastructure on-site, by providing it off-site within the borough or paying a financial contribution so that the Council can create or enhance green infrastructure in the borough and maintain it. The calculation of whether there is a loss of green infrastructure in the borough will be carried out using the statutory biodiversity metric. For those developments which do not have a statutory biodiversity metric the loss of green infrastructure will be calculated on the increase in built footprint over existing green infrastructure.</p> <p><b><u>7.3.2 This section seeks to protect against the incremental loss of habitats in the borough in accordance with Local Plan Policy LP 30. Mitigation measures are required to prevent consistent and systematic loss of habitats (as an important element of green infrastructure) in the borough. This can be through the loss of habitats on sites which are not subject to biodiversity net gain or through developments providing mitigation for biodiversity net gain outside of the borough.</u></b></p> <p><b><u>7.3.32.4 To protect the borough’s GI-green infrastructure, where there is loss of GI-habitat in the borough as a result of on a development, site a financial contribution for this mitigation to the equivalent of no net loss will be applied-provided otherwise there will be a local plan policy objection to the scheme.</u></b> This will not apply to householder applications but will apply to other planning applications including retrospective applications and applications for a change of use of land.</p>

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		<p>offered a substantive mitigation through meeting the biodiversity net gain requirements (including potential significant offsetting costs).</p> <p>The evidence that this would comprise double counting is particularly proven by the reference at paragraph 7.2.3 to the £75,000 per hectare cost being established using an assessment “<b>derived from the average cost of biodiversity losses across other developments in Bracknell Forest</b>”. Biodiversity net gain obligations will already achieve an overall gain. Any historic assessment of biodiversity losses elsewhere in the Borough would be out of step with modern (post 2024) requirements to actually achieve biodiversity net gain on sites. Consequently, the Council’s suggested approach would form double counting and</p>	<p><b><u>Developments with a statutory biodiversity metric</u></b></p> <p><b><u>7.3.4 For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>7.3.52.2 Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net loss of GI green infrastructure in the borough is will be calculated on the increase in built footprint and hardstanding on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a A measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked</u></b></p>

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		cannot be deemed either necessary and is not fairly or reasonably related in scale and kind to a development proposal.	<p>by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p> <p><b><u>7.3.62.3</u></b> For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <b><u>GI-green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> <del>biodiversity losses across a number of developments in Bracknell Forest.</del> <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7</u></b> For any increases in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b> between 25m<sup>2</sup> (0.0025ha) and 330m<sup>2</sup> (0.033ha) a flat rate of £2,500 will be applied. <b><u>This standard amount is to dis-incentivise small incremental losses of green infrastructure. Where a garden is being extended into a public amenity area this will be considered to be a loss of green infrastructure and treated the same way as a precaution. Developments with an increase in built footprint and hardstanding resulting in a net loss of green infrastructure of less than 25m<sup>2</sup> will be exempt from paying a green infrastructure contribution. In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the Council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The Council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p>

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	Section 7 paragraph 7.2 – 7.5	The introduction of some form of Borough wide approach to this matter (without regard to site and development specific	Partly agree. Local Plan Policy LP 30 is a borough-wide strategic policy. The SPD provides guidance on this. The council is seeing that green infrastructure is being lost in the borough on a continued and incremental basis which has been exacerbated by mandatory biodiversity net gain.			

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		<p>circumstances) is in fundamental conflict with the CIL Regulations and NPPF paragraph 58 (nor is the approach evidenced). Bringing forward such an approach through a supplementary planning document is inappropriate and inconsistent with the PPG whereby such a policy and mitigation measure of this significance must be scrutinised through a full, comprehensive development plan document examination process.</p> <p>The suggested financial contribution is a very significant one. The introduction of such a financial mitigation approach through a supplementary planning document is fundamentally out of step with the PPG. It introduces a significant financial burden upon development proposals through a supplementary planning document.</p>	<p>By introducing a relevant charging basis for s106 contributions the council can stem this erosion and enable development.</p> <p>There are many opportunities for developers such as optimising on-site provision; providing off-site provision (within a site blue line or within other land in the borough a developer may choose to bring forward) or let the Council provide it instead. The amounts are negotiable and dependent on a case-by-case basis.</p> <p>The Council rejects the proposal to delete paragraphs 7.2, 7.3 and 7.5 but instead provides further clarification. To summarise, section 7.2 (now 7.3) has been updated to better explain how developers can provide mitigation where there is loss of green infrastructure habitat in the borough as a result of development. Section 7.3 (now 7.4) has been amended to better reflect the requirements of Local Plan Policy LP 30. Section 7.4 (Bespoke green infrastructure for major schemes) has been deleted and a new section added after section 7.1 (with an amended Table 5) entitled 'Consideration of green infrastructure functions'. This provides guidance to developers about how to comply with Bracknell Forest Local Plan Policy LP 30 which states 'Where new or improved green infrastructure is proposed, the maximum benefit should be achieved by designing it to serve a variety of functions.' Section 7.5 has also been amended to explain that developers have the option of purchasing land to ensure that developments do not lead to a net loss of green infrastructure in the borough.</p> <p>The CIL regulation 122 tests for s106 obligations will be fully complied with and for example a CIL Reg 122 Compliance Statement will be provided for each s106 obligation including other matters such as affordable housing to accompany agreements produced for appeals. The Council already does this as a matter of course.</p> <p>The updates as described above are as follows:</p>

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		<p>Paragraphs 7.2 to 7.5 of the draft supplementary planning document should be wholly omitted. On an individual, site by site, or development by development basis, there could be some be cases where green infrastructure mitigation is necessary and, in some circumstances, conceivably this may be addressed through some form of financial contribution that is specifically derived in relation to that development scheme and in accordance with the CIL Regulation tests.</p>	<p><b>Consideration of green infrastructure functions</b></p> <p><b>7.2.1 <u>Bracknell Forest Local Plan Policy LP 30 states ‘Where new or improved green infrastructure is proposed, the maximum benefit should be achieved by designing it to serve a variety of functions.’ Table 5 will assist in these considerations, in particular for major schemes where on-site green infrastructure provision may be more extensive. It is recommended that a description of how the on-site green infrastructure has been designed to provide some or all of these functions is submitted to support a planning application.</u></b></p> <p><b><u>Table 2 – Green infrastructure function considerations</u></b></p> <table border="1" data-bbox="896 836 2085 1383"> <thead> <tr> <th data-bbox="896 836 1310 1007"><u>Functions of GI</u></th> <th data-bbox="1314 836 2085 1007"><u>Possible design and delivery</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="896 1010 1310 1158"><u>Access &amp; recreation</u></td> <td data-bbox="1314 1010 2085 1158"><u>Provision of accessible greenspace, parks and gardens including sports and play and new links to the existing public access networks.</u></td> </tr> <tr> <td data-bbox="896 1161 1310 1383"><u>Wildlife habitat and connectivity</u></td> <td data-bbox="1314 1161 2085 1383"><u>Space is allowed on-site for habitats for wildlife. Designing layout so vegetated land spans the site in an unbroken corridor (or where broken, gaps/tunnels are provided) and, where possible, green spaces link together off-site habitat features.</u></td> </tr> </tbody> </table>	<u>Functions of GI</u>	<u>Possible design and delivery</u>	<u>Access &amp; recreation</u>	<u>Provision of accessible greenspace, parks and gardens including sports and play and new links to the existing public access networks.</u>	<u>Wildlife habitat and connectivity</u>	<u>Space is allowed on-site for habitats for wildlife. Designing layout so vegetated land spans the site in an unbroken corridor (or where broken, gaps/tunnels are provided) and, where possible, green spaces link together off-site habitat features.</u>
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<u>Wildlife habitat and connectivity</u>	<u>Space is allowed on-site for habitats for wildlife. Designing layout so vegetated land spans the site in an unbroken corridor (or where broken, gaps/tunnels are provided) and, where possible, green spaces link together off-site habitat features.</u>								

