



Key Lessons in Responding to Planning Applications to Ensure a Net Gain for Biodiversity

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Biodiversity Net Gain – A Transformational Opportunity



Nature



People & Places



Economy



Local Planning Authority Role

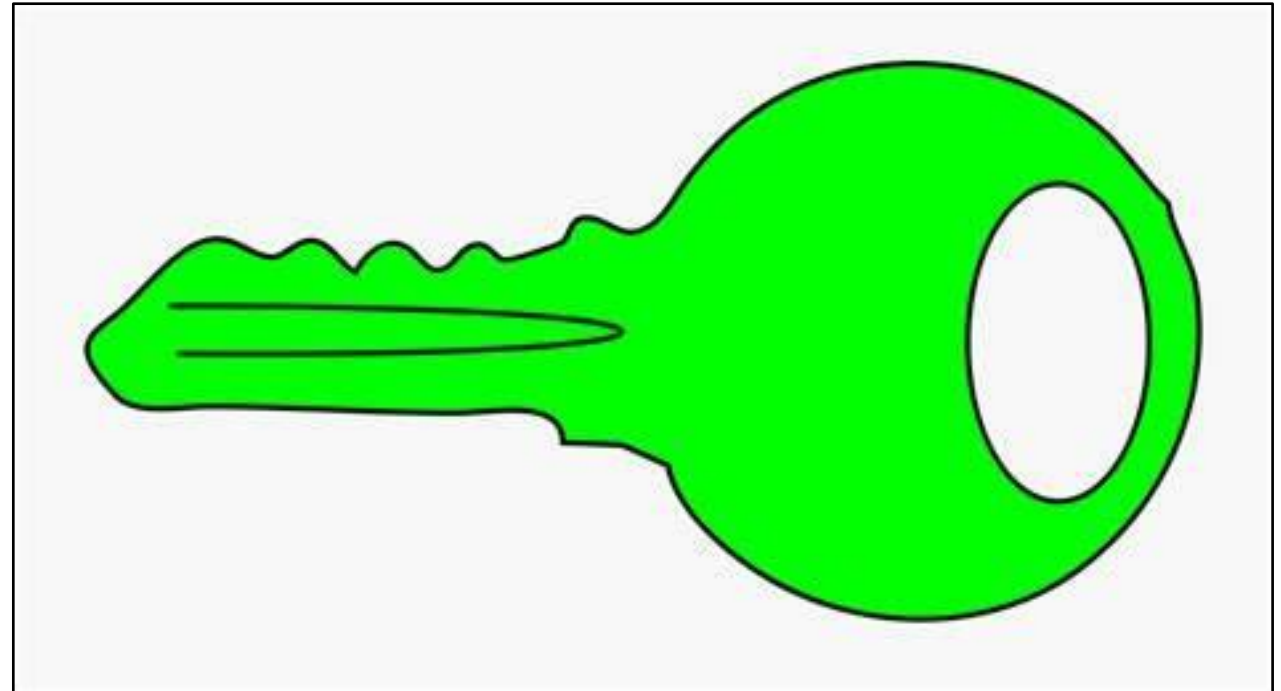
NATURAL
ENGLAND

Opportunity

- Local nature recovery
- Health & well-being
- Greenspace investment
- Placemaking

Challenges

- Clarity of BNG requirement
- Links to other plans/strategies
- Resourcing and expertise
- Viability concerns



Biodiversity Net Gain Now



- **National Planning Policy Framework (NPPF)**

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

*(d) minimising impacts on and **providing net gains for biodiversity**, including by establishing coherent ecological networks that are more resilient to current and future pressures*

- **Planning Practice Guidance (PPG)**

Biodiversity net gain delivers measurable improvements for biodiversity...Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006.



