

Guidance on delivering Biodiversity Net Gain for planning applicants and developers in Gloucestershire

February 2024 Version 2

This guidance will be updated when further national guidance has been published



Contents

Summary	3
1. Introduction	4
1.1 What is Biodiversity Net Gain?	4
1.2. How will BNG be delivered?	5
1.3. How do you measure BNG?	5
1.4. Which metric should I use?.....	6
1.5. How do I include biodiversity enhancement features for species into the metric?	6
1.6. What is a Biodiversity Gain Plan?	6
1.7 Which types of development will BNG apply to?	7
2. Nature Recovery and Biodiversity Net Gain	8
2.1. Nature Recovery Network mapping in Gloucestershire	8
2.2. Gloucestershire Local Nature Recovery Strategy and the targeting of BNG	9
3. Building Biodiversity Net Gain into Development	10
3.1. How to integrate BNG into the planning process	10
3.2. Stage 1 - Site selection and scheme design	10
3.3. Stage 2 – BNG Impact Assessment and metric calculation	10
3.4. Stage 3 – The draft Biodiversity Gain Plan	13
3.5. Stage 4 - Submission of the planning application and determination	14
3.6. Stage 5 - Implementation, monitoring and enforcement	19
Appendix 1 - How to use the Gloucestershire Nature Recovery Network to assign strategic significance categories in the Biodiversity Metric.....	21
Appendix 2 - Irreplaceable habitat.....	25
Appendix 3 - Local Biodiversity Net Gain Validation List.....	26



Summary

Biodiversity Net Gain (BNG) is a new approach to development which means that habitats for wildlife must be left in a measurably better state than they were before the development occurred. Under the [Environment Act 2021](#), all planning permissions granted in England, with a few exemptions, will have to deliver at least 10% Biodiversity Net Gain.

Delivering BNG will become mandatory from:

- **12 February 2024** for new Major Site applications;
- **2 April 2024** for new Minor Site applications; and
- 2025 for Nationally Significant Infrastructure Projects (NSIPs).

No development can commence until a Biodiversity Gain Plan (BGP) has been submitted to and approved by the Local Planning Authority (LPA). BNG will need to be calculated using the Statutory Biodiversity Metric and be secured for at least 30 years via planning obligations or conservation covenants.

BNG can be delivered on-site, off-site or via a new statutory biodiversity credits scheme.

However, the Biodiversity Gain Hierarchy (BGH), which local planning authorities **must** take account of when determining the Biodiversity Gain Plan, emphasises that onsite biodiversity gains should be considered first followed by registered offsite biodiversity gains and – as a last resort – biodiversity credits.

Mandatory BNG will only apply to **new** applications for planning permission for major developments made on or after **12 February 2024** and on or after the **2 April 2024** for minor developments and not to applications made prior to this.

This guidance aims to:

- provide standard advice that can be used by all Local Planning Authorities (LPA) and planning applicants across Gloucestershire. It sets out the factors and key requirements that LPAs will need to take into consideration to ensure that all relevant new development achieves a minimum 10% Biodiversity Net Gain throughout the development management process.
- support applicants, professional ecologists, working on behalf of planning applicants and planning consultants by providing them with the level of information required to accompany planning applications, giving practical advice and step-by-step guidance on how development and associated land use change proposals will need to comply with the Environment Act 2021.

1. Introduction

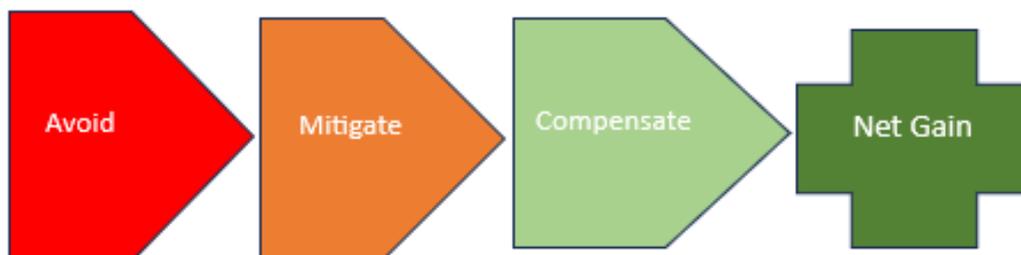
1.1 What is Biodiversity Net Gain?

Biodiversity Net Gain (BNG) is a new approach to development which means that habitats for wildlife must be left in a measurably better state than they were in before the development occurred. Currently, only certain sites for nature are protected, with only limited mechanisms within the planning system to value, maintain, enhance, or create habitats, as a result habitats continue to be lost to development, reducing nature’s ability to connect and thrive and this is contributing to the Climate and Ecological Emergencies.

Achieving BNG means that natural habitats will now need to be extended or improved as part of the development process, ensuring that the current loss of biodiversity through development will be halted and ecological networks can be restored.

Future developments will now need to be designed in such a way that provides benefits to both people and nature but also reduces impacts on the wider environment. BNG can also provide nature-based solutions to other environmental issues.

BNG does not change the existing range of protections in planning policy and legislation, for irreplaceable habitats, protected sites and protected species. It maintains and reinforces the mitigation hierarchy, in the [NPPF paragraph 186a](#), which sets out that everything possible must be done to **avoid** impacts first, then mitigate and only compensate for losses as a last resort. It is **additional** to this approach, not instead of, ensuring that development will then increase habitats by at least 10% from the baseline condition. This reinforces the approach to off-site BNG delivery as the last-resort option for securing BNG, not the “go straight to” option.



The following ten principles in Table 1 below set out good practice for achieving BNG and must be applied all together, as one approach. Further guidance on implementing the Net Gain principles is available from the [Chartered Institute of Ecology and Environmental Management \(CIEEM\)](#).

Table 1: Biodiversity Net Gain - Good practice principles for development.