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			<u>Landscape and visual amenity</u>	<u>Green infrastructure will be appropriately managed for landscape and visual amenity through a landscape management plan.</u>
			<u>Water management</u>	<u>Surface-level, vegetated Sustainable Drainage Systems (SUDS) used to manage runoff and water quality.</u>
			<u>Cooling and shading</u>	<u>Space is allowed on-site for features such as trees, woodlands, hedgerows, landscaped areas, green roofs and walls, ponds, streams, and other blue infrastructure.</u>
			<u>Resilience to climate change impacts</u>	<u>Firebreaks are included in design and water and/or wildfire friendly planting is chosen in areas at high risk from wildfires.</u>
			<u>Community cohesion and opportunities for growing</u>	<u>Space is allowed on-site for features such as allotments, community gardens, community orchards.</u>
			<u>7.2.2 Development should not fragment green infrastructure assets or create barriers to the movement of people, biodiversity and water through green infrastructure.</u>  <u>7.2.3 In some cases where the Council considers that GI function has not been adequately addressed, this may result in the site having to be redesigned or a refusal of planning permission.</u>	

			<p><b><u>7.32 Financial contribution Mitigation for green infrastructure habitat losses in the borough</u></b></p> <p><b><u>7.3.1 The impact of development on some types of green infrastructure is mitigated through several non-strategic Local Plan policies including LP 44 ‘Community Facilities’, LP 45 ‘Play, open space and sports provision’, LP 46 ‘Standards for Open Space of Public Value’, LP 54 ‘Protection and enhancement of trees and hedgerows’ and LP 57 ‘Sustainable Drainage Systems’.</u></b></p> <p><b><u>7.3.2 This section seeks to protect against the incremental loss of habitats in the borough in accordance with Local Plan Policy LP 30. Mitigation measures are required to prevent consistent and systematic loss of habitats (as an important element of green infrastructure) in the borough. This can be through the loss of habitats on sites which are not subject to biodiversity net gain or through developments providing mitigation for biodiversity net gain outside of the borough.</u></b></p> <p><b><u>7.3.3.4 To protect the borough’s <del>G</del>green infrastructure, where there is loss of <del>G</del>habitat in the borough as a result of on a development, site a financial contribution for this mitigation to the equivalent of no net loss will be applied. provided otherwise there will be a local plan policy objection to the scheme.</u></b> This will not apply to householder applications but will apply to other planning applications including retrospective applications and applications for a change of use of land.</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p> <p><b><u>7.3.4 For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss</u></b></p>
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Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><u>multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></p> <p><u>Developments without a statutory biodiversity metric</u></p> <p><u>7.3.52.2 Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net Loss of GI green infrastructure in the borough is will be calculated</u> on the increase in built footprint <b>and hardstanding</b> on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a <b>A</b> measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p> <p><u>7.3.62.3 For each hectare (pro rata) increase in built footprint and hardstanding resulting in a net loss of green infrastructure in the borough,</u> a financial contribution for <b>GI green infrastructure</b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b>replacing and maintaining a range of habitats</b> biodiversity losses across a number of developments in Bracknell Forest. <b>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All</b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7 For any increases in built footprint and hardstanding resulting in a net loss of green infrastructure in the borough between 25m<sup>2</sup> (0.0025ha) and 330m<sup>2</sup> (0.033ha) a flat rate of £2,500 will be applied. This standard amount is to dis-incentivise small incremental losses of green infrastructure. Where a garden is being extended into a public amenity area this will be considered to be a loss of green infrastructure and treated the same way as a precaution. Developments with an increase in built footprint and hardstanding resulting in a net loss of green infrastructure of less than 25m<sup>2</sup> will be exempt from paying a green infrastructure contribution. In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the Council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The Council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p> <p><b><u>Retrospective applications</u></b></p> <p><b><u>7.3.8 For retrospective applications the applicant may submit a statutory biodiversity metric, or a calculation of the net loss in green infrastructure as a result of an increase in built footprint and hardstanding post-development. Through either of these methods the applicant will be required to demonstrate whether the development led to a net loss of green infrastructure in the borough. This will be checked and agreed with the Council. Where this is not provided, it will be based on the professional judgement of the case</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>officer. Where there is a net loss of green infrastructure in the borough, the development is required to pay a financial contribution, as described above, towards off-site green infrastructure projects including their on-going maintenance within Bracknell Forest Borough. As an alternative, a retrospective development can provide for the loss of green infrastructure through providing further green infrastructure within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the Borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Securing the mitigation</u></b></p> <p><b><u>7.3.92.4 All contributions may be timed or phased as a matter of negotiation on a case-by-case basis.</u></b> The Council may use discretion to remove the fee for development proposals with extremely small impacts on green infrastructure. <b><u>The Council will ensure that all contributions are fully justified on a case-by-case basis in line with the tests for s106 obligation in the Community Infrastructure Levy (CIL) Regulation 122 and will provide a CIL Regulation 122 Compliance Statement as evidence at any relevant appeal. In some cases, it may be acceptable for mitigation to be secured through a unilateral undertaking rather than a s106 agreement as appropriate. The mitigation required is summarised in Table 6 below:</u></b></p> <p><b><u>Table 6 Overview of mitigation required for a net loss of habitat in the borough</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
			<u>Type of Application / Development</u>	<u>Impact</u>	<u>Requirement for compensation</u>	<u>Caveats/mitigating circumstances</u>
			<u>Householder</u>	<u>Not applicable</u>	<u>None</u>	<u>None</u>
			<u>Developments exempt from biodiversity net gain and no metric has been provided</u>  <u>Or</u>	<u>&lt;25sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>None</u>	<u>None</u>
			<u>Retrospective applications which do not provide a metric calculation</u>	<u>25-330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>£2,500</u>	<u>Compensation contribution may be reduced or removed where acceptable green infrastructure is secured within the borough (eg. tree planting, green walls etc.)</u>
				<u>&gt;330sqm net loss of green infrastructure in</u>	<u>£75,000 per hectare pro rata net loss of green infrastructure</u>	

