



## *The saga of the SNCI at Yew Tree Farm continues*

What does 'harmful impact' mean?

When the Development Control Committee last met to discuss the Council's application to extend the cemetery at South Bristol into the SNCI at Yew Tree Farm on [6 September 2023](#), we were disturbed to hear the Chief Planner's interpretation of the meaning of 'harmful impact', as set out in [SADMP DM19](#) - *Development which would have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest will not be permitted.*

We even wrote an open letter to the Chief Planner asking them to explain their reasoning. We published this as a blog: [\*It seems that SNCIs are nothing special - an open letter to Bristol's Chief planner.\*](#)

As we received no reply, we took the opportunity to ask again when the Committee reconvened to make its decision on [29 November 2023](#). We asked two questions - see [page 9 of the Public Forum](#). As the responses still didn't really satisfy, we asked two supplementary questions:

1. *When you say, 'the site', what do you mean? Is it within the redline boundary or something else such as within the SNCI's boundary?*
2. *You say 'The crucial additional clarification to highlight, is that to be in alignment with this policy it is NOT the overall biodiversity gain that is determinative. There rather needs to be an assessment that establishes whether there is harm with reference to the specific characteristics that make the site special.'*

*Does this mean that the replacement of one habitat which forms part of the 'specific characteristics that make the site special' - such as a replacing the Grassland Habitat that forms part of the current SNCI designation with a Lake Habitat that does not form part of the current SNCI designation, or that the provision of offsite mitigation measures to compensate for on-site habitat losses (in this case -6.44%) - would not be acceptable?*

These were the replies:

### **To question 1**

*By 'the site', it's the site as set out in the application document, so it's the SNCI as contained in the application document the area in the redline boundary.*

### **To question 2 (as it is quite complex, we have reproduced it verbatim)**

*You need to take the application as a whole and where it is demonstrated as that with regard to the features, particularly the grassland, that there is no impact ultimately or, if anything, a slight enhanced impact.*



BTF - So you are saying that the substitution of the grassland habitat for a lake habitat...

*I am not saying that at all, I am saying that the grassland, actually that there is more grassland and that's what the ecology report also says - more grassland of the type for which the SNCI is designated will be there through this application than before... within the redline boundary.*

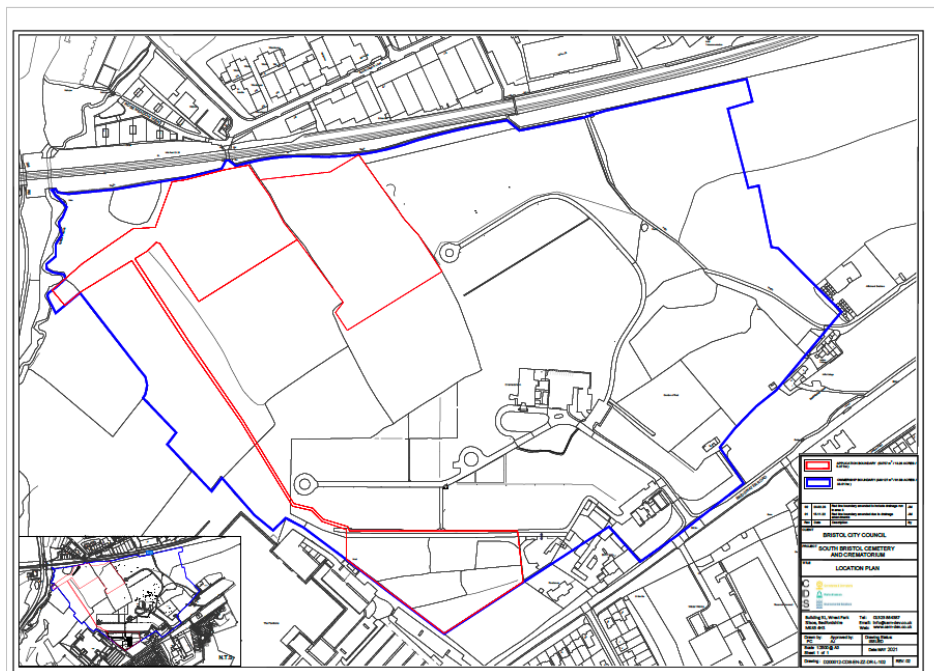
Here is the recording of this exchange - <https://www.youtube.com/watch?v=-8EvqLA8-Lg> (08:05 minutes from the start to 11:30 minutes).

