

Legal & Professional

Analysis

35 Iford Farm biodiversity backstop site could help developers meet environmental targets

Support Hub

38 Information, support and advice to keep you working through tough times



Tim Clark

Interim Legal & Professional editor
Email: tim.clark@emap.com

Biodiversity pilot site could give developers green boost

■ The Iford Farm biodiversity backstop site could help developers meet their environmental commitments



Green scheme: the 1,200ha Iford Farm site in East Sussex forms one of six national biodiversity backstop locations

Tim Clark

"The conversations I've had, even with the big national housebuilders, is that they want to do this right. They are really worried about greenwashing, which is quite interesting."

Something is stirring in the South Downs, and it is mostly due to Anthony Weston, director of CLM and farm and environment consultant to the Iford Estate. The veteran environmental consultant

is talking *Property Week* through the finer details of a pilot site called Iford Farm, which aims to increase biodiversity within the national park - paid for by developers.

Situated near Lewes, East Sussex, with the rolling South Downs providing a picturesque backdrop, the 1,200ha estate is home to a breeding site for the greater horseshoe bat and is designated a Site of Special Scientific Interest.

Iford consists of four separate

farms. Together they form one of six national biodiversity backstop locations that could prove key to developers meeting their commitments under the Environment Act, which received royal assent in 2021.

New laws

Alongside the overhaul of building standards under the Building Safety Act 2022, the implementation of new biodiversity laws could well have

the biggest impact of any new legislation on the real estate sector over the next five years.

The Environment Act stipulates new developments in England must deliver a minimum 10% biodiversity net gain (BNG) over what existed before development began, with rules implemented as a Section 106 obligation.

Overseen by the Department for Environment, Food & Rural Affairs (Defra), developers have until November to form a strategy »

« as to how they will deliver BNG on any new sites, including provisions for ongoing maintenance and monitoring. Details of net gain plans will be a pre-commencement planning condition submitted to a local authority.

A key part of the new legislation is the rule that any biodiversity increase needs to last for 30 years, with evidence that the commitment is monitored for the duration of the term.

With just under nine months until the new laws come into force, a key problem for developers is working out a practical strategy to deliver BNG. According to Weston, sites like Iford Farm will be indispensable to those that find they cannot deliver all net gain requirements within the confines of their own development sites.

"The idea of sites like Iford is that they create a backstop so that the government isn't accused of stifling development," says Weston. "If a developer says 'we cannot do BNG on site', then they can go to a national reserve and draw down credits from there."

Biodiversity boost

Many major developers have begun to take BNG seriously. In June last year, Grosvenor launched a strategy aiming to boost biodiversity across its UK portfolio. The developer has given itself a target of 20% biodiversity increase on managed green space and a 100% rise by 2030 in developments using Defra's Biodiversity Metric 3.0. To achieve this, Grosvenor will create a mix of wildflower grasslands and wildlife-friendly planting.

Last October, *Property Week* reported on Mount Anvil's partnership with Kew Gardens, which aimed to help developers create better habitats for pollinators (p35, 21.10.22).

Architecture practice HTA Design has been prototyping a BNG-led approach to masterplanning and design for several years. The practice's partner for landscape design James Lord says that while clients are well informed about

biodiversity laws, implementing a plan to meet that goal remains challenging.

"In our experience, clients are well informed but acknowledge the challenge to implement BNG," he says. "Some have been readying themselves for this change in legislation for a while.

"It is always best to deliver what you can on site - this is the preferred approach and in many ways the most valuable. It is possible to 'export' your BNG deficit within your own development pipeline, to local offsite projects or to regional projects that support landscape scale transformation.

"Each development will have a different strategy for delivering BNG, but think about it early and set a clear strategy in the development process."

Even for developers that have green-leaning credentials, implementing BNG policies comes at a cost. According to Defra, the tariff rate for a biodiversity 'unit' could be anything from £9,000 to £15,000. In reality, those costs could be much more.

Iford Farm currently has two agreements close to being inked, which together cover 3ha and generate nine units, with prices ranging from £25,000 to £35,000 per unit.