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
				<u>the borough as a result of increase in built footprint and hardstanding</u>	<u>in the borough as a result of increase in built footprint and hardstanding</u>	
			<u>Developments not exempt from biodiversity net gain and a metric has been provided</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units up to no net loss of green infrastructure in the borough</u>	<u>Where units required for no net loss are secured for the application on-site or off-site in the borough ahead of commencement (as shown in the Biodiversity Gain Plan), the compensation figure will no longer be required</u>
			<u>Retrospective applications which provide a metric calculation</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units up to no net loss in the borough</u>	<u>Where units required for no net loss are secured for the application on-site or off-site in the borough, as agreed</u>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
						<p><u>with the Council, the compensation figure will no longer be required</u></p>
			<p><del>7.2.5</del> The council may use discretion to remove the fee where major developments have provided acceptable GI on site or off site within the borough which is secured and guaranteed to be maintained over time in line with Table 5 below.</p>			
			<p><b><del>7.43</del> Watercourses and culverting</b></p>			
			<p><del>7.43.1</del> Where there is a main river or watercourse on site and development is proposed within 8m of the watercourse (including parking, gardens and formal landscaping), the application will be refused. <b><u>Bracknell Forest Local Plan Policy LP 30 states that ‘where development is proposed adjacent to a main river or an ordinary watercourse a minimum 8 metre wide undeveloped buffer zone should be created or retained between the top of the river bank and the development. A long term landscape and ecological management plan will be required for this buffer’.</u></b> Culverting will only be accepted if there is no other means of access and opportunities should be taken to de-culvert where possible.</p>			
			<p><b><del>7.4</del> Bespoke green infrastructure for major schemes</b></p>			
			<p><del>7.4.1</del> For major development the Council may also require on-site GI enhancements on a bespoke basis. Table 5 below will assist in this decision and should be completed by the applicant and submitted with the planning application. This will be checked by the Council. Where this is not provided, the Council may need to request further information to avoid uncertainty and delay otherwise it will be based on the professional judgement of the case officer.</p>			

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			<p><del>7.4.2</del> Where GI effects cannot be avoided or where acceptable mitigation cannot be provided (or will only be partially provided) in agreement with the Council, a bespoke GI <b>green infrastructure</b> contribution may be applied. This amount will be agreed on a case-by-case basis and will be approximately equivalent to having provided it on-site. This financial contribution will be in addition to the financial contribution for GI losses as set out above.</p> <p><del>7.4.3</del> In some cases where the Council considers that GI has not been adequately addressed, this may result in the site having to be redesigned or a refusal of planning permission.</p> <p><b>Table 3 – Green Infrastructure Enhancements</b></p> <table border="1" data-bbox="896 767 2096 1305"> <thead> <tr> <th data-bbox="896 767 1106 959">Functions of GI</th> <th data-bbox="1111 767 1339 959">Indicator</th> <th data-bbox="1341 767 1561 959">Present before development Y/N</th> <th data-bbox="1565 767 1771 959">Present after development Y/N</th> <th data-bbox="1776 767 2096 959">Proposed mitigation and long-term maintenance</th> </tr> </thead> <tbody> <tr> <td data-bbox="896 962 1106 1305">Access &amp; recreation</td> <td data-bbox="1111 962 1339 1305">Accessible greenspace, parks and gardens, sports facilities on-site, footpath, cycle path and riding links</td> <td data-bbox="1341 962 1561 1305"></td> <td data-bbox="1565 962 1771 1305"></td> <td data-bbox="1776 962 2096 1305"></td> </tr> </tbody> </table>					Functions of GI	Indicator	Present before development Y/N	Present after development Y/N	Proposed mitigation and long-term maintenance	Access & recreation	Accessible greenspace, parks and gardens, sports facilities on-site, footpath, cycle path and riding links			
Functions of GI	Indicator	Present before development Y/N	Present after development Y/N	Proposed mitigation and long-term maintenance													
Access & recreation	Accessible greenspace, parks and gardens, sports facilities on-site, footpath, cycle path and riding links																

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response					
			Wildlife connectivity	Vegetated land spans the site in an unbroken corridor, or where broken, gaps/tunnels are provided. Green space links together off-site habitat features.				
			Landscape and visual amenity	Landscape management plan in place and being delivered				
			Water management	SUDS used to manage runoff and water quality				
			Cooling and shading	Trees, woodlands, hedgerows,				

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				landscaped areas, green spaces, green roofs and walls.				
			Resilience to climate change impacts	Firebreaks, water and/or wildfire friendly planting in areas at high risk from wildfires				
			Community cohesion and opportunities for growing	Allotments, community gardens, community orchards, church yards and cemeteries				
			<p><b>Spending financial contributions on green infrastructure</b></p> <p><b>7.5.1</b> Financial contributions received for <del>GI</del> <b>green infrastructure</b> losses and <del>bespoke GI</del> will be used by the Council to create or enhance <del>GI</del> <b>green infrastructure</b> elsewhere in the borough <b>including the purchase of land where necessary</b> and to maintain these assets. Consideration will be given to areas which have the poorest access to <del>GI</del> <b>green infrastructure</b>. This may be</p>					

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			<p>implemented through topic plans to enhance or create specific types of <del>GI</del> <b>green infrastructure</b> across the borough and its ongoing maintenance. Expenditure will be applied to works, administration and maintenance. This will be secured by obligation through a Section 106 agreement.</p> <p><b>7.5.2</b> The Council is required to complete an <a href="#">Annual Infrastructure Funding Statement</a> which will set out <del>GI</del> <b>green infrastructure</b> contributions secured through s106 agreements and the amount spent each year.</p>
	Section 7 paragraph 7.2.3	<p>The suggested contribution has no regard to any potential mitigation measures that may be included within a scheme, a scheme's proposed density nor does it differentiate between what type of, if any, green infrastructure is actually being affected. It is obvious that some types of green infrastructure will be of considerably greater value than other green infrastructure types. The suggested financial contribution simply provides for a generic cost across all green infrastructure types without any specific differentiation. Such an approach cannot be deemed to be directly related to the</p>	<p>The intention is not to penalise developers for providing on-site provision. Therefore, further clarification is required and a new sentence added to paragraph 7.2.3 will be added as follows:</p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>GI</del> <b>green infrastructure</b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p>

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		specific characteristics of a development scheme (nor does it account for whether a scheme has enabled good design) or fairly and reasonably related to such a development scheme.	
	Section 7 paragraph 7.2.3	<p>No information is provided as to how the £75,000 per hectare figure has been derived, nor any specific guidance or detail provided on how acquired contributions will be spent. The only reference is to the figure being developed on the basis of previous developments, that for the reasons stated would have not been subject to modern policy tests requiring biodiversity net gain.</p> <p>In addition, it fails to have any regard to site specific circumstances that will inevitably differ on a site by site or location by location basis. For these reasons, the introduction of a generic per hectare contribution figure</p>	<p>Partly agree. Paragraph 7.2.3 explains how the financial contribution was derived and section 7.5 sets out how the green infrastructure financial contributions will be spent. How the £75,000 figure has been derived needs a clearer explanation. Paragraph 7.2.3 has been amended as follows:</p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>G</del><b><u>green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> <del>biodiversity losses across a number of developments in Bracknell Forest.</del></p> <p>The CIL regulation 122 tests for s106 obligations will be fully complied with and for example a CIL Reg 122 Compliance Statement will be provided for each s106 obligation including other matters such as affordable housing to accompany agreements produced for appeals. The Council already does this as a matter of course.</p> <p>Therefore, the Council rejects the proposal to delete paragraphs 7.2 to 7.5 but instead provide further clarification as detailed elsewhere in the statement and to provide additional text to paragraph 7.2.4 which reads as:</p> <p><b><u>All contributions may be timed or phased as a matter of negotiation on a case-by-case basis.</u></b> The Council may use discretion to remove the fee for development proposals with extremely small impacts on green infrastructure. <b><u>The Council will ensure that all contributions are fully justified on a case-by-case basis in line with the tests for s106 obligation in the</u></b></p>