### What's a redline boundary?

Anyone who wants to develop land must produce a location plan of the area proposed for development, delineated by a red line - the so-called 'redline boundary'.<sup>1</sup>

When planning permission is granted, only the area within the redline boundary may be developed (though ancillary works may take place elsewhere).

Here is the location plan for the South Bristol Cemetery Extension application:



The South Bristol Cemetery Extension location plan (North is at the top)

<sup>1</sup> It seems that no one thought of those with red/green colour blindness, who might find it difficult to see this red line.



The redline boundary here is quite complex because it's made up of two burial areas, in the north and south, and an attenuation pond to collect runoff from the northern burial ground through a series of drains (the southern burial ground runoff will be drained straight into Colliter's Brook to the west). The area within the blue line is also owned by the Council and so is under their control.

The redline boundary is also important when it comes to calculating the biodiversity value (BNG) of the development site. All the habitats within the redline boundary are treated as 'onsite', while those outside the boundary are treated as 'offsite'.

So, when we are told that '*... there is more grassland and that's what the ecology report also says - more grassland of the type for which the SNCI is designated will be there through this application than before... within the redline boundary,*' it's just the onsite area that's being referred to. This is important, as we show below.

The headline results shown in the most recent BNG 3.1 calculation relied on by the Council<sup>2</sup> show that 6.44% of the baseline onsite area biodiversity will be lost as a result of the development (see Figure 1).

South Bristol Cemetery

Headline Results

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On-site baseline	Habitat units	27.02
	Hedgerow units	5.85
	River units	0.55
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	25.28
	Hedgerow units	10.95
	River units	0.55
On-site net % change (Including habitat retention, creation & enhancement)	Habitat units	-6.44%
	Hedgerow units	87.13%
	River units	0.19%
Off-site baseline	Habitat units	3.34
	Hedgerow units	0.00
	River units	0.00
Off-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	5.87
	Hedgerow units	1.17
	River units	0.00
Total net unit change (including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	0.79
	Hedgerow units	6.27
	River units	0.00
Total on-site net % change plus off-site surplus (including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	2.93%
	Hedgerow units	107.08%
	River units	0.19%
Trading rules Satisfied?		Yes ✓

Figure 1: The BNG 3.1 Headline BNG results.

<sup>2</sup> 22\_05714\_FB-SOUTH\_BRISTOL\_CEMETERY\_BNG\_\_25TH\_AUGUST\_23\_-3540800



Figures 2 & 3 show the net losses of the onsite grassland habitat:

Habitat Area	Baseline Area	Area Retained	Area Enhanced	Area Lost	Area Created	Net Area
Grassland	3.2591	1.6500	0.5800	1.0291	0.2708	2.5008
Net Area Change						-0.7583

Figure 2: Grassland Area Analysis (hectares)

Baseline HUs	HUs Lost	Net Baseline HUs	Enhanced HUs	Created HUs	Net HUs
26.88	8.57	18.31	4.87	2.08	25.26
Net HU Change					-1.62

Figure 3: Grassland Habitat Unit analysis (HUs)

Under the BNG Trading Rules, **Medium Distinctiveness grassland habitats** may only be replaced with the other **Medium Distinctiveness grassland habitats** or with **habitats of a Higher Distinctiveness**. So, in order to achieve the net 2.93% BNG which the Council claims will result from the development, it is necessary to compensate for these losses by crediting **3.25 Habitat Units of High Distinctiveness Lakes habitat** by creating the attenuation pond.