Principle	
1	Apply the Mitigation Hierarchy
2	Avoid losing biodiversity that cannot be offset by gains elsewhere
3	Be inclusive and equitable
4	Address risks
5	Make a measurable Net Gain contribution
6	Achieve the best outcomes for biodiversity
7	Be additional
8	Create a Net Gain legacy
9	Optimise sustainability
10	Be transparent

1.2. How will BNG be delivered?

Ideally, BNG should be delivered:

- on-site, through habitat creation/enhancement via high quality landscaping and green infrastructure provision, but can be delivered;
- off-site through habitat creation/enhancement, including via habitat banks and with public and private landowners preferably in the local authority area. Or if not in the same LPA, then in the same national character area (NCA);
- if local off-site BNG delivery is not possible, the last resort option is to buy statutory credits from the government.

The Environment Act also states that biodiversity gain sites must be maintained for at least 30 years after the completion of the works to create or enhance the habitat.

1.3. How do you measure BNG?

The [Biodiversity Metric Calculation Tool](#) acts as a proxy (measured in biodiversity units (BU)) for recognising the impacts on habitats arising from a development and calculating how much new or restored habitat, and of what type is required to deliver sufficient net gain. The Biodiversity Gain Hierarchy (BGH) is built into the metric tool and is distinct from the mitigation hierarchy in the NPPF (see Table 3 for the Biodiversity Gain Hierarchy in section 3.3.2). The statutory biodiversity metric and supporting user guide will need to be used to evidence the measurable BNG. The metric itself also has a set of rules which must be followed otherwise the development cannot claim to have achieved a gain in biodiversity. These rules are discussed further in section 3.3.3. on how to undertake a BNG assessment and can also be found in the metric user guide.

1.4. Which metric should I use?

The size of development dictates which metric should be used. Major development applications¹ should use the [Statutory Biodiversity Metric](#) and minor development applications should normally use the [Statutory Small Sites Metric \(SSM\)](#)², a simplified version of the metric. However, the use of the SSM will also depend on the ecology of the site e.g. when there is no priority habitat on site.

1.5. How do I include biodiversity enhancement features for species into the metric?

Species-based features such as bird and bat boxes are not included within the metric. The provision of such species features within developments is still encouraged, as additional enhancements are promoted in line with the strengthened '[Biodiversity Duty](#)' that the Environment Act has introduced and national and local planning policy.

1.6. What is a Biodiversity Gain Plan?

The Biodiversity Gain Plan (BGP) is a document which sets out how a development will deliver BNG and allows the LPA to check whether the proposals meet the biodiversity gain objective. The BGP must specify six things:

The Biodiversity Gain Plan (BGP) is a document which sets out how a development will deliver a minimum 10% BNG and allows the LPA to check whether the proposals meet the biodiversity gain objective. The BGP must specify the following things:

- name and address of the person completing the Plan, and (if different) the person submitting the Plan;
- the reference number of the planning permission to which the plan relates and a description of the development to which the plan relates;
- information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the on-site habitat and any other habitat (excluding irreplaceable habitats) and the extent any actions in the biodiversity gain hierarchy that have not been followed, and the reasons for that;
- the pre-development biodiversity value of the on-site habitat;
- the post-development biodiversity value of the on-site habitat;
- any registered off-site biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- any biodiversity credits purchased for the development;
- the completed biodiversity metric calculation tool, stating the version of the biodiversity metric used and showing the calculation of the pre-development and post-development biodiversity value;

¹ The creation of 10 or more residential units., Residential development of on a site of 0.5 hectares or more (where the number of residential units is not yet known i.e., for outline applications) and Non-Residential development or change of use on a site of at least 1 hectare, creation of change of use of 1000 square metres or more of gross floor space (not including housing)

²Small sites criteria for residential development: there are fewer than 10 residential units on a site area (no more than 9 units) less than 1 hectare; or if number of residential units is not known, the site area is less than 0.5 hectare for non-residential development: where the floor space to be created is less than 1,000 square; or where the site area is less than 1 hectare The SSM cannot be used on such sites where: habitats not available in the SSM are present priority habitats are within the development site (excluding some hedgerows and arable field margins), European protected species are present on the development site any offsite interventions are required

- the relevant date for the purposes of calculating the pre-development biodiversity value of onsite habitats and if the relevant date is a date which is earlier than the date of the planning application, the reasons for this;
- pre-development and post-development plans —
 - showing the location of onsite habitat;
 - drawn to an identified scale and showing the direction of North;
 - a description of any irreplaceable habitats;
- in relation to any part of the development for which planning permission is granted where the onsite habitat of that part is irreplaceable habitat, arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat;
- a description of arrangements for maintenance and monitoring of habitat (habitat enhancement which must be maintained for at least 30 years after the development is completed).

1.7. Which types of development will BNG apply to?

The BNG should be applied to all developments which are subject to the Town and Countryside Planning Act (TCPA), as well as Nationally Significant Infrastructure Projects (NSPIs). Biodiversity Net Gain will only commence for planning permissions granted in respect to an application made on or after **12 February 2024**. Permissions granted for applications made before this date are not subject to biodiversity net gain.

The following are the exemptions:

- retrospective planning permissions made under section 73A; and
- section 73 permissions where the original permission which the section 73 relates to was either granted before **12 February 2024** or the application for the original permission was made before **12 February 2024**
- **temporary exemption for non-major developments (until 2 April 2024);**
- development impacting habitat of an area below a 'de minimis' threshold of 25 square metres, or 5m for linear habitats such as hedgerows and watercourses;
- householder applications;
- biodiversity gain sites (where habitats are being enhanced for wildlife);
- marine development;
- **development granted planning permission by a development order under section 59.** This includes permitted development rights;
- small scale self-build and custom housebuilding;
- urgent Crown development; and
- development related to the high-speed railway transport network
- does not apply to reserved matters applications (since they are not a grant of planning permission), permissions in principle (although technical details consents are caught)

Due to how the statutory metric operates, it does not include:

- Where a site's baseline biodiversity score is zero (e.g. hardstanding, sealed surfaces);
- Where temporary impacts will be resorted within two years.

2. Nature Recovery and Biodiversity Net Gain

The [Making Space for Nature](#) report advocated the need to create a healthy ecological network operating across the landscape as a whole, and not just trying to conserve wildlife habitat in small isolated sites. The report called for “**more, bigger, better and joined-up**” spaces within the landscape, to help reverse biodiversity loss and provide resilience to external threats and pressures, including the impact of climate change. The Environment Act through the introduction of Local Nature Recovery Strategies will help bring this to fruition.

