



Biodiversity Net Gain (BNG)

Requirements and Guidance

May 2024

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1 Purpose

The purpose of this document is to set out what biodiversity net gain (BNG) information is required for planning applications in Bracknell Forest and is aimed at developers, businesses and homeowners. Applicants who submitted a planning application before 12th February 2024 should refer to section 19 below.

BNG is a developing area of planning policy, and this guidance may be updated over time, so it is important to look at the Council's website to ensure that this is the current version. See [Guidance for developers before making planning application](#). Detailed advice for BNG proposals can be provided through the Council's charged [pre-application advice service](#).

In time, the Council intends to produce a Supplementary Planning Document to support the emerging Local Plan Biodiversity Policy. Further information should be requested from biodiversity@bracknell-forest.gov.uk

2 Background

BNG requires development to be planned and designed in ways that minimise any loss or damage to existing habitats, to compensate for any damage caused by the development and to deliver a net positive gain in biodiversity through enhancements.

Consideration of BNG at the site selection stage or early in the site design process will help deliver a high-quality development scheme and minimise costs by reducing the need to provide replacement habitats. This should allow for a more economically viable scheme to be developed.

The biodiversity gain objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. A net gain can be achieved by creating and enhancing habitats on the development site, delivering or purchasing units off-site or by purchasing statutory credits. Further information can be found on the Government website [Biodiversity net gain](#).

BNG applies *in addition* to existing ecological requirements, such as protection for designated sites and certain species. BNG focuses on habitats as a guide for biodiversity, measured in biodiversity units. Each parcel of habitat will provide a number of units, based on things like its type, condition and location.

BNG is based on the calculation of biodiversity value using a standardised methodology of the biodiversity metric. This must be completed by a competent person and applicants are advised to take advice from a suitably qualified and experienced ecologist. The requirements are different when using the small sites metric. See section 11 below.

The general biodiversity gain condition applies to every planning permission granted for the development of land in England (unless exemptions or transitional arrangements apply). The condition is that the development may not be begun unless:

- a. a biodiversity gain plan has been submitted to the planning authority and
- b. the planning authority has approved the plan.

Prior to determination of the application, the Council must consider whether the general biodiversity gain condition is capable of being successfully discharged. The information required to enable the Council to do this, is outlined in this document.

3 When is BNG required?

Mandatory BNG is being introduced on a phased basis, as set out in the table below. This includes full planning applications and outline applications with some or all matters reserved. There are some exemptions (see section 6 below).

Scale of development	Date	Details
Major development	From 12th February 2024	• Residential development providing 10 or more homes, or the site has an area of 0.5 hectares or more, if number not known • Non-residential development providing an additional 1,000m² of more of floorspace • Any application site of 1 hectare or more • Change of use applications over 1,000 square metres
Minor development (small sites)	From 2nd April 2024	Non-major developments, for example: • Residential development where the number of dwellings is between 1 and 9, or if unknown the site area is less than 0.5 hectares • Commercial development where floor space created is less than 1,000 square metres or the total site area is less than 1 hectare • Smaller change of use applications

4 Legal and Policy Framework

In England, BNG became mandatory under [Schedule 7A of the Town and Country Planning Act 1990](#) (as inserted by Schedule 14 of the Environment Act 2021). [The Biodiversity Net Gain Statutory Instruments](#) became law from 12th February 2024 and provide the detail for the new BNG framework.

The requirement for planning applications to deliver a net gain in biodiversity is set out in the [National Planning Policy Framework \(NPPF\)](#) (December 2023). Paragraph 180d requires that planning decisions enhance the natural and local environment by '*minimising impacts on and providing net gains for biodiversity*'. Paragraph 185b requires plans to protect and enhance biodiversity by promoting '*the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*'

The Biodiversity Policy in the emerging Bracknell Forest Local Plan (BFLP) builds on the NPPF policy:

LP 53 Biodiversity

1. Development in the Borough will be expected to achieve a minimum 10% net gain for biodiversity.
2. Development proposals will be expected to:
 - i. provide suitable ecological survey information and assessment to establish biodiversity net gains and the extent of any potential impact on ecological features. These may include ancient woodland, veteran trees, waterbodies, wildlife corridors (including river corridors), protected species, priority species or priority habitat that may be affected during and after development.⁽⁸²⁾ This information shall be provided prior to the determination of an application;
 - ii. retain, protect, enhance and buffer ecological features and provide for their appropriate management;
 - iii. where possible, create new ecological features and incorporate provisions to maximise opportunities for biodiversity; and
 - iv. avoid fragmentation of habitats and create coherent ecological networks within the Borough such as improvements to Biodiversity Opportunity Areas and Nature Recovery Networks.
3. Where adverse impacts of development on biodiversity are identified, they must be proportionately addressed in accordance with the mitigation hierarchy of:
 - i. avoidance;
 - ii. mitigation; and,
 - iii. compensation.
4. Where the requirements of this hierarchy cannot be met, development will be refused.
5. Where biodiversity has been removed or degraded (including through neglect), the Council will take the pre-development biodiversity value as what it is likely to have been had the removal or degradation not occurred.
6. The Council will secure effective avoidance, mitigation, monitoring and compensation measures which will be maintained for at least 30 years after the development has been completed through the imposition of planning conditions, conservation covenants or planning obligations as appropriate, including monitoring of the effectiveness of these measures.

(82) Inland freshwaters as defined by the Water Resources Act 1991 as amended

The [Joint Minerals and Waste Plan](#) for Central and Eastern Berkshire contains Policy DM3 which requires at least 10% measurable net gain in biodiversity value for minerals and waste development. There are four preferred waste areas in Bracknell Forest located in Employment Areas and on Industrial Estates in Bracknell, Binfield and Sandhurst.

There are five Neighbourhood Plans in Bracknell Forest, specifically the [Warfield Neighbourhood Plan](#) (2013 – 2037) contains the following policy which states that developments should provide net gains for biodiversity:

Policy WNP11: Protecting and Enhancing Heritage and Biodiversity

- A. Development proposals must seek to avoid harm to the significance of heritage assets, including the Warfield Conservation Area, and will be assessed against paragraphs 194-208 of the NPPF.
- B. Developments should provide net gains for biodiversity. Where effects are unavoidable then the proposals must show how these effects will be mitigated. Development proposals should contribute to and enhance the natural environment by ensuring the protection of local assets such as mature trees, hedgerows, woodland, the network of Local Nature Reserves in the south of the Parish and the provision of additional habitat for wildlife and green spaces for the community.

5 Summary of Biodiversity Net Gain Process

- a. **Check** that BNG applies to the proposed development.
- b. **Surveys** - identify habitats and assess condition to establish pre-development baseline.
- c. **Apply biodiversity gain hierarchy** - avoid most valuable habitats through site selection, site layout and design, then mitigate, then compensate.
- d. **Biodiversity net gain assessment** - use statutory biodiversity metric to calculate proposed on-site and off-site plans to provide a minimum 10% increase. If off-site habitat enhancement is needed, it is advised to identify suitable off-site biodiversity enhancements and potentially reserve capacity with a habitat bank/landowner, on a provisional basis in advance of submitting a planning application.
- e. **Planning application** - submit scheme with minimum national validation requirements (see section 7 below) and local recommended requirements (see section 8 below) of proposed BNG process. If approved, conditions and obligations will be applied to secure BNG.
- f. **Discharge conditions** – including the submission of the final biodiversity gain plan.
- g. **Create, enhance, maintain and monitor habitats** - only off-site gains and [significant on-site gains](#) need to be secured for a minimum of 30 years. What counts as significant depends on the circumstances of each development and is an emerging area. It is likely that where all the on-site habitats being created or enhanced are small, of a low distinctiveness and predominantly deliver amenity benefits (such as ornamental planting, mown grass verges and simple gardens) they will not be viewed as significant. The biodiversity value of these habitats will still be counted within the biodiversity metric but will not be secured for the minimum 30 years. They will be secured via landscaping plans.

The Future Homes hub has published helpful BNG guidance for residential developers, including a [process map](#) which covers key steps in the planning application process.