"We know that BNG costs developers around £25,000 per unit," says Weston. "We have some developers that want to be entirely self-sufficient and that build homes and keep the net gain on site. Others want to offsite the 10% gain and some want to offsite all the BNG so they can maximise their developable area."

Weston estimates that Iford



James Lord
HTA Design

“It is always best to deliver what you can on site



Second nature: veteran environmental consultant Anthony Weston has advised on

Farm has the capacity to hold around 3,000 biodiversity units, with the plan to transform areas into new habitats in perpetuity, not simply plough them up after 30 years.

"There is certainly a cost associated with BNG," says Clive Nichol, chief executive of developer and investor Fabrix. "But the cost of not adopting this approach in construction will be much greater for the planet in the long term.

"We are witnessing a growing demand from investors for future-proofed and sustainable buildings, as these are continuing to attract a green premium and helping secure tenants. Those buildings that don't meet these requirements are starting to see a 'brown' discount.

"Biodiversity is an investment worth making, as it will pay back not only in social and environmental impact terms but also from a financial investment perspective."

Fabrix worked on the reimagining of Blackfriars Crown

Court, which has seen an inner-London development exceed the 10% uplift required by legislation to create one of the largest roof gardens in Europe (see box, p37).

Habitat bank

According to Weston, some of the big developers have bristled at the sums needed to pay for BNG, and those with land banks have considered setting up their own schemes. However, for those that are not keen on creating an ecology team dedicated to managing biodiversity for three decades, the backstop sites are a viable option.

Weston adds: "Some people have decided to go and buy their own land, which is a fine idea. However, ecology isn't a developer's core business model. They may not want to be tied to managing land for a generation. That is where landowners who have been owning land for decades or more are at an advantage.

"I know local ecologists who are getting enquiries from developers



the biodiversity pilot scheme at Iford Farm

saying ‘we’ll pay for what we need to pay for, but can you point us in the direction of someone who can do this off site for us?’”

The Iford Estate is now moving into the spades-in-the-ground phase to create a habitat bank available for developers to draw on come this autumn. According to Weston, local authorities have already begun the process of placing BNG within Section 106 agreements, with the approach potentially following the example of how nutrient neutrality covenants were placed on sites.

“The Environment Act stipulates at least 10% BNG uplift, but some

local authorities are looking at higher aims, up to 20%, which will mean more cost to the developer. So that needs to be considered,” he says.

“What developers could be doing and thinking about is looking at early draft templates of conservation covenants and seeing what they look like. When it comes to Iford, there really aren’t many people who have an oven-ready scheme that has gone through all these thought processes.”

The stipulations within the Environment Act and how they are implemented will become clearer after November with the expected start of enforcement. If initiatives like Iford Farm work, then it is hoped that the UK’s declining biodiversity can be reversed – or at least slowed by input from the built environment.

How each developer resolves its ecological equation remains to be seen. However, schemes such as Iford Farm can help offset BNG commitments and avoid habitat headaches in the future. ■



Clive Nichol
Fabrix

“Biodiversity is an investment worth making, as it will pay back”

Biodiversity case studies

Roots in the Sky by Fabrix



The reimagining of the former Blackfriars Crown Court in south London into a next-generation workspace includes a plan to build a sustainable rooftop habitat. More than 100 trees and 10,000 plants have been included in what will be a 1.4-acre urban forest rooftop. The scheme has been dubbed an “edible forest for foraging” by its creators and will be open to the public. The proposals include a seed bank and community pavilion. Stag beetles have also been placed in situ three to five years in advance to activate the soil. Alongside raising biodiversity, the scheme will store excess rainwater and thus help alleviate potential flash flooding.

Claremont Park by HTA and Related Argent



At Claremont Park in Brent Cross Town, north London, HTA Design was hired to turn what would have been an ornamental planting scheme into a more biodiverse and climate-resilient urban park. The area includes woodland, wildflower meadows and orchards with apple, pear and plum trees. More than 300 trees, including beech, lime, pine, walnut and weeping willow, have been planted in key locations where they will form focal points and have room to grow large canopies.