This is not what we are told is happening and it certainly cannot be said that: ‘... *there is more grassland ... of the type for which the SNCI is designated ... within the redline boundary,*’ This is plainly untrue and, even on the Chief Planner’s definition (which we do not accept), it is clear that this application will ‘*have a harmful impact on the nature conservation value of a Site of Nature Conservation Interest.*’ This is contrary to SADMP DM19.

What’s more, even if the proposed offsite habitat mitigations were taken into account, there’d still be a net loss of **-0.47 HU of Medium Distinctiveness grassland habitat** (see Figure 4 below).



Medium Distinctiveness				
Habitat Group	Group	On site unit change	Off site unit change	Project wide unit change
Cropland - Arable field margins cultivated annually	Cropland	0.00	0.00	0.00
Cropland - Arable field margins game bird mix	Cropland	0.00	0.00	0.00
Cropland - Arable field margins pollen & nectar	Cropland	0.00	0.00	0.00
Cropland - Arable field margins tussocky	Cropland	0.00	0.00	0.00
Grassland - Other lowland acid grassland	Grassland	0.00	0.00	0.00
Grassland - Other neutral grassland	Grassland	4.38	2.49	-2.47
Grassland - Upland acid grassland	Grassland	0.00	0.00	0.00
Heathland and shrub - Blackthorn scrub	Heathland and shrub	0.00	0.00	0.00
Heathland and shrub - Bramble scrub	Heathland and shrub	0.00	-0.93	-0.93
Heathland and shrub - Gorse scrub	Heathland and shrub	0.00	0.00	0.00
Heathland and shrub - Hawthorn scrub	Heathland and shrub	0.00	0.00	0.00
Heathland and shrub - Hazel scrub	Heathland and shrub	0.00	0.00	0.00
Heathland and shrub - Mixed scrub	Heathland and shrub	-0.14	-1.04	-1.17
Lakes - Ponds (Non-Priority Habitat)	Lakes	0.00	0.00	0.00
Lakes - Reservoirs	Lakes	0.00	0.00	0.00
Sparsely vegetated land - Other inland rock and scree	Sparsely vegetated land	0.00	0.00	0.00
Urban - Gemeterse and churchyards	Urban	0.00	0.00	0.00
Urban - Biodiverse green roof	Urban	0.00	0.00	0.00
Urban - Urban Tree	Urban	0.00	0.00	0.00
Woodland and forest - Other Scot's Pine woodland	Woodland and forest	0.00	0.00	0.00
Woodland and forest - Other woodland; broadleaved	Woodland and forest	0.00	0.00	0.00
Woodland and forest - Other woodland; mixed	Woodland and forest	0.00	0.00	0.00
Intertidal sediment - Littoral coarse sediment	Intertidal sediment	0.00	0.00	0.00
Intertidal sediment - Littoral sand	Intertidal sediment	0.00	0.00	0.00
Intertidal Hard Structures - Artificial hard structures with Integrated Greening of Grey Infrastructure (IOGI)	Intertidal	0.00	0.00	0.00
		-3.18	2.52	-0.66

Medium Distinctiveness Summary	
Medium Distinctiveness Units available to offset lower distinctiveness deficit	0.00
Medium Distinctiveness Broad Habitat Deficit to be offset by trading up	-3.86
Higher distinctiveness surplus units minus Medium Distinctiveness Broad Habitat Deficit	0.88
Cumulative surplus of units	0.88

Figure 4: Net Medium Distinctiveness habitat losses

There's one other serious flaw in the application, which was not brought to the attention of the Development Control Committee at its meeting. There is a shortfall of -0.11 HUs of the High Distinctiveness habitat, *Species-rich native hedgerow with trees*. Lost High Distinctiveness habitats may only be replaced like-for-like. This has not happened. As a result, the application is in breach of the BNG Trading Rules and should not have been approved. We have brought this to the attention of the Council and the LPA.

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These are just some of the important reasons why we say that the Development Control Committee was wrong to grant this flawed application.