2.1. Nature Recovery Network mapping in Gloucestershire

Through the Gloucestershire Local Nature Partnership (GLNP), Gloucestershire Wildlife Trust (GWT) have led the work on a habitat inventory and Nature Recovery Network (NRN) an ecological network map for Gloucestershire. Gloucestershire Centre for Environmental Records (GCER) hosts and manages access to the data contained in the maps, which can be viewed here:

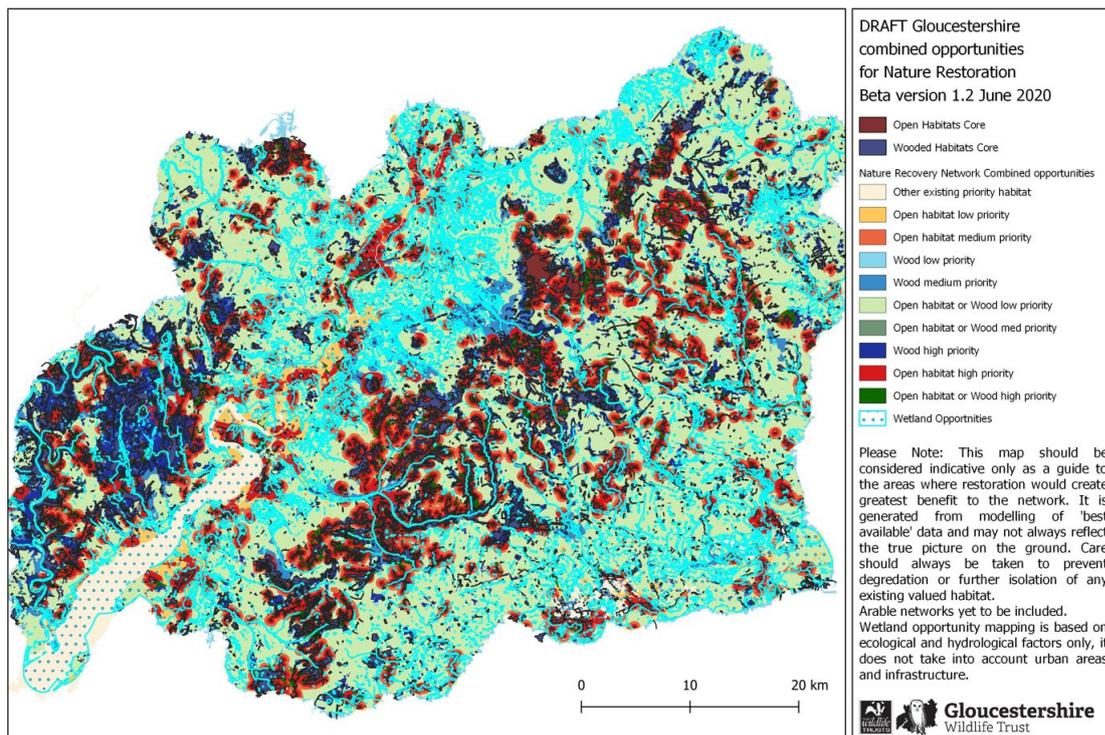
<https://naturalcapital.gcerdata.com/>

The conservation, restoration and enhancement of ecological networks is outlined in the NPPF:

NPPF para 180 To protect and enhance biodiversity and geodiversity, plans should: Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration, or creation.

The NRN mapping helps Gloucestershire’s LPAs to comply with the NPPF by showing the prioritised distribution of opportunities for creating a more resilient network of habitats for people and nature. Four categories are included:

- open habitat (core habitats: priority habitats from the Natural Environment and Rural Communities (NERC) Act 2006 section 41: lowland meadows, lowland dry acid grassland, lowland calcareous grassland, lowland heathland);
- woodland (core habitat: broadleaved mixed and yew woodland with the exception of mixed mainly conifer woodland);
- freshwater wetland (core habitat: all open water and wetland habitats). This layer is treated as an overlay to the other categories;
- arable (not included in biodiversity net gain targeting as based on agricultural stewardship options) core habitat: farmland bird options and specialist arable plant habitats; and
- because of their significance in the County, Traditional Orchards (a Priority Habitat) have been included in the mapping as a separate habitat layer.



Map includes data derived from LCM2015 © NERC (CEH) 2017.
© Crown copyright and database rights 2020 OS (100019134).

The NRN map (<https://naturalcapital.gcerdata.com/> - an indicative image above) also shows:

- high, medium and low priority opportunities for developing woodland habitats;
- high, medium and low priority opportunities for developing open habitats;
- high, medium and low priority opportunities for developing open or woodland habitats;
- wetland opportunity areas.

The high, medium and low priority opportunities are assessed in relation to existing core habitat patches, their current connectivity based on existing land use, their resilience status and relevant zones of opportunity for reinforcing and expanding each habitat type.

2.2. Gloucestershire Local Nature Recovery Strategy and the targeting of BNG

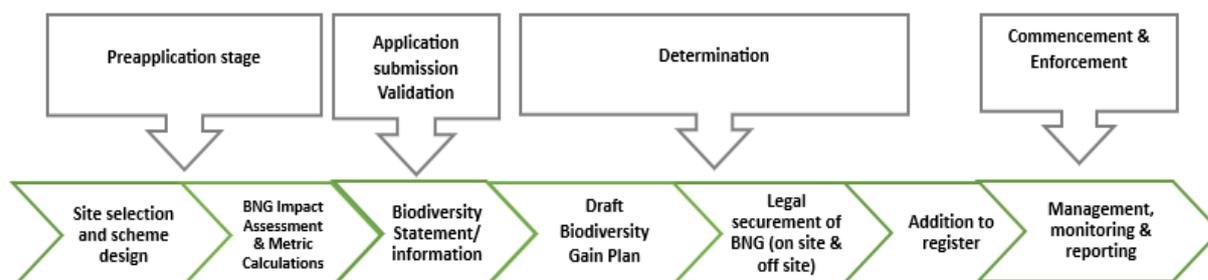
The Environment Act contains a specific duty on all public authorities to "have regard" to relevant Local Nature Recovery Strategies (LNRS), and when adopted, the Gloucestershire Local Nature Recovery Strategy (GLNRS) will be used to help determine where best to target areas for BNG in Gloucestershire. However, until this time, the NRN mapping will act as the starting point and main basis for targeting the best outcomes for BNG.