6 Exemptions

The following exemptions apply:

- **Non-major developments (small sites)** are exempt until 2nd April 2024 (see section 3 above)
- **Retrospective planning permissions** made under section 73A
- **Section 73 permissions** where the original permission to which the section 73 relates was either granted before 12th February 2024 or the application for the original permission was made before 12th February 2024
- **Householder development** as defined within article 2(1) of the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)
- **Development granted planning permission by a development order under section 59.** This includes permitted development rights.
- **Development subject to the de minimis exemption** - development that does not impact a priority habitat and impacts less than:
 - 25 square metres (e.g., 5m by 5m) of habitat, or
 - 5 metres of linear habitats such as hedgerows.
- **Self-build and custom build development** - development which:
 - consists of no more than 9 dwellings, and
 - is carried out on a site which has an area no larger than 0.5 hectares, and
 - consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the [Self-build and Custom Housebuilding Act 2015](#).
- **Development of a biodiversity gain site**
- **Urgent Crown development**
- **High speed rail transport network**

BNG applies to phased developments but there are different arrangements for the submission of BNG information (see further information in section 9 below). Reserved matters are not within the scope of BNG. Further information can be found in [Biodiversity net gain: exempt developments](#).

A development which is exempt from BNG may still have ecological requirements relating to, for example, designated sites or protected species.

7 National validation requirements

Planning applications must be accompanied by minimum information set out in Article 7 of [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#). Planning application forms must be completed to show that this information has been provided. Where the details have been provided in accompanying documents, applicants are encouraged to refer to these rather than duplicate this information within the application

form. If this information has not been provided, the local planning authority must refuse to validate the application.

Exempt developments

If applicants believe that their proposed development is exempt, a statement must be provided on the planning application form setting out why this is the case.

If the development is exempt, the remaining guidance in this document does not need to be considered.

All developments subject to BNG

If not exempt, the application must be accompanied by information as follows:

BNG information required to accompany a planning application	Explanation / Notes
A statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition.	○ This provides confirmation that the applicant understands that the development will be subject to BNG.
The pre-development biodiversity value of the on-site habitat on the date of application (or an earlier date) including the completed metric calculation tool used showing the calculations, the publication date and version of the biodiversity metric used to calculate that value.	○ This means that the statutory biodiversity metric, in Excel format, must be submitted with tabs A1 (On-Site Habitat Baseline), B1 (On-Site Hedge Baseline) and C1 (On-Site Watercourse Baseline) completed as relevant to the development site. On the Start page, the 'Date of Metric Completion' box must be filled in. ○ For more information on the biodiversity metric see section 11 below.
Where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date.	○ As part of the planning application form, an applicant will need to identify the date being used to calculate the onsite pre-development value. This is either the date of the application or a proposed earlier date. If the applicant proposes an earlier date, they must provide the reasons for this.
A statement confirming whether the biodiversity value of the on-site habitat is lower on the date of application (or an earlier date) because of the carrying on of activities ('degradation') in which case the value is to be taken as immediately before the carrying on of the activities, and if	○ This means that if an area of habitat has been cleared or degraded (for example, trees cut down, scrub cleared, grass mown where it usually would not have been), details need to be provided on the value of the habitat before that degradation took place.

BNG information required to accompany a planning application	Explanation / Notes
degradation has taken place supporting evidence of this.	○ For more information on baseline habitats and degradation see section 13 below.
A description of any irreplaceable habitat (as set out in column 1 of The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 on the land to which the application relates, that exists on the date of application, (or an earlier date).	○ For more information on irreplaceable habitats see section 14 below.
A plan, drawn to an identified scale which must show the direction of North, showing on-site habitat existing on the date of application (or an earlier date), including any irreplaceable habitat.	

8 Information recommended to be supplied to support a planning application

To ensure the biodiversity gain objective is met and the general biodiversity gain condition can be discharged successfully, it is important biodiversity net gain is considered from the design stage and throughout the planning process.

