Biodiversity Net Gain - Key Steps



Is the application one to which Biodiversity Net Gain applies? (See Box 1)

NO

The application will be registered as per the usual non-BNG validation

YES

The application must include (to be registered as a valid application) a completed site-specific Biodiversity Net Gain Metric (See Box 2) PLUS information detailing how the 10% BNG requirement will be met.

(See Box 3)

There are 3 options available for meeting the 10% Biodiversity Net Gain requirement.

Option 1 On Site

Enhance or restore biodiversity on the development site.

Option 2 Off-Site

Enhance or restore biodiversity on other land owned by the developer. or purchase off-site biodiversity units.

Option 3 Off-Site Statutory Credits

Purchase statutory biodiversity credits from the government (as a last resort if Option 1 and 2 are not possible)

The council will assess the application, using expert ecological advisors, to ensure that the biodiversity metric has been correctly calculated and that the BNG proposals are acceptable (See Box 4)

If the BNG proposals are broadly acceptable, discussions will need to take place, and agreement reached, prior to determination, as to how to secure delivery of those proposals.

Option 1 – On site

On small straightforward sites delivery can be secured solely by Planning condition (see below)

Larger sites may still require a s106 Agreement,

The deemed Biodiversity Gain Condition will still apply. (See Box 5)

Option 2 – Off Site

Off-site delivery will always require a s106 Agreement as Planning conditions alone cannot control land outside of the application site nor can they control financial matters.

The deemed Biodiversity Gain Condition will still apply (See Box 5)

Option 3 Off-Site (statutory credits)

A s106 Agreement will not be required to secure these Credits however the deemed Biodiversity Gain Condition will still apply (See Box 5)

PERMISSION GRANTED

Biodiversity Gain Plan (BGP) Condition. In all cases a BGP will need to be submitted (for approval) prior to the commencement of development on site. The BGP will need to include a final, completed BNG metric plus pre-development and post-development plans. This will be assessed by the council's expert ecological advisors.

BNG Register Ref. Numbers must be provided if off-site Units Proof of purchase of any Statutory Credits must be provided.

Habitat Management & Monitoring Plan (HMMP) Condition. In most cases a HMMP will need to be submitted (for approval) setting out how the approved biodiversity measures will be managed and monitored for a minimum a 30-year period. In cases where a s106 Agreement is to be used to secure other matters, the HMMP will form part of that agreement (rather than be dealt with by Planning Condition).

BOX 1

BNG applies to all planning applications unless one of the following **exemptions** apply:

- ✓ Householder development;
- ✓ Self-build or custom development;*
- Development impacting less than 25sqm of habitat or 5m of linear habitat (unless a Priority Habitat);
- ✓ BNG sites themselves

*the self-build/custom exemption only applies if the development is 9 dwellings or less, 0.5ha in area or less and if the proposal is exclusively selfbuild or custom.

BOX 2

The biodiversity metric measures the biodiversity value of habitats by calculating the number of 'biodiversity units' within the site both before (i.e. the baseline) and what is predicted to be the case after development, to demonstrate that the 10% gain will be achieved. These calculations need to be submitted with every BNG applicable application.

There is a simplified small sites metric which can be used for non-major applications (subject to certain limitations) otherwise the Statutory Biodiversity Metric must be used.

Whilst the finer detail is dealt with BNG condition (see below) information setting out how 10% BNG will be achieved will still be required upfront

Box 3

The following information **must** be included with application in order for it to be validated:

- 1. A statement confirming whether the application is BNG applicable or not (and why);
- 2. The pre-development biodiversity value of the date of the application including the completed matric and working calculations. A date earlier than the application site can be used but must be justified;
- 3. A statement confirming whether any habitat degradation has taken place prior to the application date (in which case an earlier date prior to degradation must be used;
- 4. A description of any irreplaceable onsite habitat;
- 5. A scaled site plan showing habitat on site.

BOX 4

We will check that the biodiversity metric has been properly applied and that prescribed rules and methodology have been correctly followed.

We will check that the Biodiversity Net Gain Hierarchy has been correctly and reasonably followed. The BNG hierarchy dictates that meeting BNG obligations onsite is the strong preference; followed by off-site provision and as a last resort, the purchase of statutory credits. The options pursued (which may be a combination) must be fully justified.

BOX 5

Every planning permission, which is BNG applicable, is deemed to have been granted subject to the statutory 'general biodiversity gain condition' irrespective of whether there is also a s106 Agreement.

The biodiversity gain condition requires the submission of a 'Biodiversity Gain Plan' (BGP) prior to the commencement of development. The BGP must set out how 10% BNG will be achieved. There is a fee of £145 for such an application.

The use of the government's BGP template is strongly encouraged [insert link].