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		cannot be directly related to a development or clearly necessary to make a development acceptable in planning terms. Again, it fails to meet the CIL Regulations.	<b><u>Community Infrastructure Levy (CIL) Regulation 122 and will provide a CIL Regulation 122 Compliance Statement as evidence at any relevant appeal.</u></b>
Stantec on behalf of Taylor Wimpey Strategic Land, RPG Property and Syngenta Ltd.	Section 7.2	<p>There is no evidential basis for this contribution and thus our clients object to this aspect of the supplementary planning document and propose that this should be deleted.</p> <p>There is no evidence presented by the Council that this flat rate levy has been subject to proportionate viability testing. It is for these reasons, we consider the application of this financial contribution, irrespective of whether green infrastructure is provided by a particular development, to be both contrary to national policy in paragraph 58 of the NPPF (2024) which in turn is based upon the legal regulations at 122(2) of the Community</p>	<p>The financial contribution route is an enabler to allow applications to be approved without a strategic objection based on Local Plan Policy LP 30. The costs are estimated reasonable costs on what it would take to provide the green infrastructure on behalf of the development including its on-going maintenance.</p> <p>The contributions in the supplementary planning document will be subject to negotiation or as alternative, text is proposed to make it clear that developers can provide their own on-site or off-site provision within the borough if easier. The intention is that mitigation is provided for a net loss in habitats in the borough either through a financial contribution or by the developer providing the green infrastructure in the borough. In this way there is no net loss of green infrastructure in the borough and the developer complies with Bracknell Forest Local Plan Policy LP 30.</p> <p>The CIL regulation 122 tests for s106 obligations will be fully complied with and for example a CIL Reg 122 Compliance Statement will be provided for each s106 obligation including other matters such as affordable housing to accompany agreements produced for appeals. The Council already does this as a matter of course.</p> <p>Updates have been made to section 7.2 (now 7.3) as follows:</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>Infrastructure Levy Regulations 2010.</p> <p>The principle of a green infrastructure contribution without regard to the scale, nature and impact of a particular development simply does not meet the statutory tests.</p>	<p><b><u>7.32 Financial contribution Mitigation for green infrastructure habitat losses in the borough</u></b></p> <p><b><u>7.3.1 The impact of development on some types of green infrastructure is mitigated through several non-strategic Local Plan policies including LP 44 ‘Community Facilities’, LP 45 ‘Play, open space and sports provision’, LP 46 ‘Standards for Open Space of Public Value’, LP 54 ‘Protection and enhancement of trees and hedgerows’ and LP 57 ‘Sustainable Drainage Systems’.</u></b></p> <p><b><u>7.3.2 This section seeks to protect against the incremental loss of habitats in the borough in accordance with Local Plan Policy LP 30. Mitigation measures are required to prevent consistent and systematic loss of habitats (as an important element of green infrastructure) in the borough. This can be through the loss of habitats on sites which are not subject to biodiversity net gain or through developments providing mitigation for biodiversity net gain outside of the borough.</u></b></p> <p><b><u>7.3.32.4 To protect the borough’s GI-green infrastructure, where there is loss of GI-habitat in the borough as a result of on a development, site a financial contribution for this mitigation to the equivalent of no net loss will be applied-provided otherwise there will be a local plan policy objection to the scheme.</u></b> This will not apply to householder applications but will apply to other planning applications including retrospective applications and applications for a change of use of land.</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p>

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			<p><b><u>7.3.4 For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>7.3.52.2 Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net Loss of GI green infrastructure in the borough is will be calculated</u></b> on the increase in built footprint <b><u>and hardstanding</u></b> on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a <b><u>A</u></b> measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p>

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			<p><b><u>7.3.62.3</u></b> For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>GI</del> <b><u>green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7</u></b> For any increases in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b> between 25m<sup>2</sup> (0.0025ha) and 330m<sup>2</sup> (0.033ha) a flat rate of £2,500 will be applied. <b><u>This standard amount is to dis-incentivise small incremental losses of green infrastructure. Where a garden is being extended into a public amenity area this will be considered to be a loss of green infrastructure and treated the same way as a precaution. Developments with an increase in built footprint and hardstanding resulting in a net loss of green infrastructure of less than 25m<sup>2</sup> will be exempt from paying a green infrastructure contribution. In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the Council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The Council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p> <p><b><u>Retrospective applications</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>7.3.8 For retrospective applications the applicant may submit a statutory biodiversity metric, or a calculation of the net loss in green infrastructure as a result of an increase in built footprint and hardstanding post-development. Through either of these methods the applicant will be required to demonstrate whether the development led to a net loss of green infrastructure in the borough. This will be checked and agreed with the Council. Where this is not provided, it will be based on the professional judgement of the case officer. Where there is a net loss of green infrastructure in the borough, the development is required to pay a financial contribution, as described above, towards off-site green infrastructure projects including their on-going maintenance within Bracknell Forest Borough. As an alternative, a retrospective development can provide for the loss of green infrastructure through providing further green infrastructure within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the Borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Securing the mitigation</u></b></p> <p><b><u>7.3.92.4 All contributions may be timed or phased as a matter of negotiation on a case-by-case basis.</u></b> The Council may use discretion to remove the fee for development proposals with extremely small impacts on green infrastructure. <b><u>The Council will ensure that all contributions are fully justified on a case-by-case basis in line with the tests for s106 obligation in the Community Infrastructure Levy (CIL) Regulation 122 and will provide a CIL Regulation 122 Compliance Statement as evidence at any relevant appeal. In some cases, it may be acceptable for mitigation to be secured through a unilateral undertaking rather than a s106 agreement as appropriate. The mitigation required is summarised in Table 6 below:</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response																			
			<p><b><u>Table 6 Overview of mitigation required for a net loss of habitat in the borough</u></b></p> <table border="1" data-bbox="896 419 2168 1294"> <thead> <tr> <th data-bbox="896 419 1200 555"><u>Type of Application / Development</u></th> <th data-bbox="1205 419 1480 555"><u>Impact</u></th> <th data-bbox="1485 419 1803 555"><u>Requirement for compensation</u></th> <th data-bbox="1807 419 2168 555"><u>Caveats/mitigating circumstances</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="896 558 1200 646"><u>Householder</u></td> <td data-bbox="1205 558 1480 646"><u>Not applicable</u></td> <td data-bbox="1485 558 1803 646"><u>None</u></td> <td data-bbox="1807 558 2168 646"><u>None</u></td> </tr> <tr> <td data-bbox="896 649 1200 970"> <u>Developments exempt from biodiversity net gain and no metric has been provided</u>   <u>Or</u> </td> <td data-bbox="1205 649 1480 970"> <u>&lt;25sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u> </td> <td data-bbox="1485 649 1803 970"><u>None</u></td> <td data-bbox="1807 649 2168 970"><u>None</u></td> </tr> <tr> <td data-bbox="896 973 1200 1294"> <u>Retrospective applications which do not provide a metric calculation</u> </td> <td data-bbox="1205 973 1480 1294"> <u>25-330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u> </td> <td data-bbox="1485 973 1803 1294"><u>£2,500</u></td> <td data-bbox="1807 973 2168 1294"> <u>Compensation contribution may be reduced or removed where acceptable green infrastructure is secured within the borough (eg. tree</u> </td> </tr> </tbody> </table>				<u>Type of Application / Development</u>	<u>Impact</u>	<u>Requirement for compensation</u>	<u>Caveats/mitigating circumstances</u>	<u>Householder</u>	<u>Not applicable</u>	<u>None</u>	<u>None</u>	<u>Developments exempt from biodiversity net gain and no metric has been provided</u>  <u>Or</u>	<u>&lt;25sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>None</u>	<u>None</u>	<u>Retrospective applications which do not provide a metric calculation</u>	<u>25-330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>£2,500</u>	<u>Compensation contribution may be reduced or removed where acceptable green infrastructure is secured within the borough (eg. tree</u>
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<u>Developments exempt from biodiversity net gain and no metric has been provided</u>  <u>Or</u>	<u>&lt;25sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>None</u>	<u>None</u>																			
<u>Retrospective applications which do not provide a metric calculation</u>	<u>25-330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>£2,500</u>	<u>Compensation contribution may be reduced or removed where acceptable green infrastructure is secured within the borough (eg. tree</u>																			

