New Biodiversity Net Gain Requirements for Major Planning Applications

N.B- This information will be updated regularly, and more guidance will be made available in due course of time.

Biodiversity is a term given to the variety of living things on our planet. This includes species, habitats, and ecosystems. Biodiversity Net Gain, also known as BNG, is an approach to planning and land management. It aims to improve biodiversity and leave it in a better state than before.

Mandatory Biodiversity Net Gain (as set out in the <u>Environment Act 2021</u>) will apply to new applications for planning permission for major development made from 12th February 2024 and on small-scale applications from April 2024. The following webpage sets out the legislation related to BNG:

The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 - GOV.UK (www.gov.uk).

Major planning applications for a site will need to submit a 'gain plan' before planning permission can be granted. Preference is given to on-site gain, followed by off-site gain, which can be purchased from a habitat bank or created on other land in the same 'National Character Area' as the site.

Site categories

BNG exempt	BNG applicable from February	BNG applicable from April
	2024	2024 Small Site Metric (SSM)
 Householder applications Permitted development under the GPDO Development impacting habitat of an area below a 'de minimis' threshold of 25 square metres - for example, 5 metres by 5 metres Biodiversity gain sites - where habitats are being enhanced for wildlife small scale self-build and custom housebuilding Change of use * *Change of use that could have a significant impact on biodiversity, and is capable of being defined, falls under BNG rules. 	 The development is 10 or more residential units on any size site The development is non-residential and the site is ≥1ha The SSM metric cannot be used, but the site is not exempt. 	 ≤ 10 residential units on a site ≤ 1 ha or ≤ 0.5ha If non-residential, site is ≤ 1,000 sqm/ area is less than 1ha SSM cannot be used with priority habitats, those not included in the SSM or European protected species If off-site interventions are required.

How biodiversity net gain is measured

The government has produced the biodiversity metric which developers must use to calculate a minimum 10% gain on the pre-development biodiversity value of the site. The metric calculates Biodiversity Units based on the habitats present on site or proposed to be created. Achieving 10% net gain means fully compensating for losses of habitat on a development site, but then going further so that overall, there is a gain in Biodiversity Units of at least 10% as a result of the development process.

See guidance about using the biodiversity metric on the government website.

Information to submit with a planning application.

All planning applications which are not exempt from Biodiversity Net Gain will be required to submit:

- A Biodiversity Gain Plan
- A Biodiversity Metric Calculations Sheet

View the Biodiversity Metric documents on the Natural England website.

These documents will describe how the proposed application will impact the existing baseline level of biodiversity and how a 10% net gain in biodiversity will be achieved. If these documents show a 10% net gain achieved within the sites red line boundary, no further information is required.

You may require an ecologist to produce the above documentation. It should be assumed that all major applications will require ecological input, and most minor applications.

If a 10% net gain cannot be achieved on site, then the required biodiversity units as defined by the Biodiversity Metric Calculation will have to be sourced and / or purchased from an area outside of the red line boundary, either owned by the applicant or owned by a third-party.

Further information

Natural England biodiversity net gain brochure

Natural England biodiversity net gain metric and user guide

CIEEM biodiversity net gain report and audit templates

Definitions for biodiversity net gain - UKGBC

DEFRA land use policies and framework blog