Considering and providing information at the application stage about how BNG will be delivered will help applicants to plan work, avoid delays and allow the Council to consider whether the general biodiversity gain condition is capable of being discharged successfully.

As set out in policy LP 53 Biodiversity of the emerging Bracknell Forest Local Plan, it is recommended that the following information is submitted with the planning application. Details can be submitted in a draft [biodiversity gain plan](#).

BNG information recommended to accompany a planning application	Explanation / Notes
Post-development plans for on-site BNG	○ This should include UKHab maps. ○ Statutory biodiversity metric calculations to show the calculation of biodiversity value post development. ○ Where there are significant on-site biodiversity enhancements, a draft habitat management and monitoring plan (HMMP), preferably using the template suggested by Natural England, which sets out the proposals for long term maintenance of habitats to be

BNG information recommended to accompany a planning application	Explanation / Notes
	secured through planning condition or planning obligation. ○ It should be stated whether there is an excess of on-site biodiversity units that intend to be used for other developments or sold to the market.
Post-development plans for securing registered off-site units (anything outside the red line boundary, even if the land is within the same ownership).	○ Proposals for how the need for off-site units will be met. ○ This should include draft statutory biodiversity metric calculations. ○ See section 15 below on securing off-site units for further information.
Justification for using off-site units	See section 12 below on designing for biodiversity net gain
Justification for using statutory credits	See section 12 below on designing for biodiversity net gain
Bespoke mitigation plans	If development affects irreplaceable habitats or if the bespoke compensation option is to be agreed for high or very high distinctiveness habitats these must be agreed with the Council in addition to the biodiversity gain plan. It is strongly recommended to discuss this with the Council at pre-application or application stage.

These requirements are in addition to the existing requirement for many applications to provide an Ecological Impact Assessment.

9 BNG information that must be submitted prior to commencement of development

The final biodiversity gain plan, preferably using Defra's template, must be submitted and approved by the Council (discharging the general biodiversity gain condition) before the commencement of development. Applications for phased developments will need to be supported by an overall biodiversity gain plan and a phase biodiversity gain plan. If Defra's template is not used the applicant must provide all the information required under paragraph 14(2) of Schedule 7A of the Town and Country Planning Act 1990. See [Environment Act 2021](#).

10 Conditions and obligations applied to approved planning permissions

Conditions

The following condition will be applied to all planning permissions (if not exempt):

The general biodiversity gain condition

The general biodiversity gain condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional arrangements apply). The condition is that the development may not be begun unless:

- a. a biodiversity gain plan has been submitted to the planning authority and
- b. the planning authority has approved the plan.

This condition cannot be removed or amended. The gain plan will provide the full details of how at least 10% biodiversity net gain will be achieved for the development. It is a pre-commencement condition.

The following conditions are likely to also be required:

Habitat Management and Monitoring Plan (HMMP)

A [HMMP](#) will be required to show how the biodiversity gain plan will be implemented. It will need to include details of establishment of new habitats, initial works to enhance habitats, long-term management to reach the target habitat type and condition, and how this will be monitored. HMMPs will need to be able to be implemented for at least 30 years after the Council has signed off the completion of initial habitat works.

Landscaping plans

Landscaping plans are already often a condition of planning permission. The landscaping plan will need to align with the biodiversity gain plan and the HMMP. For example, if the BNG plans show a native hedgerow is to be planted, the landscaping plans will need to show this hedgerow and only include native species in the planting list.

Obligations

Obligations will be secured by a Section 106 agreement. These obligations are likely to be required for sites with significant on-site biodiversity gains (see section 5 above) or where off-site units are being delivered. The obligations include:

- To secure a minimum 30-year maintenance for significant on-site biodiversity gains.
- To provide payment for a monitoring fee calculated in accordance with the Council's published schedule of [monitoring fees](#) (as amended from time to time).
- To ensure off-site biodiversity units from registered sites (habitat banks) are secured, delivered and maintained.
- To facilitate financial contributions towards Council off-site biodiversity units.

A s106 agreement may not be required in relation to national biodiversity credits. However, proof of purchase of national credits as well as registered biodiversity units must be provided in the biodiversity gain plan, at discharge of condition stage.