Developers and LPA's must avoid the most valuable existing habitat and focus habitat creation or improvement in the areas where it will achieve the most for nature recovery. Through the 'Strategic Significance' multiplier in the metric, the spatial location of a habitat will affect its value. This works at a landscape scale, there is an uplift in habitat value if a development is situated in the NRN. In addition, the metric incentivises habitat delivery on or close to the development site through a 'Spatial Risk Factor', which reduces the biodiversity value of habitats delivered further away from the development. Guidance on how to assign 'strategic significance' and 'spatial risk' can be found in section 3.3.3 on how to undertake a BNG assessment and section 3.5.3 in step 4 on how to secure the delivery of BNG off-site.

3. Building Biodiversity Net Gain into Development

3.1. How to integrate BNG into the planning process

The following sections set out how BNG should be integrated into the planning process regardless of whether the application is for a major or minor site application. The planning process has been broken down into several key stages, as set out below, to show what will be expected from the applicant and of the LPA.



3.2. Stage 1 - Site selection and scheme design

It is essential that BNG is considered at the earliest possible stage of any proposal. Ideally, this should be undertaken at the site selection stage. There is an element of due diligence required when land is being considered for potential purchase and/or promotion for development on the net gain implications and potential costs. Having a clear understanding of the site you propose to select, and its biodiversity unit value upfront will determine the feasibility of delivery making it easier and more cost-effective to protect biodiversity from the outset. The easiest way to avoid a negative impact on habitats and to maximise the gain for biodiversity that can be achieved from a development is to select a site that has low existing ecological value and has good potential for habitat creation and/or enhancement that will buffer or provide connectivity, within the NRN.

3.3. Stage 2 – BNG Impact Assessment and metric calculation

3.3.1. Timing of BNG assessment

The biodiversity metric should be used early in the design process to quantify and evaluate the impacts of different design options, ensuring that the best and most cost-effective ecological outcomes are achieved. The mitigation hierarchy is built into the metric helping to select the design that avoids negative impacts on habitats.

3.3.2. Which metric to use and how?

- The appropriate statutory metric for the scale of the development should be used;
- a competent person (a suitably qualified ecologist) must undertake the BNG assessment;
- where there is a watercourse (includes associated riparian zone) within the development boundary, the competent person must be an accredited River Condition Assessor (RCA) to use the watercourse unit module. The Statutory Small Sites Metric only allows watercourses to be enhanced where there will be no encroachment on the watercourse or riparian zone post-intervention. Where encroachment is expected, the statutory biodiversity metric must be used.

- if you have all three habitat types (area, linear, watercourse) within the redline boundary of your scheme, you must achieve a minimum 10% BNG for each distinct type to be compliant with the legislation; and
- the habitat trading rules will have to be met.

3.3.3. How to undertake a BNG Assessment

1. **Survey** – a UK Habitat Classification (UK HAB) Survey should be undertaken using the method outlined in the Biodiversity Metric Calculation Tool guidance.
2. **Identify irreplaceable habitats and nationally and internationally designated sites** - if irreplaceable habitats and nationally designated sites are within the development footprint, these should be included within the metric to give an indicative picture of the habitats on site, but these will require bespoke advice and separate consideration to ensure that impacts comply with existing national and local policy and legislation.

Please also refer to table 4 which provides Gloucestershire’s policy position on irreplaceable and “very high distinctiveness” habitats.

3. **Run a baseline BNG calculation for the development** - this should be done using the statutory metric. The spreadsheet should show the assessment of existing/pre-development habitat translated into biodiversity units, contrasted with the proposed/post-development biodiversity units (reflecting any proposed on or off-site habitat creation and restoration), and a value representing the change in biodiversity value. All habitats (existing and proposed) require a habitat condition assessment, and this will need to be inputted into the metric. Any current or future condition assessment needs to be reasonable, and evidence based.
4. **Additionality** – it is necessary to have an understanding of the type and extent of habitat mitigation required without the inclusion of BNG. For example, habitat works for mitigation purposes, such as Suitable Alternative Natural Greenspace (SANG) for protected sites and habitat licence provision for protected species can only count towards a no net loss and can never on their own deliver a net gain. There needs to be habitat delivery over and above that required by the mitigation measures in order to count towards a net gain.

When an application has combined mitigation and net gain, a separate accounting line should be used in the metric, to ensure transparency and a clear audit trail in terms of evidencing the uplift in biodiversity unit value. This should also be evidenced in the Biodiversity Gain Plan. When there are complex range of mitigation requirements it may be necessary to submit two metric calculations one demonstrating all the mitigation/compensation requirements the other demonstrating the net gain.

5. **Assigning the Strategic Significance of habitats** - each parcel of habitat which has a specific condition (i.e., every line of the Metric Excel spreadsheet) will require a separate assessment for an appropriate Strategic Significance score (see table 2 below) This is required for both on-site and off-site BNG. This allows users to achieve a scoring uplift for any areas within a local strategic priority area.



Table 2: Metric strategic significance categories, scores and descriptions (taken from The Statutory Biodiversity Metric User Guide).

Strategic significance category	Score applied in the metric	Description
High	1.15	Where the location has been identified within a local plan, strategy or policy as being ecologically important for the specific habitat type or where that habitat has been identified as being locally ecologically important.
Medium	1.10	Where there is no relevant plan, strategy or policy in place, professional judgement may be used to justify the use of the medium strategic significance category. This judgement should consider the importance of that habitat in providing a linkage between other strategic locations.
Low	1	If the habitat is not included in local plans, strategy or policy, and there is no evidence to suggest that the habitat is of medium strategic significance.

As outlined in section 2.1 the Gloucestershire Nature Recovery Network mapping should be used to guide the type of habitat creation appropriate at a site.