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
				<u>&gt;330sqm net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>£75,000 per hectare pro rata net loss of green infrastructure in the borough as a result of increase in built footprint and hardstanding</u>	<u>planting, green walls etc.)</u>
			<u>Developments not exempt from biodiversity net gain and a metric has been provided</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units up to no net loss of green infrastructure in the borough</u>	<u>Where units required for no net loss are secured for the application on-site or off-site in the borough ahead of commencement (as shown in the Biodiversity Gain Plan), the compensation figure will no longer be required</u>
			<u>Retrospective applications which</u>	<u>As measured by metric</u>	<u>£25,000 per unit pro rata for loss of units</u>	<u>Where units required for no net loss are secured for the</u>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response			
			<u>provide a metric calculation</u>		<u>up to no net loss in the borough</u>	<u>application on-site or off-site in the borough, as agreed with the Council, the compensation figure will no longer be required</u>
	Section 7 paragraph 7.2	All development in Bracknell Forest is required by legislation and Bracknell Forest Local Plan policies to deliver positive schemes which secure net gains and provide enhanced natural spaces. BFLP Policy LP30 provides sufficient policy guidance on how developments should maximise opportunities for green infrastructure. Furthermore, policy LP30 makes no reference to a financial contribution and so to introduce this item in a draft	<p data-bbox="896 663 2166 770"><del>7.2.5</del> The council may use discretion to remove the fee where major developments have provided acceptable GI on site or off site within the borough which is secured and guaranteed to be maintained over time in line with Table 5 below.</p> <p data-bbox="896 813 2166 874">Disagree. Policy LP 30 paragraph 1 bullet iv clearly makes reference to financial contributions as follows:</p> <p data-bbox="896 916 2166 1082"><i>'The Borough's green infrastructure will be protected and enhanced. In considering proposals that affect the Borough's green infrastructure account will be taken of the scale, type and quality of any assets lost or created and the contribution they make to the wider green infrastructure network. As appropriate to the scale of development and the opportunities it offers, development should:</i></p> <p data-bbox="896 1123 2166 1152"><i>iv. create new green infrastructure either through on site provision or financial contributions'</i></p> <p data-bbox="896 1193 2166 1321">It is impossible to have accurate costs for each project because the council does not know the actual impact of each development scheme until a planning application is submitted. A project list has therefore been created and costs of works and their on-going maintenance estimated. This is approximately £75,000 per hectare or £25,000 per biodiversity unit.</p> <p data-bbox="896 1362 2166 1386">This is not double counting. Further clarification has been added to section 7.2 as follows:</p>			