Implementation of HMMP

There will be an obligation to implement the habitat creation and enhancement works in the HMMP.

Agreement of completion of habitat works

There will be obligations for the applicant to inform the Council that the initial habitat works have been completed and for the Council to agree that it is satisfied that such works have been undertaken in accordance with the HMMP. This is when the minimum 30 years maintenance and monitoring period begins.

Maintenance throughout the minimum 30 years from completion of habitat works

There will be an obligation for the developer to manage the habitats to reach the target habitat type and condition in line with the HMMP over the minimum 30 years.

Monitoring

There will be an obligation to monitor the habitats in line with the HMMP for at least 30 years. Monitoring reports will need to be submitted to the Council at agreed intervals. It is recommended that the Natural England [Monitoring Plan Template](#) be used to report progress updates on the delivery of the agreed HMMP.

Monitoring fee

A [monitoring fee](#) will be required to cover the costs of reviewing monitoring reports and any subsequent work needed to be undertaken by the Council. These fees and charges may be amended from time to time.

Other conditions and obligations

There may also be conditions and obligations relating to other ecological matters such as protected species, which do not fall under BNG.

11 Measuring biodiversity

The statutory biodiversity metric

Biodiversity units before and after development are [calculated](#) using the [statutory biodiversity metric](#).

When submitted to the Council the metric must be provided as an Excel spreadsheet, with the supporting condition assessment sheets. It must have been completed by a competent person, following the rules and guidance in the [Statutory Biodiversity Metric User Guide](#).

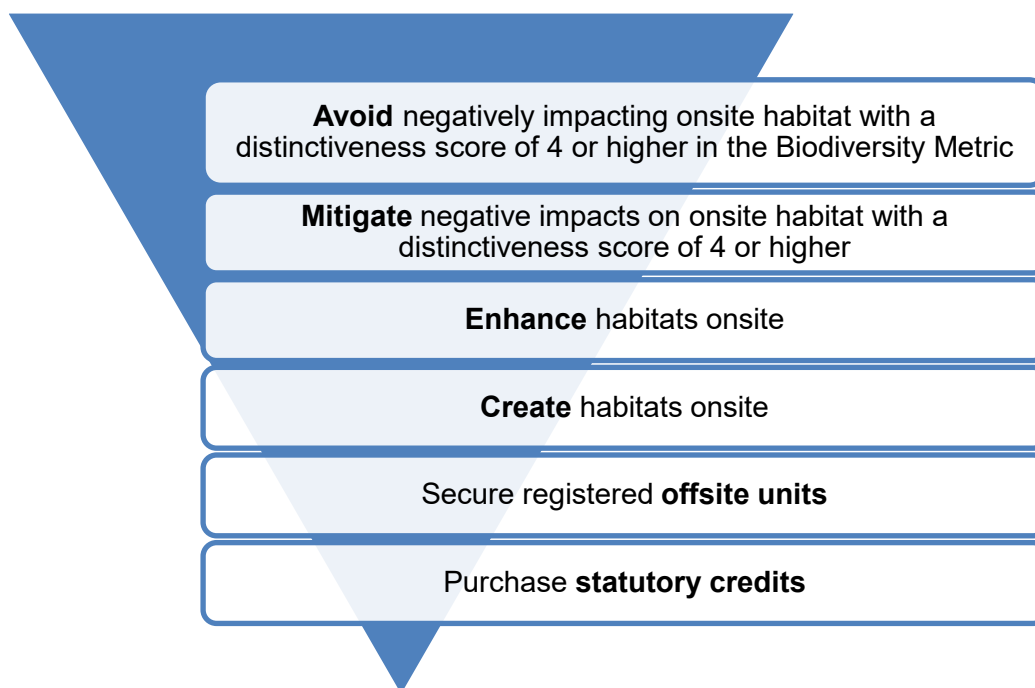
Small sites metric

Small sites can use a simplified version of the metric, called the small sites metric (SSM). If the SSM is used, an ecologist is not required. However, the SSM cannot be used on sites where the following are present:

- habitats not available in the SSM
- priority habitats (excluding some hedgerows and arable field margins)
- protected sites
- European protected species

12 Designing for biodiversity net gain

In order to deliver a BNG of at least 10%, the biodiversity gain hierarchy must be followed. The steps below should be taken in order, only moving to the next stage if all possible options have been taken at the previous stage:



It is important to consider this hierarchy from the earliest stage possible - from selecting a site and considering development proposals to designing the development. Consideration should be taken of [what you can count towards a development's biodiversity net gain](#).