Appendix 1 provides detailed guidance on how to assign the Strategic Significance score of habitats using the Gloucestershire Nature Recovery Network mapping (accessed here <https://naturalcapital.gcerdata.com/>).

- 6. Apply the biodiversity mitigation hierarchy** - wherever possible impacts on biodiversity must be avoided or minimised through the sensitive design of the development. Applicants should ensure that on-site or off-site compensatory and BNG habitats promote the restoration and/or re-creation of Priority Habitats, local sites, the Gloucestershire Nature Recovery Network and the protection and recovery of legally protected and Priority Species populations, if impacted. Table 3 below details the biodiversity gain hierarchy actions that need to be followed in order of priority.

Table 3: Biodiversity Gain Hierarchy

Biodiversity gain hierarchy – order of priority	
1	avoid adverse effects of the development on onsite habitat with a habitat distinctiveness score, applied in the biodiversity metric, equal to or higher than four
2	so far as those adverse effects cannot be avoided, mitigating those effects
3	so far as those adverse effects cannot be mitigated, habitat enhancement of onsite habitat
4	so far as there cannot be that enhancement, creation of onsite habitat
5	so far as there cannot be that creation, the availability of registered offsite biodiversity gain
6	so far as that offsite habitat enhancement cannot be secured, purchasing biodiversity credits



7. **Apply the metric trading rules** - The “like-for-like or better principle” should be applied as successful compensation and BNG should be at least ecologically equivalent in type and condition to any habitats lost. Any loss should therefore be replaced with the same habitat type or one of higher ecological value, which will nonetheless still support the species affected, for example, replacing semi-improved grassland with unimproved grassland or enhancing a species poor hedgerow. This is reported in the metric summary tab via the trading rules. **Please also refer to Gloucestershire’s policy position on irreplaceable and “very high distinctiveness” habitats and Priority Habitat in table 4 below.**

Table 4: Policy on irreplaceable and very high distinctiveness habitats.

Policy position on irreplaceable and very high distinctiveness habitats and Priority Habitat

A number of habitats, such as Lowland meadow (MG4 habitat), are categorised as very high distinctiveness habitats in the metric. Where these very high distinctiveness habitats (or irreplaceable habitats) are impacted by development, the metric rules state that their loss or deterioration cannot be accounted for through the metric. Any bespoke compensation to address specific losses and deterioration of irreplaceable habitats and very high distinctiveness habitats must be assessed and agreed by the LPA as they are so valuable that losses cannot always be adequately compensated for.

See Appendix 2 for list of irreplaceable habitats (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024]).

The statutory biodiversity metric will not calculate the biodiversity value of irreplaceable habitat impacted by a development and will flag that bespoke compensation is required if this is the case.

A **refusal** will be recommended if it will lead to the loss of irreplaceable, very high distinctiveness habitats and/or a high distinctiveness habitat (Priority Habitat), unless the loss is acceptable, for example where the public benefit significantly outweighs the ecological value of the site.

Note – the Biodiversity Gain Hierarchy **must** be followed. This means the first priority is to avoid adverse effects on very high distinctiveness (or irreplaceable habitats) and high distinctiveness habitats (Priority Habitats) when applying the Metric. Habitats which score 4 and above in the Metric, which includes medium distinctiveness habitats must also be avoided.

3.4. Stage 3 – The draft Biodiversity Gain Plan (BGP)

Identify if BNG can be achieved on-site or off-site or a combination of the two. Then set out the draft strategy for achieving BNG on the chosen site. The BGP must contain the elements previously set out in section 1.6.



3.5. Stage 4 - Submission of the planning application and determination

3.5.1. Submission

It is recommended that you use the LPA's Pre-application planning service to check that you have covered all regulatory requirements prior to submission of your application.

3.5.2. Validation

For your application to be validated you will need to submit the following minimum information:

- a statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition and the reasons why. The planning application form includes space for this statement.
- the pre-development biodiversity value of the onsite 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;
- where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- a statement confirming whether the biodiversity value of the onsite 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 degradation has taken place supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to 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); and
- a plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or an earlier date), including any irreplaceable habitat.

If this information has not been provided, the LPA must refuse to validate the application.

It's worth noting that even if your application has been validated, this does not automatically mean that the consideration of biodiversity net gain as part of the planning application can be determined.

While BNG is dealt with as a post-permission matter through the mandatory condition, the LPA will need clarity on the BNG position prior to granting permission so that the LPA can put in place necessary planning conditions and obligations to secure it. The aforementioned information will support this but further information/clarification and/or agreement may be required further on in the planning process. For example, where there are particular considerations around significant onsite biodiversity enhancements (see Step 3 for what is considered significant on-site enhancements) or use of offsite biodiversity gains, you will be required to submit a draft BGP at the validation stage. Submitting a draft BGP at validation will help avoid delays, facilitate early assessment, and discharge of the condition.

Please see our local validation requirements in Appendix 3, which will help improve the quality of your application and the efficiency and effectiveness of processing the planning application. There is a national BGP form <https://www.gov.uk/government/publications/biodiversity-gain-plan> which provides a template and this should be used to submit your draft and approved BGP.

3.5.3. Determination and approval of the Biodiversity Gain Plan

The following steps set out what further checks the LPA will need to undertake before a decision can be reached on your BNG assessment and draft Biodiversity Gain Plan.

Step 1. Agreement of the baseline date

Before approval the LPA will need to agree with the applicant the date for the measurement of the pre-development biodiversity value of the onsite habitat.

Surveys of the development site to calculate the pre-development biodiversity value of the onsite habitat should ideally be done shortly before the submission of the planning application to ensure, if the relevant date is the date of the planning application, and whether the pre-development biodiversity value is accurate. Older surveys can be used where there has been no material change to the onsite habitat when the planning application is submitted. If there has been a material change since the survey, it cannot be used.

If it is found that the habitat on site has been cleared, destroyed or degraded since the 30th of January 2020 so that the habitat is lost prior to the baseline survey, then the site will need to be reassessed using data (aerial imagery and other habitat data), from prior to the loss of the habitat.

