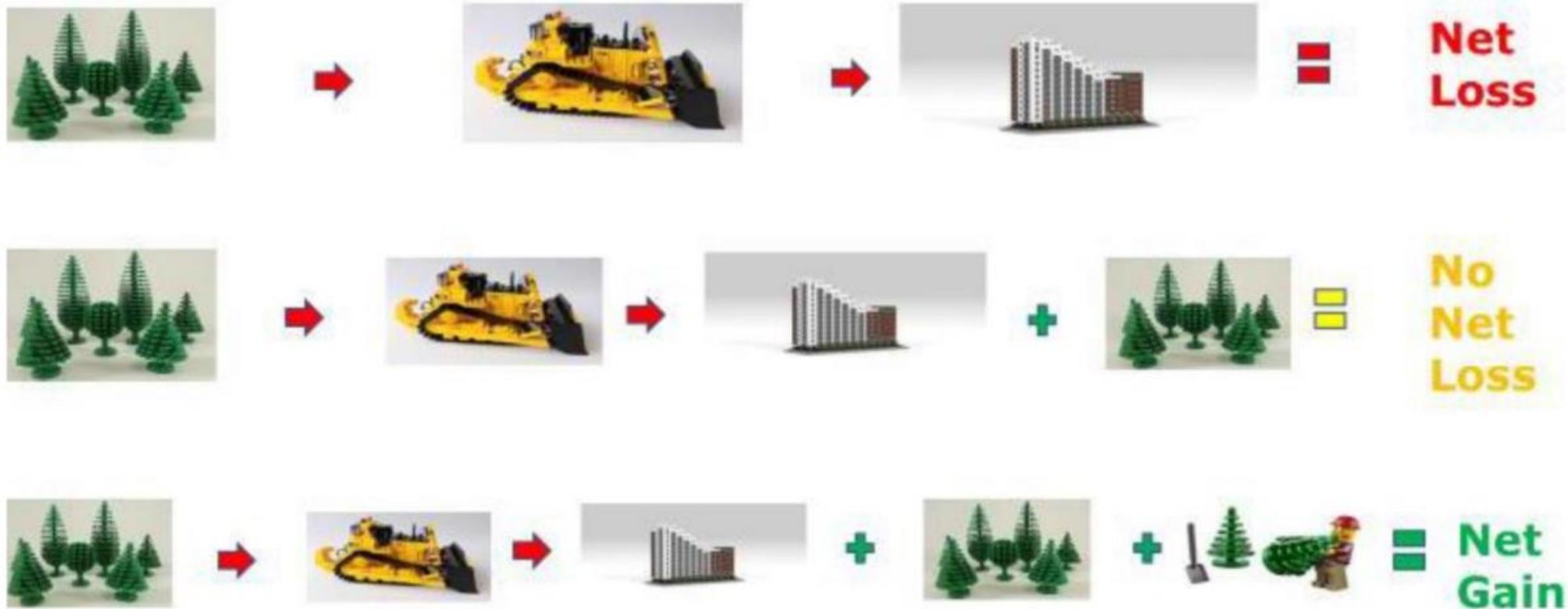


Biodiversity Net Gain



What is Biodiversity Net Gain (BNG)?

Net gain is an approach to development that aims to leave the natural environment in a measurably better state than it was beforehand.



Drastic nature decline

Over the last century, the state of nature in the UK has seen a significant and alarming decline due to increased demands, including population increase, agricultural intensification, pollution, climate change and development, resulting in deteriorated and fragmented habitats. The UK:

- has experienced an 19% decrease in wildlife abundance on average since the 1970s;
- ranks among the bottom 10% globally for biodiversity;
- and is the worst G7 nation for biodiversity loss.

Nature's vital role in addressing the biodiversity, climate and health crises

- Our reliance on nature encompasses essential elements like food, water, clean air, resources, and recreational opportunities, underlining its fundamental importance to human well-being.
- Nature serves as a critical tool for mitigating and adapting to climate change and promoting well-being, including improving mental health - estimated to cost the economy over £117 billion annually.

