

A photograph of a field of wildflowers, including white daisies and purple flowers, with a city skyline visible in the background. The text is overlaid on the right side of the image.

Briefing for developers. Biodiversity Net Gain – The Basics December 2023

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Integrating ecology into the built environment

What does the Environment Act 2021 require?

The Environment Act 2021 in England introduces a requirement for biodiversity net gain to be implemented in respect of development projects. Biodiversity net gain is the process of ensuring that any development project results in an overall increase in biodiversity, compared to the pre-development baseline.

Under the Act, developers in England are required to achieve a 10% biodiversity net gain in any new development project, unless certain exemptions apply. This means that the biodiversity value of the site after development must be at least 10% higher than the biodiversity value of the site before development.

The Environment Act also establishes a framework for assessing and measuring biodiversity net gain, and requires developers to submit biodiversity net gain information, by way of a Biodiversity Metric, as part of their planning application. Under the statutory framework for biodiversity net gain, every grant of planning permission is deemed to have been consented subject to a general biodiversity gain condition to secure the biodiversity gain objective.

Under this condition, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. The information required to be set out in the Plan is prescribed by legislation. This includes the provision of a Habitat Management and Monitoring Plan (HMMP) which contains information on the future management of the land and arrangements for monitoring the progression of habitats towards their target conditions within prescribed timescales. Local authorities are responsible for enforcing the biodiversity net gain requirement and ensuring that developers comply with their biodiversity net gain plans.

Overall, the aim of the biodiversity net gain requirement is to ensure that development projects contribute to the protection and enhancement of biodiversity in England, in line with the government's commitment to halting and reversing the decline in biodiversity.



Biodiversity Metric

The NPPF encourages net gains in biodiversity to be brought forward by development projects. In this regard the Act introduces a requirement to assess biodiversity net gain by way of a Biodiversity Metric. The Statutory Biodiversity Metric, launched in November 2023, is the current standard which succeeds Biodiversity Metric 4.0.

The Statutory Biodiversity Metric is a tool used to assess the biodiversity value of a site before and after development, in order to determine whether a proposed development project will result in a net gain in biodiversity. In England, the use of the Biodiversity Metric is required for assessing biodiversity net gain in planning applications.



To carry out a Metric assessment, the following steps are required:

1. Define the development site boundary: This involves drawing a GIS map of the development site boundary and identifying all areas of existing habitat, such as woodland, hedgerows, and ponds, within the boundary.
2. Assess the biodiversity value of the site: This involves assessing and classifying the habitats on the site based on the type, quality and condition of those present. The assessment follows the UK Habitat Classification system informed by guidance provided by Natural England.
3. Determine the pre-development baseline: This involves coding of the Metric to calculate the biodiversity value of the site before any development takes place, based on the assessment carried out in step 2.
4. Assess the proposed development: This involves identifying the impacts (positive and negative) of the proposed development on the existing habitats and assessing and defining (using the UK Habitat Classification) the proposed habitat provision under the scheme.
5. Determine the biodiversity net gain: This involves using the Biodiversity Metric to calculate the biodiversity value of the site after development and



associated landscaping and habitat creation have taken place to determine whether the development will result in a net gain in biodiversity. If needed, this can include the use of off-site land (see below).

6. Prepare a biodiversity net gain plan: Post planning, a biodiversity net gain plan must be prepared to identify and describe the measures that will offset the loss of biodiversity and achieve a net gain, as calculated using the Biodiversity Metric (see above).

Overall, the Statutory Biodiversity Metric assessment is a detailed process that involves assessing the existing habitat and biodiversity value of a site, as well as the potential impacts of a proposed development. The assessment is designed to ensure that development projects contribute to the protection and enhancement of biodiversity in England.

Use of offsite land for Biodiversity Net Gain

Offsite land can be used for biodiversity net gain in England, although the preference is for net gain to be achieved on-site wherever possible. The Biodiversity Metric allows for these calculations.

Under government guidance on biodiversity net gain, offsite measures can be used to offset any residual biodiversity loss that cannot be avoided or mitigated on-site. This means that if a development project is unable to achieve the required level of net gain on-site, the developer may be required to provide biodiversity improvements on other land within the same local planning authority area or, in exceptional cases, elsewhere.

When using offsite land for biodiversity net gain, the developer must ensure that the offset measures are equivalent or better in terms of biodiversity value than the lost habitat or biodiversity on the development site. The offset measures must also be in place and maintained for 30 years, to ensure that the biodiversity gains are sustained over the long term.

The developer must provide evidence to demonstrate that the offset measures are appropriate, feasible, and will result in a genuine net gain in biodiversity.



Any offsite net gain land will need to be logged in a formal biodiversity net gain register.

Overall, while the preference is for biodiversity net gain to be achieved on-site, the use of offsite measures can be a valuable tool for developers to meet the requirements of the Environment Act 2021 and contribute to the protection and enhancement of biodiversity in England.



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