If activities have taken place on land on or after 25 Aug 2023 in accordance with an existing planning permission but this development has still not begun or is not completed and a new application is subsequently submitted to which BNG applies, and where the baseline value has been significantly reduced due to those on site activities, then the baseline value immediately before those activities took place will be used.

Step 2. The metric check

The metric check will include:

- confirmation that it has been completed by a competent person;
- verification that the pre-development biodiversity value of the onsite habitat is correct, and this includes the habitat classification and condition;
- whether strategic significance has been applied correctly;
- whether the habitat trading rules have been met;
- whether additionality has been applied correctly;
- And if the development will deliver “at least 10%” across all relevant unit types (area-based habitats, watercourses, Hedgerows / line of trees), if applicable; and
- whether the assumed continuing condition is realistic and supported by evidence for management and use over the next 30 years.

These calculations need to be accompanied with habitat/landscape maps that separately show the existing/pre-development and proposed/post-development habitats/biodiversity units along with the supporting GIS data/layers.

You can geo-spatially link habitat parcels recorded in the metric, and they can be recorded against any landscape and planting plans, so that the size and location of post development habitats parcels can be fully understood.

Step 3. Securing delivery of BNG on-site

Preference is for on-site compensation and BNG measures (retain/enhance or create habitats). In most situations only relatively simple low-maintenance habitats should be targeted within the development site in order to ensure that the proposed habitats are delivered and managed properly to achieve the intended biodiversity value in the long-term. There are several simple and robust habitat types that are relatively easy to create and maintain in the longer term, which will still deliver good biodiversity value with relatively low maintenance requirements and can form part of a schemes Green Infrastructure requirements. The choice of habitat types will depend on the soils, drainage and aspect on the site, and will still need to be informed by professional judgement.

Types of habitats realistically deliverable on most development sites include:

- deciduous plantation woodland;
- ponds (depending on geology and drainage);
- scrub;
- hedgerows;
- medium distinctiveness grasslands can be established and managed on some sites, but this will depend on the availability of appropriate management skills, the size of the area (and degree of isolation) and the likely levels of disturbance.
- scattered native trees; and
- orchards.

The target condition for the habitats to be created or restored on site should in most cases be classed as moderate. It is very unlikely that grassland habitats, particularly within urban/suburban environments, would reach anything more than moderate condition. In such situations, a scheme which proposes that it can achieve a high distinctiveness habitat target condition (such as lowland meadows and limestone grasslands) will not be accepted unless there is a very sound justification and a strong chance of success in the long-term.

Private gardens can make positive contributions to biodiversity, but appropriate planting and ongoing management cannot be secured in the long-term. The metric accounts for this and uses a precautionary assumption that a housing development would be in the proportion of 70:30 developed land/sealed surface to vegetated garden. Any deviation from this will need to be approved by the LPA.

If there has been “significant” on-site gain the LPA will need consider whether maintenance of on-site habitat must be legally secured for at least 30 years from completion of the development.

What counts as a significant enhancement?

This will vary depending on the scale of development and existing habitat, but these would normally be:

- habitats of medium or higher distinctiveness in the biodiversity metric;
- habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development;
- habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development;
- areas of habitat creation or enhancement which are significant in area relative to the size of the development;

- enhancements to habitat condition, for example from poor or moderate to good.

Step 4. Securing delivery of BNG off-site

If BNG cannot be delivered on-site and this could include the applicant deciding to extend their development footprint/ red line boundary to include adjacent land to achieve BNG on-site, then off-site BNG will be considered. The LPA will need to agree that the BGP demonstrates that the mitigation hierarchy has been followed, and that valid attempts to avoid, minimise or reduce harm have been made within the site boundary. Off-site BNG delivery will also be considered if there is a clear argument for providing supporting habitat for species sensitive to disturbance which might be better located away from the development, applications will be considered on a case-by-case basis. Table 5 below shows offsetting options available in the County.

Table 5: Off-site delivery options available to applicants:

Applicant purchases off-site land	Applicant pays third party habitat broker
<p>The applicant buys/owns land required for offsetting (adjacent or in close proximity to the development site). The Gloucestershire Nature Recovery Network map should be used to identify strategic locations for enhancement and/or creation.</p> <p>The applicant designs and implements a bespoke offsite site which targets the impacts of the development.</p> <p>Management maybe passed to a third party.</p>	<p>The applicant does not own the land for offsetting.</p> <p>The third-party broker (such as the Gloucestershire Nature + Climate Fund) designs, implements and manages a bespoke offset site which targets the impacts of the development.</p>
Statutory biodiversity Credits	
<p>The applicant can buy as a last resort credits from the UK Government when the above options are not available locally. Statutory biodiversity credit prices can be found here.</p>	
Or a combination of the above	

Note - Conservation Covenants will be new private voluntary agreement between a landowner and a designated “responsible body” such as a conservation charity, public body or for-profit body which conserves (protects, restores or enhances) the natural or heritage features of the land. They are expected to be a valuable tool for LPA and developers to ensure that compensatory BNG habitats are maintained in the long term, even if the relevant land is sold.

The priority for off-site BNG compensation is always as close to the development site as is functionally possible. The “spatial risk multiplier” in the metric incentives this (See table 6 below).



Table 6: Spatial risk scores and descriptions for each habitat group.

Score	Area habitats, hedgerows and lines of trees	Intertidal habitats	Watercourse habitats
1.0	Compensation inside Local Planning Authority (LPA) boundary	Compensation inside Marine Plan Area of impact site	Within waterbody catchment
0.75	Compensation outside LPA but in neighbouring LPA	Compensation outside Marine Plan Area of impact site, but in neighbouring Marine Plan Area	Outside waterbody catchment, but within operational catchment
0.5	Compensation outside LPA and neighbouring LPA	Compensation outside Marine Plan Area of impact site and neighbouring Marine Plan Area	Outside operational catchment

The metric rewards off-site compensation in the same LPA or National Character Area as the development. The LPA will ask for reasonable endeavours to keep the purchase and sale of BNG units within the same LPA area as the development site that requires them. If that is not feasible then there may be a need to secure biodiversity net gain agreements across LPA boundaries, depending on supply of BNG units available in each LPA area and the locality of the development requiring off-site biodiversity net gain.