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>supplementary planning document goes beyond the appropriate scope and role of a supplementary planning document.</p> <p>BFLP Policy LP53 makes reference to the statutory biodiversity net gain obligations comprehensively set out in Schedule 7A of the TCPA 1990, and so the application of an additional flat rate green infrastructure contribution will likely result in the risk of double counting. Therefore, for all the reasons above, to charge a financial contribution irrespective of this is unnecessary, unreasonable, and inappropriate.</p>	<p><b><u>Mitigation measures are required to prevent consistent and systematic loss of habitats (as an important element of green infrastructure) in the borough. This can be through the loss of habitats on sites which are not subject to biodiversity net gain or through developments providing mitigation for biodiversity net gain outside of the borough.</u></b></p> <p>Further clarification has also been added to paragraph 7.2.1 as follows:</p> <p>To protect the borough's <del>GI</del> <b><u>green infrastructure</u></b>, where there is loss of <del>GI</del> <b><u>habitat in the borough as a result of</u></b> <del>on a development, site a financial contribution for this</del> <b><u>mitigation to the equivalent of no net</u></b> loss will be applied. <b><u>provided otherwise there will be a local plan policy objection to the scheme</u></b> This will not apply to householder applications but will apply to other planning applications including retrospective applications and applications for a change of use of land.</p>
	Section 7 paragraph 7.2.3	<p>Our clients object to both the methodology used and the final flat fee quoted at £75,000 per hectare. Paragraph 7.2.3 sets out the £75,000 fee is taken from an average cost of biodiversity losses across a number of</p>	<p>Partly agree. How the £75,000 figure has been derived needs a clearer explanation. Paragraph 7.2.3 has been amended as follows:</p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>GI</del> <b><u>green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> <del>biodiversity losses across a number of developments in Bracknell Forest.</del></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>developments. We consider that applying a general figure derived from an average to individual specific projects is not justified and clearly cannot be said to fairly and reasonably relate in scale and kind to a specific development.</p>	<p>Further text has been added to paragraph 7.2.4 to ensure that mitigation reflects the impact caused in line with CIL Reg 122 and that the charge is not absolute, will be flexibly applied and subject to negotiation.</p> <p><b><u>All contributions may be timed or phased as a matter of negotiation on a case-by-case basis.</u></b> The Council may use discretion to remove the fee for development proposals with extremely small impacts on green infrastructure. <b><u>The Council will ensure that all contributions are fully justified on a case-by-case basis in line with the tests for s106 obligation in the Community Infrastructure Levy (CIL) Regulation 122 and will provide a CIL Regulation 122 Compliance Statement as evidence at any relevant appeal. In some cases, it may be acceptable for mitigation to be secured through a unilateral undertaking rather than a s106 agreement as appropriate.</u></b></p> <p>Any compensation for biodiversity net gain relates to a mandatory scheme and compensation can be purchased on the open market for registered habitat banks anywhere in England. This may be contrary to the strategic aim of the borough as reflected Local Plan Policy LP 30 which is to, at least, prevent the loss of green infrastructure in the borough of which habitats are part. The council has seen a consistent loss of green infrastructure in the borough which raises a strategic objection based on Policy LP 30 and the National Planning Policy Framework. The scheme set out in section 7.2 allows vital development to proceed and be compliant with the Local Plan.</p> <p>The draft supplementary planning document may not be entirely clear regarding the prescribed Community Infrastructure Levy Regulation 122 tests. This means that for schemes that can qualify the loss of green infrastructure in the borough, the Council will seek a financial contribution towards off-site green infrastructure projects capable of serving the site. Section 7.2 (now 7.3) has been updated as follows:</p> <p><b><u>Developments with a statutory biodiversity metric</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>7.3.4 For developments which provide a statutory biodiversity metric that shows a net loss of biodiversity on-site or where it is unknown that there will be a loss on-site, there will be an objection based on Policy LP30 due to a strategic loss of green infrastructure in the borough. In that instance the Council will require a financial contribution to mitigate the loss of local green infrastructure. The cost will be based on the biodiversity unit loss multiplied by £25,000, which is the assessed strategic cost of replacing and maintaining a range of habitats in Bracknell Forest. To ensure there is no double counting, a formula mechanism will be included in a s106 obligation where the amount to be paid will become £0 in the event the required biodiversity units are purchased from registered habitat banks in Bracknell Forest Borough or provided within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>7.3.52.2 Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net Loss of GI green infrastructure in the borough is will be calculated</u></b> on the increase in built footprint <b><u>and hardstanding</u></b> on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a <b><u>A</u></b> measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>7.3.62.3</u></b> For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <del>GI</del> <b><u>green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p><b><u>Small net losses of green infrastructure in the borough</u></b></p> <p><b><u>7.3.7</u></b> For any increases in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b> between 25m<sup>2</sup> (0.0025ha) and 330m<sup>2</sup> (0.033ha) a flat rate of £2,500 will be applied. <b><u>This standard amount is to dis-incentivise small incremental losses of green infrastructure. Where a garden is being extended into a public amenity area this will be considered to be a loss of green infrastructure and treated the same way as a precaution. Developments with an increase in built footprint and hardstanding resulting in a net loss of green infrastructure of less than 25m<sup>2</sup> will be exempt from paying a green infrastructure contribution. In the instance that a site can deliver the development needs and on-site green infrastructure improvements, such as applications for new parking spaces where trees can be planted in residual land outside of the parking spaces, the Council will accept this provision in lieu of the green infrastructure contribution. This is on the basis that the green infrastructure improvements are considered as adequate mitigation and that there are guarantees over their future maintenance. The Council will not accept mitigation in private gardens as they cannot be effectively enforced.</u></b></p> <p><b><u>Retrospective applications</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			<p><b><u>7.3.8 For retrospective applications the applicant may submit a statutory biodiversity metric, or a calculation of the net loss in green infrastructure as a result of an increase in built footprint and hardstanding post-development. Through either of these methods the applicant will be required to demonstrate whether the development led to a net loss of green infrastructure in the borough. This will be checked and agreed with the Council. Where this is not provided, it will be based on the professional judgement of the case officer. Where there is a net loss of green infrastructure in the borough, the development is required to pay a financial contribution, as described above, towards off-site green infrastructure projects including their on-going maintenance within Bracknell Forest Borough. As an alternative, a retrospective development can provide for the loss of green infrastructure through providing further green infrastructure within the wider development site (within the blue line) as secured by a s106 Agreement. Another option is for the developer to purchase land in the Borough and upgrade this in terms of its green infrastructure including providing contractual guarantees on its future protection and maintenance normally for the lifetime of the development.</u></b></p>
Savills on behalf of Comer Homes Group	Section 6 paragraph 6.5	Increased cost and delivery burdens - more onerous expectations around demonstrating biodiversity net gain deliverability at application stage, going beyond the national requirement for a pre commencement biodiversity gain plan and requiring	Disagree. This section only <i>recommends</i> what biodiversity net gain information should be submitted in addition to the national validation requirements. It is explained in paragraph 6.5.1 that ‘Providing clear information at the application stage on how biodiversity net gain will be achieved helps applicants plan effectively, avoid delays, and enables the Council to confirm that the requirement can be met’. No changes necessary.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		greater up front surveying, design development and financial commitment before planning permission is secured.	
	Section 6 paragraph 6.3.5	Increased cost and delivery burdens - the application of the Local Nature Recovery Strategy (LNRS) to reset baseline habitats to “low” strategic significance, which reduces flexibility in how the required 10% net gain can be achieved and increases reliance on higher quality habitat creation or off site provision to meet the same statutory outcome.	Strategic significance rules are laid out nationally within guidance from Defra. This is explained on the Planning Advisory Service website which also links to the Defra guidance note - <a href="#">LNRS &amp; Strategic Significance Multiplier Transition   Local Government Association</a> . No changes necessary.
	Section 6 paragraph 6.8	Increased cost and delivery burdens - a reliance on off-site biodiversity units for town centre schemes, where site area and design constraints limit on site delivery options. This exposes schemes to an immature, supply constrained and price sensitive off site units market, increasing cost and delivery risk in a way that	Biodiversity net gain is a national policy, and the supplementary planning document does not affect the reliance on offsite biodiversity units for town centre schemes. No changes necessary.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		rural or low density schemes are less exposed to.	
	Section 7	<p>The supplementary planning document introduces a new green infrastructure compensation charge of £75,000 per hectare of increased built footprint (pro rata), even where sites are:</p> <ul style="list-style-type: none"> <li>• Located on previously developed land;</li> <li>• Situated within Bracknell Town Centre; and</li> <li>• Delivering limited or no loss of functional green infrastructure at the outset.</li> </ul> <p>This contribution is additional to statutory biodiversity net gain requirements, creating a layered cost burden that disproportionately affects high density regeneration schemes. In viability terms, this represents a new and material financial obligation that has not historically been</p>	<p>Mitigation is required up to where there is no net loss in the borough. Where there is no impact on green infrastructure there will be no mitigation required. For very small impacts on green infrastructure (25m<sup>2</sup> – 330m<sup>2</sup>) a flat rate of £2,500 will be applied unless mitigation can be provided onsite or offsite within the borough.</p> <p>The contribution of £75,000 per hectare is for developments without a statutory biodiversity metric. Paragraphs 7.2.2 and 7.2.3 have been amended as follows:</p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net loss of GI-green infrastructure in the borough is-will be calculated on the increase in built footprint and hardstanding on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a A measurement will need to be taken from the submitted plans. A definitive measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</u></b></p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <b><u>GI-green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>factored into town centre development appraisals.</p> <p>Concerned that, without clear mechanisms to offset or moderate these charges where high quality urban design and biodiversity net gain are delivered, the supplementary planning document risks penalising precisely the types of sustainable redevelopment that national policy seeks to promote.</p>	<p><b><u>of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p>
West London NHS Trust	Section 2 paragraph 2.5.1 and 2.5.2	<p>Whilst the ambition of the draft supplementary planning document to align habitat creation with the objectives of the LNRS is not challenged, it is considered that more flexible wording should be introduced to account for instances where it is not viable or feasible to deliver the objectives of the LNRS within a development site. There are certain instances where ground conditions</p>	<p>Partly agree. The draft National Planning Policy Framework (December 2025) states in National decision-making policy N2: 'Improving the Natural Environment' that 'development proposals should... c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies...' The current wording in paragraph 2.5.2 has been amended as follows:</p> <p>2.5.2 Where land has been identified as having particular potential for habitat creation or nature recovery within the LNRS, development proposals should <b>seek to</b> contribute towards these outcomes. Proposals should take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by the LNRS.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>would not be suitable to accommodate the type of habitat intervention suggested within the LNRS.</p> <p>The current wording of the draft supplementary planning document would imply that it would only be appropriate to deliver the outcomes of the LNRS, without consideration of what may be more suitable following more detailed site investigations.</p> <p>The following inclusions are suggested at paragraph 2.5.2: Where land has been identified as having particular potential for habitat creation or nature recovery within the LNRS, development proposals should contribute towards these outcomes <b><u>or other appropriate habitat interventions informed by detailed site investigations.</u></b></p>	