Ineffective conservation policy

Over the past 70 years, efforts in the UK have primarily focused on nature conservation by preserving pockets of nature. However, this approach has not halted the decline in wildlife and the environment.

Legislative and policy requirements

Lawton Report 'Make Space for Nature' (2010) - *'Bigger, Better, More Joined up'*



25 Year Environment Plan (2018) -

'Be the first generation to leave the environment in a better state than we found it'.

Develop a Nature Recovery Network



Agriculture Act (2020) – *public money for public goods*

Environment Act (2021) – *species and habitat targets, mandatory 10% BNG for developments, LNRS*

30 by 30 Pledge (2020) – *protect 30% of land/sea by 2030*



Environmental Improvement Plan (2023) - *builds on 25 Year Environment Plan and Environment Act 2021.*

Green Infrastructure Framework (2023) – *voluntary – 40% green cover in urban residential areas; 15 minutes to nature*

- **Levelling Up and Regeneration Bill**
- **NPPF updates**

Land Use Framework?

Environment Act New Duties

- All planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain (S98-101).
- Enhanced duty for local authorities to conserve and enhance biodiversity (S102) and report on their actions (S103).
- LPAs will need to comply with the above duty and have regard to the Local Nature Recovery Strategy in local planning policy and decisions (S102).
- Responsible authorities appointed by the Secretary of State (S105) to lead the Local Nature Recovery Strategy (LNRS), working with a broad range of stakeholders.



Environment Act 2021

CHAPTER 30

Key components of mandatory BNG

- Amends Town & Country Planning Act (TCPA)
- **Minimum 10% gain required calculated using Biodiversity Metric & approval of net gain plan**
- **Habitat secured at least 30 years** via planning conditions/ obligations/ conservation covenants
- Delivered on-site, off-site or via a new **statutory biodiversity credits** scheme
- **National register** for net gain delivery sites
- Does **not change existing legal protections** for important habitats and wildlife species
- **Maintains mitigation hierarchy** of avoid, mitigate, compensate
- Will apply to Nationally Significant Infrastructure Projects (NSIPs) from 2025 but not marine development (yet)



The Biodiversity Metric

- Calculates the before and after biodiversity value of a development as **biodiversity units**
- Calculator & guidance provided by Government and its use is a statutory requirement
- Small sites metric will be required for relevant sites from April 2024
- Ensures consistency of approach
- Uses habitat as a proxy for biodiversity value
- Designed as a tool to aid decision-making, but is not a substitute for expert advice
- Does not change or over-ride the mitigation hierarchy or other protections, policy, licensing or consents

BNG on-site, off-site and statutory credits

Mechanisms for Delivery of Mandatory BNG



On-site (units)

Potentially in full or combination



Habitat creation or enhancement; landscaping or green infrastructure

Off-site (units)



New habitat creation or enhancement on land holdings or via habitat banks

Statutory Credits

Only if units not available



Landscape-scale strategic habitat creation delivering nature-based solutions

What Is The Opportunity For Landowners?

Upsides

Alternative income stream

- 2.2ha field – currently silage (= 8.8BU)
- Converted to wildflower-rich hay meadow (= 23.31 BU)
- 14.51 BU uplift worth approx. £435K - £500K

Paid upfront, so available to reinvest

Reporting/restrictions minimal compared to DEFRA funding

Downsides

Locked in for 30 years

1 payment to cover 30 years

Not suitable for highly productive land



Next Steps?

- BNG Viability Assessment
- Design your Biodiversity Gain Site
- Habitat Management & Monitoring Plan
- Legal agreement
- Register with Natural England
- Market/sell Biodiversity Units
- Ongoing monitoring

Up until the legal agreement, you are free to change your mind at any stage.



Any questions?