Mandatory Biodiversity Net Gain – Key Components



The Environment Bill

- England only
- Town & Country Planning Act (TCPA) and Nationally Significant Infrastructure Project (NSIP) developments
- Applies down to mean low water
- Minimum 10% gain required calculated using **Biodiversity Metric** & approval of **net gain plan**
- Habitat secured at least **30 years** (planning obligation/conservation covenants)
- Delivered, on-site, off-site or via statutory biodiversity credits
- National **register** for net gain sites
- Likely to become law – late 2023 (TCPA) end 2025 (NSIP)
- Does not change existing legal protections
- Does not apply to Marine – addressed separately



Secondary Legislation and Regulations



Secondary Legislation covering:

- Biodiversity Net Gain Plan
- Exemptions
- Irreplaceable habitats
- Phased developments
- Net gain register
- Etc

Further Regulations e.g.

- Additionality incl. stacking and bundling
- Statutory Biodiversity Credits



Additional Related Components of the Environment Bill

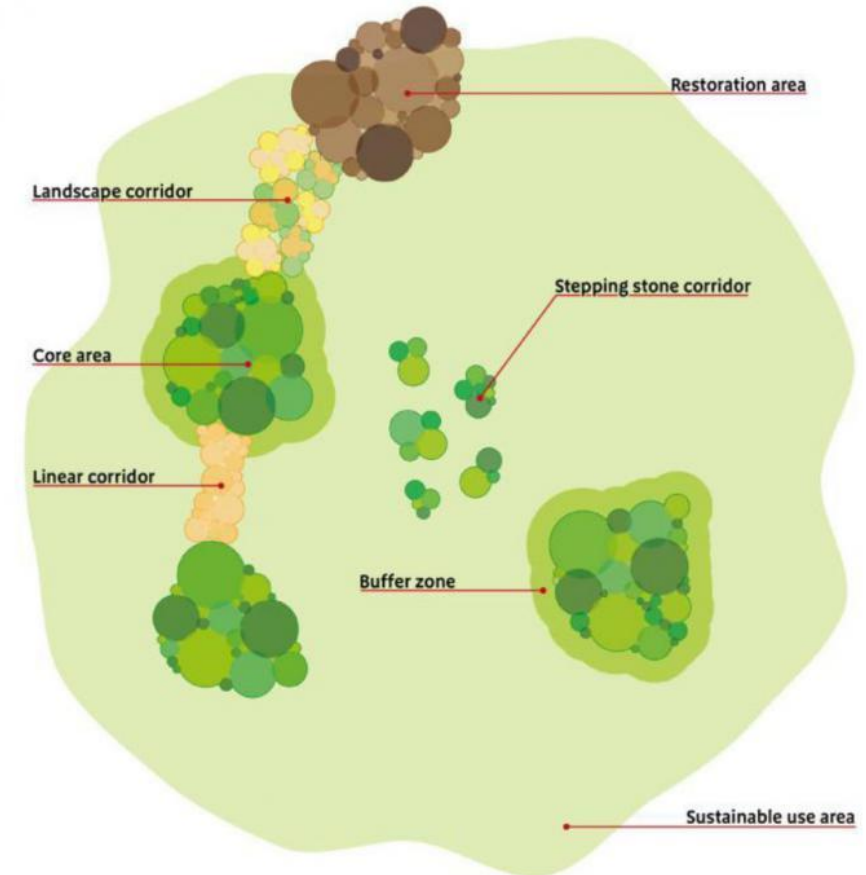


Local Nature Recovery Strategies

- Locally developed, spatial strategies for nature working within a national framework.
- Identify opportunities and priorities for enhancing the natural environment
- Inform and underpin the national Nature Recovery Network (NRN)
- Can be used to target net gain delivery

Conservation Covenants

- Legally binding private voluntary agreements between landowners & responsible bodies
- Can be used as alternative to planning obligations to secure BNG outcomes



Mechanisms for Biodiversity Net Gain Delivery



Onsite (units)

Potentially in full or combination



Delivered via habitat creation/enhancement via landscaping/green infrastructure

Offsite (units)



Delivered through new habitat creation/enhancement on land holdings or via habitat banks