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
	Section 3 paragraph 3.2.5	<p>It should be noted here that whilst this is one definition of Irreplaceable Habitat pursuant to the Biodiversity Net Gain regulations, the current National Planning Policy Framework (NPPF) defines Irreplaceable Habitats differently, and there are a number of planning appeals which address the difference between the two.</p> <p>The key difference between the two definitions is the distinction between the requirement of the NPPF for a given tree to meet <i>all</i> criteria, whereas the biodiversity net gain definition only requires a tree to meet one criterion. It is understood that the emerging NPPF seeks to 'close' this gap but at the time of consulting on this draft supplementary planning document, this cannot be relied upon as an adopted position.</p>	<p>Agree, there are differences in the definitions for ancient and veteran trees in the National Planning Policy Framework and the biodiversity net gain regulations. Paragraph 3.2.5 has been amended as follows:</p> <p>3.2.5 Irreplaceable habitats are defined in <b><u>the National Planning Policy Framework and law</u></b> through the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. These <del>regulations specify</del> <b>are</b> habitats that are so unique, old, or complex that they cannot be recreated within a meaningful timeframe.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>It would be premature for the draft supplementary planning document to cite the biodiversity net gain definition as the 'only' definition of Irreplaceable Habitats. It should also be noted that the biodiversity net gain definition includes 'Mediterranean saltmarsh scrub' as an irreplaceable habitat whereas the NPPF does not.</p> <p>Users of the draft supplementary planning document should be directed to all definitions of Irreplaceable Habitats until a time where the differences between the two are consolidated and consistent.</p>	
	Section 5 paragraph 5.1	It should be made clearer at paragraph 5.1 that the mitigation hierarchy is not a 'unique' or 'local' requirement and is detailed within the wider British Standard for Biodiversity BS:42020.	<p>Agree. Introductory wording has been added before paragraph 5.1.1 as follows. Also, typo corrected (missing the word 'hierarchy') in paragraph 5.1.1.</p> <p><b><u>The mitigation hierarchy is laid out in the National Planning Policy Framework, British Standard BS 42020:2013 Biodiversity – Code of practice for planning and development, and Local Plan Policy LP53.</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
			Biodiversity should be considered as early as possible in the development design process. This will allow the mitigation hierarchy to be implemented most effectively. The mitigation <b><u>hierarchy</u></b> applies across all planning proposals.
	Section 5 paragraph 5.2.2	<p>Paragraph 5.2.2 fourth bullet point. It is considered that these criteria are inappropriately narrow to 'scope' a potential development site into considering impacts on great crested newts. Whilst it is acknowledged that a professional ecological consultant would be able to advise based on site specific circumstances, it is considered that this particular reference should be left more flexible to prevent sites from being unnecessarily scoped/de-scoped based on the guidance in the supplementary planning document alone. Suggested wording:</p> <p>5.2.2 An ecological assessment is required</p>	<p>Agree suggested wording but focus on amber and red zone is retained. Also, amend introductory sentence to give more flexibility as (as stated in paragraph 5.2.3) in some cases it is the cumulative risk of more than one of these points which means that an ecological impact assessment and surveys are required. Paragraph 5.2.2 has been amended as follows:</p> <p>5.2.2 An ecological assessment is <b><u>likely to be</u></b> required when an application includes:</p> <ul style="list-style-type: none"> <li>• Location within the amber/red risk zone for Great Crested Newts, with ponds within 500m of the site with potential to support Great Crested Nests <b><u>unless it can be confirmed through a professional ecological consultant and agreement with the Council that there are site-specific circumstances which would indicate the likely absence of Great Crested Newts within a given site even if it is within 500m of a pond or within a risk zone.</u></b></li> </ul>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>when an application includes:</p> <ul style="list-style-type: none"> <li>• Location within the <b><u>green</u></b>/amber/red risk zone for GCN, with ponds within 500m of the site with potential to support GCN <b><u>unless it can be confirmed through a professional ecological consultant and agreement with the Council that there are site-specific circumstances which would indicate the likely absence of newts within a given site even if it is within 500m of a pond or within a risk zone.</u></b></li> </ul>	
	Section 5 paragraph 5.3.16	Paragraph 5.3.16 - the third bullet point should be more explicit in when developers can expect to	Agree. The third bullet point in paragraph 5.3.16 has been amended as follows:

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		submit/discharge the relevant condition – like the previous two bullet points.	5.3.16 developments of more than 10 dwellings will be required to submit an enhancement plan, including details of information to be provided to homeowners, <b><u>before starting work</u></b> and an inspection report <b><u>following installation</u></b> .
	Section 6 paragraph 6.1.2	<p>The draft NPPF discusses delivery of biodiversity net gain ‘beyond’ the minimum requirement and whilst the relevant policy is specific to development plans (and not supplementary planning documents), it reads that local development plans “<i>should only set local standard for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable</i>”.</p> <p>Whilst this national policy is not yet adopted and carries no weight, the Planning Advisory Service (PAS) and Planning Practice Guidance (PPG) set out how any Local Plans should only seek above 10% where it is evidenced and justifiable.</p>	<p>Partly agree and it is also noted that there is no reason why this should just be applied to major schemes. Paragraph 6.1.2 has been amended as follows:</p> <p>6.1.2 ...This objective is a minimum standard, therefore <b><u>developments</u></b> <del>applications for major schemes</del> are encouraged to exceed the 10% minimum <del>BNG</del> <b><u>biodiversity net gain</u></b> requirement where possible <b><u>feasible and aligned with wider national policy on biodiversity net gain requirements</u></b>.</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>Whilst Savills do not dispute the ambition to deliver in excess of the minimum requirement, it is considered that additional wording should be included to ensure the draft supplementary planning document is aligned with current and potential future wider national policies on biodiversity net gain, as below:</p> <p>6.1.2 ...This objective is a minimum standard, therefore applications for major schemes are encouraged to exceed the 10% minimum biodiversity net gain requirement where possible, <b><u>feasible and aligned with wider national policy on biodiversity net gain requirements.</u></b></p>	
	Section 6 paragraph 6.2.1	It should be acknowledged that the Government has recently announced that in	Agree. Paragraph 6.2.1 has been amended as follows:

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>2026, updated guidance will be released which will relax how the biodiversity net gain and mitigation hierarchy is adopted for minor development. It is expected that for minor development, delivery of biodiversity net gain off-site will be treated in equivalent terms of the hierarchy as on-site habitat delivery. Additional wording is therefore proposed as follows:</p> <p>6.2.1 In order to deliver biodiversity net gain of at least 10%, the biodiversity net gain hierarchy must be followed <b><u>in accordance with national guidance relevant at the time of determining an application.</u></b> The steps below should be taken in order, only moving to the next stage if all possible options have been exhausted at the previous stage.</p>	<p>In order to deliver a <del>BNG</del> <b><u>biodiversity net gain</u></b> of at least 10%, the biodiversity gain hierarchy must be followed <b><u>in accordance with national guidance.</u></b> <del>The steps below should be taken in order, only moving to the next stage if all possible options have been exhausted at the previous stage:-</del></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
	Section 6 paragraph 6.3.8 and 6.8.8	<p>Paragraph 6.3.8 and 6.8.8 of the draft supplementary planning document discusses how the Spatial Risk Multiplier (SRM) within the metric means that ‘fewer’ biodiversity units are required to be purchased if the habitat is located near to the development site. Whilst the principle of this wording is understood, it could be misconstrued by a non-expert as a ‘discount’ on the number of biodiversity net gain units required if bought locally, when the reality is there is just no additional ‘penalty’ via the SRM. Alternative wording should read:</p> <p><b><u>The spatial risk multiplier in the biodiversity metric means that more biodiversity units are required to be purchased if the habitat bank is located in an adjacent Local Planning Authority,</u></b></p>	<p>Partly agree. Paragraph 6.3.8 reflects current national guidance. No changes necessary. Paragraph 6.8.8 has been amended as follows:</p> <p>The spatial risk multiplier in the biodiversity metric <b><u>affects the number of biodiversity units that are required to be purchased. It generally</u></b> means that fewer biodiversity units are required to be purchased if the habitat is located near to the development site</p>

