

Biodiversity Net Gain – Interim Advice Note

Purpose

This guidance outlines the council's requirements for biodiversity net gain until the emerging Bracknell Forest Local Plan is adopted or the provisions of the Environment Act 2021 take effect (whichever is first). If you would like detailed advice for your proposal the council provides a paid [pre-application advice service](#). Biodiversity net gain is a developing area of planning policy and this guidance may be updated over time.

Policy background

In 2018, the [National Planning Policy Framework](#) was revised to strengthen the requirement for biodiversity net gain (paras 8 and 174d). Planning practice guidance on [Natural Environment](#) explains "*Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development.*" This means applying the biodiversity metric and using scientific expertise to provide biodiversity net gain that is resilient to future development pressures and supported by appropriate maintenance arrangements that can be secured by planning obligations.

The emerging [Bracknell Forest Local Plan](#) was submitted for examination in December 2021 and includes Policy LP46 Biodiversity which requires a minimum 10% biodiversity net gain.

Application types

Until the emerging Local Plan is approved or the Environment Act takes effect, the following applications will be required to achieve biodiversity net gain:

- Major applications (10 dwellings or more/floorspace 1000sqm or more)
- Applications affecting areas of natural vegetation of 0.5 ha or more

This ensures that the council is securing biodiversity net gain from developments with the greatest potential impact and opportunity. Once the Local Plan is adopted or the Environment Act takes effect, most developments will be required to achieve some form of biodiversity net gain.

BNG requirements

To achieve biodiversity net gain an application must demonstrate use of the mitigation hierarchy as set out in Biodiversity Net Gain: Good Practice Principles (CIEEM/CIRIA, 2016) and referenced in paragraph 175 of the NPPF.

The council requires a minimum 10% biodiversity net gain in line with the emerging Local Plan and Environment Act 2021. This is measured in biodiversity units against the baseline of the whole site area (red line) using the DEFRA biodiversity metric (current version 3.0).

Baseline information

Biodiversity net gain measures the value of existing habitats against the predicted habitats following development. This means it is important that the baseline (existing habitats) is an accurate reflection of the site. Removal or degradation of natural vegetation at a site prior to habitat surveys being carried out will require the council to use aerial photography and historic habitat data to determine the baseline. The Environment Act Schedule 14 inserts a new section 90A and Schedule 7A into the Town & Country Planning Act 1990. This states that if a person carries out activities on land on or after 30 January 2020 (other than those approved by planning permission) any reduction in the biodiversity value of the habitats should be disregarded and the value before the activities is taken as the baseline.

Documents/plans

To process your application quickly, the council will require the following information for biodiversity net gain:

1. **Baseline Plan** – a plan of the site showing existing Phase 1 or UKHABS habitat types.
2. **Biodiversity Net Gain Plan** – a plan of the predicted habitats after development.
3. **Biodiversity Net Gain summary** – a table showing for each broad habitat type: the baseline (units and ha), predicted gains/losses (units and ha), area change (units) and percentage change (%).
4. **Biodiversity Metric** – the current version of the Natural England metric including all spreadsheets to provide evidence for calculations.

Providing BNG onsite and offsite

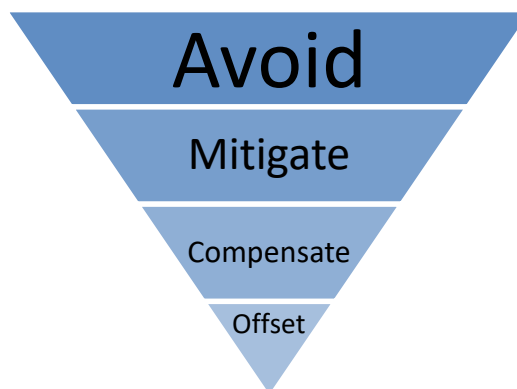
In line with the mitigation hierarchy, biodiversity net gain should be provided on site first. The use of offsite net gain contributions should be the last and smallest measure intended to cover residual net gain.

The Council does not yet have a system in place to provide offsite biodiversity net gain, but consideration will be given to developing projects to support allocated sites if necessary. Third party providers can also provide biodiversity net gain such as neighbouring landowners. Special

consideration will be given to projects that enhance habitats within priority areas such as Biodiversity Opportunity Areas, Local Wildlife Sites or Ancient woodlands.

Biodiversity net gain projects (both on and off-site) will be secured by a legal agreement and will require management for at least 30 years. Where the land is transferred to or owned by the council, commuted sums by section 106 agreement will be required for management, monitoring and a contingency fund to ensure that habitats reach their target type and condition. Where the land is retained by the developer or provided by a third party, the legal agreement will ensure there are sufficient measures in place to support long term management.

The council will require financial contributions in all relevant instances to monitor and provide a contingency for the delivery of biodiversity net gain for a period of 30 years irrespective of their location.



Further guidance

CIEEM/CIRIA (2016) Biodiversity Net Gain: Good Practice Principles

CIEEM/CIRIA (2019) Biodiversity Net Gain: A good practice guide

<https://cieem.net/i-am/current-projects/biodiversity-net-gain/>

Natural England Biodiversity Metric and Technical Supplement

<http://publications.naturalengland.org.uk/publication/6049804846366720>