Note: The LPA cannot determine the application until the off-site gain has been submitted and approved by Natural England to the **National Gain Site Register**.

To ensure this process is as efficient as possible, it is advisable that the applicant demonstrates the following (as these checks will also need to be undertaken by the LPA):

- the off-site gain has been registered on the Biodiversity Gain Site Register;
- the off-site gain has been allocated to the development i.e.: there is an allocation; (purchase contract between the applicant and the provider of the off-site gain and (if necessary, under the allocation agreement) any vesting certificate;
- if the allocation contract makes allocation conditional on something happening (e.g., grant of planning permission) check that the condition has been met or will be met by the time development begins;
- check the off-site biodiversity metric calculations i.e.: check that the biodiversity value of the gain in relation to the development is as stated in the BGP.

If the BGP relies on biodiversity credits, there will also be a check for evidence that the credits have been purchased.

Step 5. Finalising the Biodiversity Gain Plan

Once all of the checks have been made and the LPA is satisfied that biodiversity net gain information accompanying the application is acceptable, the LPA can approve the draft BGP.



Outline Planning Permission - For outline planning permission and phased developments any application documentation will need to explain the strategy to achieve the biodiversity gain objective across the whole site (Overall Biodiversity Gain Plan) and demonstrate how this could be delivered on a phase-by-phase basis (Phase Biodiversity Gain Plan) through subsequent detailed design. It will also be necessary to demonstrate how BNG delivery will be tracked on a phase-to-phase basis, including the target percentage gains to be delivered at each stage. It is envisaged that, for an outline planning permission for phased development, the Phase Biodiversity Gain Plan would be prepared alongside the application for reserve matter approvals for each phase.

3.6. Stage 4 - Implementation, monitoring and enforcement

3.6.1. Changes to the design of the scheme

Should the design change during development of a scheme in such a way that alters its impact on biodiversity, the BNG assessment will need to be reviewed and revised, and further advice from the LPA may be required. For sites with medium and high target distinctiveness habitats, the design will also need to be reconsidered along with long-term management requirements.

3.6.2. Habitat management

The establishment and long-term management of BNG, as well as its monitoring (if required), will form part of a Landscape and Ecological Management Plan (LEMP) and/or a Habitat Management and Monitoring Plan (HMMP) if it's to be delivered on-site and is considered to be 'significant' gain or through a HMMP if it is an off-site scheme and will similarly form part of a planning condition or be secured through a section 106 Agreement or other appropriate agreement which should be submitted prior to commencement of the development. If the post-construction habitats differ from the original BNG calculation and agreement, then a revised LEMP and/or HMMP will need to be submitted. A [habitat management and monitoring plan \(HMMP\) template and toolkit](#) has been developed to help you write your HMMP.

3.6.3. Monitoring and reporting

It will be the landowner or developer's responsibility to ensure monitoring and reporting obligations are fulfilled, or adequately delegated to another body (with necessary funding), to the specifications set out in the BGP. The number of monitoring assessments will depend on the habitat type and extent, but a typical schedule for a medium sized habitat creation project might result in reports for years 1, 2, 5, 10, 15, 20, 25 and 30.

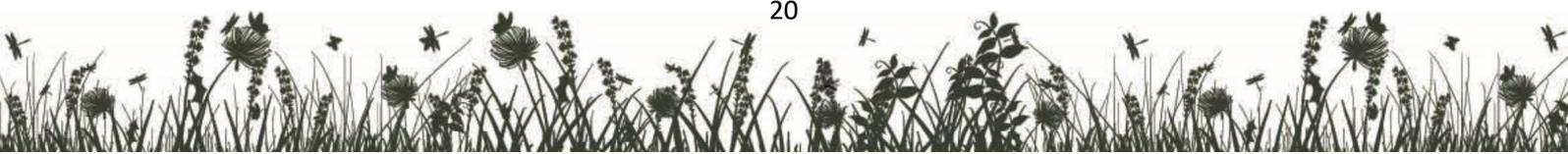
Monitoring reports should include:

- monitoring outcomes of restored and/or newly created BNG habitats ("medium or high distinctiveness habitats");
- a summary of habitat type, extent, and condition (with a comparison where applicable against the expected condition proposed in the BGP).
- survey report and an updated Management Plan to cover the remaining timescales for the ongoing management.

"Low distinctiveness" habitats are lower in biodiversity value and thus only require relatively simple maintenance and reporting of these is not required.

Monitoring reports will need to be submitted to the LPA, the register operator (if off-site habitat is included) and the relevant responsible body (if a conservation covenant is used). Failure to deliver, or

attempt to deliver, biodiversity net gain outcomes can result in enforcement action. Revisions may be required to the original management plan accompanying the planning application in this instance and this should be accompanied by adequate evidence and justification for the proposed changes.



Appendix 1: Technical appendix provides on how to use the Gloucestershire Nature Recovery Network to assign strategic significance categories in the Biodiversity Metric.

The Nature Recovery Network mapping should be used to guide the type of habitat creation appropriate at a site (accessed here: <https://naturalcapital.gcerdata.com/>). Table 1 below provides a detailed breakdown of the habitat types found within the core habitat categories.

Table 1. Core habitats included within the open, woodland and freshwater wetland networks. Note that estuarine habitats have not yet been included in a network. The Arable network is based on stewardship options applied to arable land, rather than habitat types.

	Core habitats within each network. Priority habitats in bold.
Core habitat types included in the Open Habitats Network	Lowland dry acid grassland
	Lowland calcareous grassland
	Lowland meadows
	Lowland Heathland
	Purple moor grass and rush pastures
Core habitat types included in the Woodland Habitat Network	Upland oakwood
	Upland mixed ashwoods
	Lowland beech and yew woodland
	Wet woodland
	Upland birchwoods
	Lowland mixed deciduous woodland
	Other woodland; broadleaved
Other woodland; mixed; mainly broadleaved	
Core habitat types included in the Freshwater Wetland Network	Blanket bog
	Lowland raised bog
	Lowland fens
	Purple moor grass and rush pastures
	Reedbeds
	Eutrophic standing waters
	Mesotrophic lakes
	Rivers (priority habitat)
Mosaic habitats for high/med priority Open or Woodland zones (UK Hab secondary codes)	Scattered scrub (on grassland)
	Scattered trees (on grassland)
	Scattered dwarf shrubs (on grassland)
	Wood-pasture and parkland (on grassland)
	Traditional orchards (on grassland)
	Juniper on heaths or calcareous grasslands
	Woodland open space (rides and glades)



Within the categories of Woodland and Open habitat (see Table1) the specific habitat to be created will depend on the geology and type of neighbouring habitat.