13 Baseline information and degradation

Degradation of on-site habitat to reduce the pre-development biodiversity value is not acceptable. This could include cutting down trees, clearing scrub or mowing grass which would not usually be managed in that way. There are special provisions for calculating the pre-development biodiversity value where degradation has taken place.

Where unauthorised degradation of the on-site habitat has taken place between 30 January 2020 and the date of the submission of the planning application, the pre-development value of the on-site habitat is the biodiversity value of the habitat immediately before the carrying out of these degradation activities. This is the date which should be quoted when calculating the onsite pre-development biodiversity value.

Unauthorised degradation of on-site habitat is any degradation which is not in accordance with a previous planning permission. If there has been unauthorised degradation and there is insufficient evidence about the biodiversity value of the on-site habitat immediately before the degradation, the pre-development biodiversity value of the on-site habitat must be taken to be the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it.

14 Irreplaceable habitats

Irreplaceable habitats are already protected by the National Planning Policy Framework: *development resulting in the loss or deterioration of irreplaceable habitats... should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.*

The loss or deterioration of these exceptionally special habitats cannot be adequately captured by the biodiversity metric. Therefore, the statutory framework for biodiversity net gain treats irreplaceable habitats differently.

[The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#) define and list irreplaceable habitats for the purposes of biodiversity net gain. The irreplaceable habitats which may be relevant for developments in Bracknell Forest are:

- Ancient woodland
- Ancient trees and veteran trees
- Lowland fens

Irreplaceable habitats are included within the calculation of the pre-development and post-development biodiversity value of the on-site habitat. However, they will not be assigned a value unless there is an enhancement proposed to the habitat. In any scenario, the habitat must be recorded in the irreplaceable habitats sheet of the metric.

Enhancement

If the irreplaceable habitat is not negatively affected and is to be enhanced, a bespoke compensation package is not necessary and does not need to be agreed. The value of any enhancement can contribute to 10% biodiversity gain requirement.

No loss or deterioration (and no enhancement)

The biodiversity value of the irreplaceable habitats is not included in the baseline calculation and will not contribute to the achievement of 10% biodiversity net gain. A bespoke compensation package is not necessary.

Losses or deterioration

The biodiversity value of the irreplaceable habitats is not included in the baseline calculation and a bespoke compensation package needs to be agreed with the Council, in addition to the biodiversity gain plan. The planning authority must be satisfied that the adverse effect is minimised and that appropriate arrangements have been made for the purpose of compensating for any impact which do not involve the purchase of biodiversity credits.

15 Securing off-site units

Guidance to developers needing to secure off-site units is set out in [Make off-site biodiversity gains as a developer](#). A legal agreement must be in place to secure off-site habitat enhancements and the units must be registered by the provider on the [biodiversity gain sites register](#) operated by Natural England. The legal agreement can be in the form of a Section 106 agreement with the Council if the gain site is located in Bracknell Forest. Depending on the impacts of a development and availability of suitable biodiversity units locally (within the borough), it may be necessary for compensation to be provided off-site outside of Bracknell Forest. If the intention is to use biodiversity units from a registered

habitat bank, these will need to be purchased prior to commencement of the development. The relevant information must be included in the final biodiversity gain plan, submitted with the discharge of condition application.

In order to facilitate development, the Council has been taking contributions towards habitat enhancements on Council land from developments where sufficient BNG cannot be delivered on-site. However, due to the change in legislation, from 12 February 2024 the Council will need to work with a Responsible Body to add Council BNG (habitat bank) sites to the national register. Currently there are no Responsible Bodies and so Council BNG sites cannot be registered or allocated. When this situation changes, this guidance will be updated.

