

THE APPLICATION OF BIODIVERSITY NET GAIN

The continued measured decline in biodiversity has been considered as being detrimental to our environment and likely to impact the quality of life within society. A radical new approach to planning and development designed to deliver a net gain in biodiversity is about to commence in order to counter this decline.

What is Biodiversity Net Gain?

Biodiversity Net Gain (BNG) is an approach to development which leaves biodiversity in a better state than it was prior to the development. Achieving BNG means that natural habitats will be extended or improved as part of a development or project. Development will be designed in a way that provides benefits to people and nature and reduces its impact on the wider environment. In all cases, BNG should seek to bolster the **local** ecological network by providing habitat that is relevant to the area and which will complement the existing habitat mix.



Legislative Framework

The Environment Act 2021 includes provisions that make the achievement of 10% biodiversity gain mandatory for developments under the Town and Country Planning Act 1990. Mandatory BNG was due to come into force on 1st November 2023 (now delayed until January 2024). It will apply to all applications that have not been determined by that date.

In national policy context, the National Planning Policy Framework (NPPF), Paragraph 180, refers to securing measurable net gains for biodiversity. Paragraphs 22 to 27 of the National Planning Practice Guidance (NPPG) on the Natural Environment provides further information and guidance on BNG.

Emerging Local Planning Policy will now be required to ensure wildlife enhancements are incorporated into the design to achieve a net gain in biodiversity.

How should you prepare for BNG?

The transition period over the next months is key and early consideration of BNG in your plans and projects is just one way in which you can start thinking about it.

Most LPA's have set up a BNG Steering Group. These groups meet up regularly to discuss and implement the Government's aim of mandatory BNG (mandatory January 2024) and it provides the opportunity to talk to others, including local wildlife groups and nature partnerships and work collectively to define what the priorities are for biodiversity. They are also considering how this fits longer term with bigger, more joined up ambitions for nature's recovery

- **Councils:**

The LPA's are also thinking about how biodiversity net gain fits in with their existing plan, strategies and proposed local plan allocations. BNG can complement their wider biodiversity objectives, whether creating new green infrastructure or improving climate resilience.

- **Developers:** Developers can start thinking about how BNG fits with their projects as early as possible; evidence shows that the earlier projects start to think about BNG, the easier they will find it to deliver alongside their other requirements and ambitions.
- **Landowners:** Landowners can also start identifying potential net gain sites and undertake metric calculations early on to establish the baseline value of sites. Starting work early can lead to more than doubling of the number of units available for sale within just a few years.

Natural England's Biodiversity METRIC calculation tool.

To assist, Natural England has produced a calculation tool named the Biodiversity METRIC which has recently been updated to version 4.0. This metric is an excel spreadsheet which uses information about habitats as a proxy measure for biodiversity. Information is entered about the habitats present. The metric then translates this information into a score which is presented in biodiversity units. The information needed is taken from habitat identification mapping surveys of the site by your qualified ecologist.



Condition of each habitat identified as being present is assessed against UKHabs criteria. This Information for each type present prior to development (taking into account any deliberate harm to biodiversity in the recent past) is entered to form the baseline. Then the proposed post development habitat information is entered. If off-site BNG is proposed, the baseline and post development scores for the offsetting site are also entered. In order to meet the calculator's "Trading Rules" habitat replacement must be "Like for Like". Also any land offered off-site should be nearby and considered ecologically well connected. To meet BNG requirements a development must have a sufficiently higher biodiversity unit score after development than before development. Now a minimum of 10% will be required but individual LPA's may set higher limits. Irreplaceable habitat is excluded from the Metric because its protection and enhancement is covered by other policy requirements.

The Small Sites METRIC is also under revision to be effective in April 2024. Consideration is to be given in order to not overly impact homeowner development or the expansion and growth of small businesses.

It is the nature of development that habitats will be lost to the built environment. Therefore the creation of new enhanced habitats will impact the number of dwelling units that can be provided within a proposed site. This will be best established from conception by consulting with your ecologist and producing a biodiversity feasibility study. Financial compensation alone for habitat to be lost is unlikely to be acceptable within Local Planning Policy.

Currently the approach to BNG is not supposed to be mechanistic and rather a balance of professional ecological opinion with the results of the BNG METRIC to be a valuable contribution to that opinion. Natural England expect this approach to change from January 2024 to one of the BNG METRIC v4.0 to be mandatory and the "Trading Rules" are to be met. Ecological enhancement features that are currently not included in the calculation such as bird and bat boxes, hibernacula, bee towers etc. are to be encouraged as valuable enhancements but will not impact the BNG result.

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