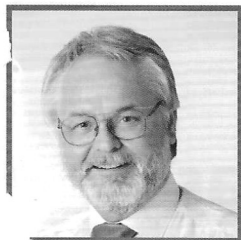


ENVIRONMENTAL ADVICE

(Photo courtesy Bristol Natural
History Consortium)

BIODIVERSITY NET GAIN



Andrew Maliphant, SLCC Environmental and Sustainability Advisor, looks at how councils can respond to and engage with the new biodiversity net gain requirements.

This new element of planning applications has only been with us in England since April 2024, so it can feel like there are still more questions than answers.

The basic principle has been clarified for us by the Department for Environment, Food & Rural Affairs (DEFRA) officers:

- Most development proposals in England affecting more than 25 square metres of habitat, or five metres of linear habitat (such as hedgerows) will need to deliver at least 10% biodiversity net gain over current levels.
- The current on-site biodiversity and habitat levels need to be calculated using a government-provided metric (www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development#the-small-sites-metric) and the details including in the planning application.

In responding to planning applications, parish and town councils have an opportunity to consider whether the biodiversity assessment and accompanying habitat plan are accurate. DEFRA officers advise that biodiversity net gain assessments can be challenged in the same way as any other planning proposals. They suggest it is advisable to consult with an ecologist or biodiversity net gain expert, who can provide a professional assessment of the calculation and help to identify inaccuracies.

So, ask around - we may find unexpectedly there are local wildlife experts in our parish who can advise us. We might also begin to develop our own parish habitat records by encouraging local people to carry out a 'bioblitz' - which can be an enjoyable community event. Guidance on this is available from the Bristol Natural History Consortium at www.bnhc.org.uk/run-your-own-bioblitz. We may also find some existing local habitat surveys via the Association of Environmental Records Centres at www.alerc.org.uk.



There are some early words of warning about biodiversity net gain:

- Some developers have already claimed there is no biodiversity on site, therefore no improvement is possible! There may have been unlawful degradation of the site - in which case the site description can be taken from earlier times, as far back as January 2020.
- Any proposals that private gardens are part of the biodiversity net gain solution may not be binding on those households.
- There are loopholes, for example, developers can start construction without planning permission and then submit a retrospective planning application (retrospective planning applications are exempt from biodiversity net gain).
- There is an option for a developer to buy 'biodiversity units' - which may mean any improvements happen miles away. It will be useful therefore to identify areas in our parish (whether on a development site or not) that could benefit from biodiversity net gain and share them in advance with the planning authority. DEFRA considers these sites should ideally be part of the local nature recovery strategies currently being prepared in England, usually at county level.

Developers are obliged to provide biodiversity net gain plans that say how they will deliver the 10% improvement, but these plans are usually only agreed AFTER planning permission has been given. While some planning authorities share these plans with the relevant parish councils, they are not (currently) obliged to do so. This means we are left to make any detailed comments on the information in the planning application itself. These are early days, and we will share more good practice when it emerges.

Please let us know of any good experiences from your parish, which we can share in webinars planned for Monday 3 March and Tuesday 8 July.

Meanwhile, some updated guidance on biodiversity net gain is available on our website at www.slcc.co.uk/climate-action.