In the meantime, developers will need to provide their own off-site units (if registered) or source these from other registered habitat bank providers. The Council is currently unaware of such providers locally but will maintain a list of these when available. Developers should contact the Council for this list at biodiversity@bracknell-forest.gov.uk

Land managers considering providing biodiversity units at sites in the borough are advised to contact the Council at biodiversity@bracknell-forest.gov.uk to discuss this. The Council will assess a proposed biodiversity gain site proposal and agree a s106 legal agreement with the landowner, if suitable. See [what land managers have to do](#) for further information.

16 Statutory biodiversity credits

The [biodiversity credits scheme](#) allows the government to sell biodiversity credits to developers if the required biodiversity net gains cannot be achieved on-site or through the off-site market. These credits will be invested in habitat creation at a number of sites across the country. The use of these credits should be the last resort. The [price of biodiversity credits](#) are set higher than prices for equivalent biodiversity gain on the market.

17 Strategic significance

A Strategic Significance score of High, Medium or Low must be assigned to each habitat line in the Biodiversity Metric, for pre-and post-development habitats. From 2025 onwards, the Local Nature Recovery Strategy (LNRS) for Berkshire will set out which locations and habitats the high strategic significance scoring applies to.

In the meantime, high strategic significance can be given to habitats of medium, high or very high distinctiveness in the Statutory Metric which fall within:

- Special Protection Area
- Special Area of Conservation
- Site of Special Scientific Interest
- Local Nature Reserve
- Local Wildlife Site
- Biodiversity Opportunity Area

These areas are all shown on Bracknell Forest Council's [Nature and Wildlife](#) map.

High strategic significance can also be given to enhancement of irreplaceable habitats.

18 Spatial Risk

Where a project cannot achieve a net gain in biodiversity units onsite, then offsite units can be used to meet the BNG requirement. The spatial risk multiplier in the biodiversity metric reflects the relationship between the location of onsite biodiversity loss and the location of offsite habitat compensation. It affects the number of biodiversity units provided to a project by penalising proposals where offsite habitat is located at distance from the impact site.

The biodiversity metric applies a 'spatial risk multiplier score' of 1.0 to BNG provided within the local authority area or in the relevant [National Character Area \(NCA\)](#). If BNG is provided in neighbouring areas or further away, a lower spatial risk multiplier score is applied.

Bracknell Forest lies within two NCAs:

- Thames Valley (115)
- Thames Basin Heaths (129)

19 Planning applications submitted before 12 February 2024

In 2018, the National Planning Policy Framework was revised to strengthen the requirement for biodiversity net gain. The NPPF includes the requirement to achieve a *measurable biodiversity net gain* in paragraphs 8c, 180d and 186d. The Council requires the following applications, submitted before BNG became a mandatory requirement on 12th February 2024, to assess and achieve a measurable 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 is to ensure that the council is securing biodiversity net gain from developments with the greatest potential impact and opportunity. Other applications may be requested to make a BNG assessment if there are expected to be considerable impacts, such as a loss of priority habitat.

To achieve biodiversity net gain such applications must demonstrate use of the mitigation hierarchy as set out in [Biodiversity Net Gain: Good Practice Principles \(CIEEM/CIRIA, 2016\)](#). Biodiversity net gain is measured in biodiversity units against the baseline of the whole site area (red line) using the biodiversity metric.

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. Schedule 14 of the [Environment Act 2021](#) 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.

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

- Baseline plan – a plan of the site showing existing Phase 1 or [UKHab](#) habitat types.
- Biodiversity gain plan – a plan of the predicted habitats after development.

- 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 (%).
- Biodiversity metric – the current version of the biodiversity metric (unless a previous version has already been used in the project) including all spreadsheets to provide evidence for calculations.

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 may be able to provide off-site biodiversity net gain if this cannot be accommodated on-site. It may also be possible to obtain this from third party providers.

Biodiversity net gain (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 monitoring and administration fees in all relevant instances to monitor the delivery of biodiversity net gain for a period of 30 years irrespective of their location.