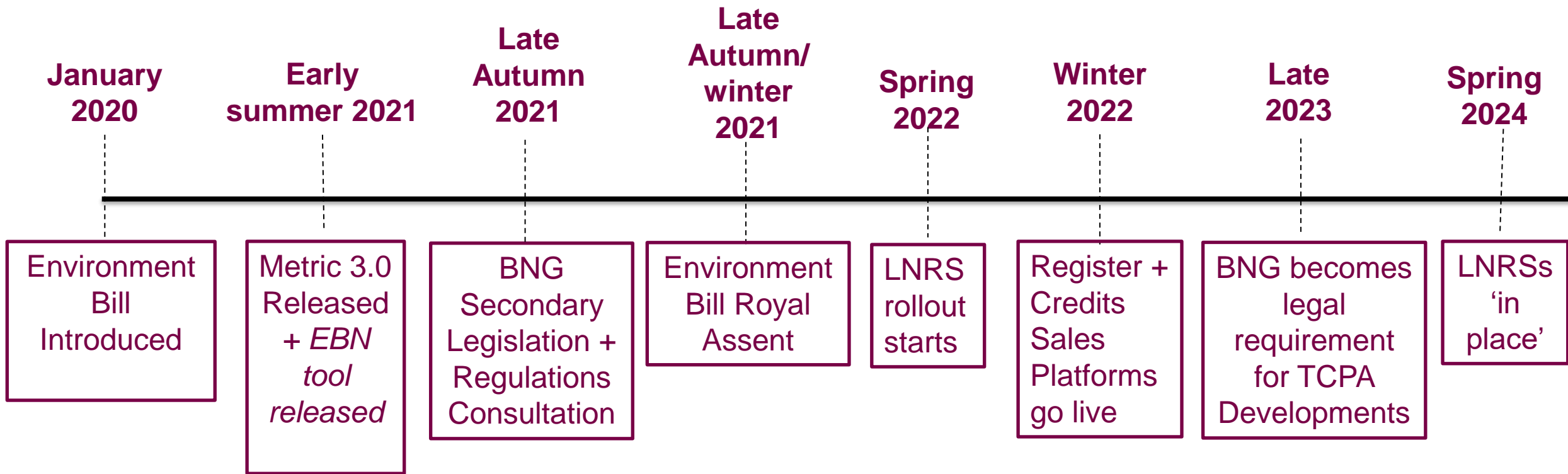
Statutory Credits

Only if units not available



Delivered through landscape-scale strategic habitat creation delivering nature-based solutions

Mandatory BNG - Indicative Timetable*



* All dates subject to potential change

The Importance of a Metric



Fundamental to net gain

Net gain is an approach to development, and/or land management, that leaves the natural environment in a measurably better state than beforehand.

The metric:

- Calculates baseline + forecast outcome
- Provides confidence
- Ensures consistency of approach

Needs to be:

- Simple yet sound



Biodiversity Metric 3



- Released summer 2021
- Uses habitat features as a 'proxy' measure
- Translates into biodiversity units
- All intertidal and terrestrial habitat features
- Area and linear habitat types
- Calculations based upon:
 - Habitat size
 - Habitat condition
 - Habitat distinctiveness
 - Spatial location
- GIS data import facility
- Secretary of State consultation 2022



Metric Applications



Guidance, Advice, Standards and Training



Available Now

- CIEEM/IEEMA/CIRIA – *Biodiversity Net gain: Good practice principles*
- Planning Advisory Service (PAS) – BNG advice webpage and workshops/webinars
- Metric 3 – user and technical guidance
- CIEEM - BNG and metric 3 training courses
- BS 8683:2021 – *process for designing and implementing biodiversity net gain*
- Natural England & Environment Agency area teams

To Come

- Metric 3 case studies
- BNG policy guidance



BNG Considerations for Planning Authorities



- **LPA role is key**
- **Net gain opportunities** now e.g. embed into local plans/SPDs
- Refer to **guidance/standards** – CIRIA/CIEEM/IEMA, BS8683 or Government Advice
- Agree and map your **local priorities** in conjunction with Local Nature Partnerships, eNGOs etc e.g. LNRS, GI strategy, biodiversity opportunity areas
- Consider **links to other plans and strategies** e.g. Health & Well Being
- Consider you **own land holdings** and raise awareness amongst **local landowners**
- Gain familiarity with the **biodiversity metric 3**
- Establish your **reporting/monitoring requirements**