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		<p><b><u>National Character Area or LNRS area.</u></b></p> <p>It has also been recently confirmed by the Government<sup>1</sup> that the SRM will in the future use LNRS boundaries rather than LPA or NCA, expected later in 2026. Paragraph 6.3.8 should also allude to this potential and likely future eventuality.</p>	
	Section 7 paragraph 7.2.1-7.2.4	<p>It is not clear in the supplementary planning document if the borough's green infrastructure referenced at paragraphs 7.2.1 – 7.2.5 are the green infrastructure assets formally identified in the 'Biodiversity and Green Infrastructure Map', those listed in Local Plan Policy LP30, or any form of green infrastructure which is not mapped or not listed under LP30.</p> <p>When accessing the linked map, green infrastructure</p>	<p>Agree. Paragraph 7.1.3 has been amended as follows:</p> <p>The <a href="#">Biodiversity and Green Infrastructure Map</a> shows the <del>GI</del><b>green infrastructure</b> assets <b>identified</b> in Bracknell Forest <b>in the 2017 review</b> and helps to identify existing deficits and opportunities within the Bracknell Forest <del>GI</del><b>green infrastructure</b> network. Developers should use this map to help meet <del>GI</del><b>green infrastructure</b> requirements. <b><u>The map is not exhaustive and not intended to be prescriptive but shows where some existing green infrastructure and green infrastructure opportunity areas have been identified and can be used as a guide to support decisions on where green infrastructure connections could be made within a wider landscape context.</u></b></p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>assets are split into a number of categories:</p> <ul style="list-style-type: none"> <li>• Green Infrastructure Function Areas;</li> <li>• Green Infrastructure Type Lines;</li> <li>• Green Infrastructure Type Areas; and</li> <li>• Green Infrastructure Habitat Networks</li> </ul> <p>It is not clear within the draft supplementary planning document which ‘type’ of green infrastructure asset is ‘protected’ in this section, so the supplementary planning document must be more explicit in specifying the green infrastructure which is relevant under the supplementary planning document.</p>	
	Section 7 paragraph 7.2.1-7.2.4	Paragraphs 7.2.1 – 7.2.4 sets out proposed financial contributions for green infrastructure loss, specified at £75,000 per hectare (pro rata) of ‘increase’ in built	Mitigation is required up to where there is no net loss in the borough. Where there is no impact on green infrastructure there will be no mitigation required. For very small impacts on green infrastructure (25m <sup>2</sup> – 330m <sup>2</sup> ) a flat rate of £2,500 will be applied unless mitigation can be provided onsite or offsite within the borough.

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>footprint. The rationale for this contribution is not clear, and it is apparent when inspecting the Biodiversity and Green Infrastructure Map, that a significant proportion of the borough is covered by some type of green infrastructure asset, so it is expected that much of the borough (including our client's site) would be affected by this policy.</p> <p>Whilst no challenge is made on the general principle of the policy to protect green infrastructure assets, this must be considered in the context of the wider biodiversity net gain market, which is already causing notable financial pressures on Small and Medium sized developers (SMEs) when needing to procure biodiversity net gain units off-site. An additional contribution beyond that which may be caused by biodiversity net gain may</p>	<p>The contribution of £75,000 per hectare is for developments without a statutory biodiversity metric. Paragraphs 7.2.2 and 7.2.3 have been amended as follows:</p> <p><b><u>Developments without a statutory biodiversity metric</u></b></p> <p><b><u>Unless otherwise agreed with the Council, for developments which do not provide a statutory biodiversity metric, the net loss of GI green infrastructure in the borough is will be calculated</u></b> on the increase in built footprint <b><u>and hardstanding</u></b> on a development site. For planning applications with a biodiversity metric, applicants will be able to take the area created for built environment from the metric. Without a metric, a <b><u>A</u></b> measurement will need to be taken from the submitted plans. A <del>definitive</del> measure should be provided by the applicant and will be checked by the Council. Where this is not provided, it will be based on the professional judgement of the case officer.</p> <p>For each hectare (pro rata) increase in built footprint <b><u>and hardstanding resulting in a net loss of green infrastructure in the borough</u></b>, a financial contribution for <b><u>GI green infrastructure</u></b> compensation of £75,000 will be applied. This contribution has been derived from an average cost of <b><u>replacing and maintaining a range of habitats</u></b> biodiversity losses across a number of developments in Bracknell Forest. <b><u>Please note this is a per hectare figure compared to a per unit figure used above. Biodiversity units do not equate to hectares. All on-site provision of green infrastructure including green roofs and walls will be factored into the compensation scheme and will likely result in a discount or removal of the contribution depending on the scale of the provision.</u></b></p> <p>With regard to the green infrastructure map, paragraph 7.1.3 has been amended as follows to provide further clarification:</p>

Representer	Relevant section in Draft BioGI SPD	Summary of comment	Council response
		<p>result in many developments becoming financially unviable.</p> <p>It is considered that adopted Local Policy LP30 provides sufficient protection to green infrastructure assets to discourage any loss of them without the need to financially contribute to losses. Policy LP30 is explicit that if compliance with the mitigation hierarchy where it relates to green infrastructure assets cannot be demonstrated, development will be refused. It is clear in this adopted policy that there are no wider planning balance considerations which weigh in the application of this policy, so even if the benefits of development do outweigh 'unacceptable' losses of green infrastructure, Policy L30 is clear that planning permission would still be refused.</p>	<p>The <a href="#">Biodiversity and Green Infrastructure Map</a> shows the <del>GI</del><b>green infrastructure</b> assets <b>identified</b> in Bracknell Forest <b>in the 2017 review</b> and helps to identify existing deficits and opportunities within the Bracknell Forest <del>GI</del><b>green infrastructure</b> network. Developers should use this map to help meet <del>GI</del><b>green infrastructure</b> requirements. <b><u>The map is not exhaustive and not intended to be prescriptive but shows where some existing green infrastructure and green infrastructure opportunity areas have been identified and can be used as a guide to support decisions on where green infrastructure connections could be made within a wider landscape context.</u></b></p>

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		<p>The policies within the draft supplementary planning document also fail to acknowledge the fact that wider policies regarding Public Open Space (i.e. Policy LP45 and Policy LP46 of the Local Plan) are adopted and require replacement Active Open Space of Public Value (OSPV) or Passive OSPV associated with development, so all relevant developments will be required to re-provide POS and green infrastructure assets embedded within them. Financial contributions towards OSPV are also discussed in Policy LP46, which may also result in some circumstances as double funding, if contributions towards green infrastructure loss are also expected as part of the draft supplementary planning document. This feels disproportionate and could</p>	

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		frustrate delivery of schemes by increasing the financial burden beyond which a scheme remains viable.	
	Section 8 paragraph 8.1.1	<p>As set out elsewhere in this response, additional wording should be included where the draft supplementary planning document discusses compliance with the biodiversity gain hierarchy to account for future likely scenarios where Government guidance on application/compliance with the hierarchy may change. Suggested inclusions:</p> <p>8.1.1 Developments required to deliver biodiversity net gain must follow the biodiversity gain hierarchy <b><u>and relevant national guidance on its application at the time of determination.</u></b></p>	<p>Partly agree. Paragraph 8.1.1 has been amended as follows:</p> <p>Developments required to deliver <del>BNG</del> <b><u>biodiversity net gain</u></b> must follow the biodiversity gain hierarchy <b><u>in line with the latest national guidance.</u></b></p>