An area of **high strategic significance** is defined as one that is any area intersecting A, B, C, D or E below and **is of direct relevance to the specific habitat type being compensated for** (see table 2 below).

Table 2: High Strategic Significance Categories

<p>A. Areas within the core habitat, medium or high priority areas of the Gloucestershire Nature Recovery Network</p>
<p>SSSIs and Local Wildlife Sites are encompassed within the Nature Recovery Network area since the designated sites largely consist of priority habitats which are included as core habitat.</p> <p>Component layers of the Nature Recovery Network mapping are:</p> <ul style="list-style-type: none"> • Existing Core Habitats The high strategic significance score can be applied where the condition of the existing type of wildlife rich habitat in a core area is improved or enhanced. There are three main groupings of these Nature Recovery Network core habitats: woodland habitats; open habitats and water & wetland habitats. This high strategic significance score also applies where the condition of existing traditional orchards, wood pasture & parkland is improved or enhanced. • Nature Recovery Network priority areas for habitat creation/extension The high strategic significance score can be applied where the habitat being created is the type of habitat indicated in the Nature Recovery Network map as: <ul style="list-style-type: none"> • woodland [high or medium priority opportunity] • open habitats [high or medium priority opportunity] • open habitat or woodland [high or medium priority opportunity] as long as the specific type of woodland or open habitat matches that of the neighbouring woodland/open habitat that it is extending or providing a stepping stone from. Within the high and medium 'Open habitat <u>or</u> Woodland' priority areas, care should be taken not to block the connectivity of either habitat network by using matrix/mosaic habitats such as grassland with scrub, traditional orchard, wood pasture and parkland, and woodland with wide rides and glades. Actions in the low priority 'Open habitat or Woodland' areas should enhance the permeability of the landscape for biodiversity. • Wetland Opportunity Areas in the Nature Recovery Network map The high strategic significance score can be applied: <ul style="list-style-type: none"> • For water body restoration and wetland habitat creation within the Wetland Opportunity Areas. • For creation or enhancement of bogs, fens and marginal vegetation where the Wetland Opportunity Area overlays the Open Network. • For creation or enhancement of wet woodland where the Wetland Opportunity Area overlays the Woodland Network.
<p>B. Any designated sites or Local Wildlife Sites not covered by Nature Recovery Network core habitat (such as sites designated of species interest only).</p>



The high strategic significance score can be applied where the habitat enhancement is relevant to the conservation of the cited species.

C. Any area allocated for Nature Recovery or Green Infrastructure Improvements within a Local Plan

The high strategic significance score can be applied if the type of habitat to be created or enhanced is the type that is indicated by the Nature Recovery Network mapping and local geology.

D. Functionally linked land for species

The high strategic significance score can be applied where the habitat management plan contributes to the relevant species requirements for:

- Functionally linked land supporting Severn Estuary European Marine Site water birds.
- Functionally linked land supporting Wye Valley & Forest of Dean Bat Sites SAC, when available.
- Great Crested Newt strategic opportunity areas defined by NatureSpace Partnership. Note that any habitat mitigation and compensation required under Great Crested Newt protected species legislation cannot be used to demonstrate a 10% net gain.

E. Traditional orchard creation or restoration

The high strategic significance score can be applied for:

- The restoration or improvement of existing traditional orchard sites.
- The creation or restoration of traditional orchard habitat, or wood pasture & parkland, within 200 metres of an existing traditional orchard³.

An area of **medium strategic significance** is one that is any area outside of the above that intersects an area of strategic linkage as defined in F or G below (see Table 3 below), and where the habitat being created or enhanced is consistent with the Nature Recovery Network mapping or one of the other listed relevant local strategies.

The Nature Recovery Network modelling focusses on making existing core habitat better and bigger and locally more joined (i.e., increasing the resilience of these patches), the priority being to secure our existing semi-natural habitats into the future. The high and medium priority opportunity layers do not cover the larger strategic gaps in the Nature Recovery Network. These larger gaps require bigger landscape scale project focus. Biodiversity Net Gain projects may contribute to bigger programmes of work to deliver connectivity across strategic gaps.

Medium Strategic Significance Categories

³ A 200m buffer zone around existing traditional orchards was estimated from looking at data for other beetles of similar weight/size to the noble chafer in the literature. There is one reference of a noble chafer beetle being found 700m from original site. However noble chafer best practice guidelines suggest that only approximately 15% of adult beetles may leave their natal site.

F. Gloucestershire Nature Improvement Areas

The medium strategic significance score can be applied where a site is in a Gloucestershire Nature Improvement Area, as accessed here under boundary layers: <https://naturalcapital.gcerdata.com/>, but outside any of areas A to E above, and the habitat being created or enhanced contributes to the relevant ecological opportunities described in the Nature Improvement Areas in Gloucestershire document: <https://www.gloucestershirenature.org.uk/nature-improvement-areas>

G. Landscape scale projects as identified by Gloucestershire Local Nature Partnership

The medium strategic significance score can be applied where the habitat being created or enhanced contributes to the ecological aims, plans or strategies of one of the following landscape scale projects, but is outside any of areas A to E above:

- Severn Treescapes
- River Frome Vision and Strategic Action Plan
- Eelscapes Landscape Recovery Project
- Stroud Landscape Project
- Gloucester Nature Park
- Cotswold Water Park Nature Recovery Plan
- Cotswolds Nature Recovery Plan
- Malvern Hills AONB Nature Recovery Plan

Other local strategies which can be referred to in relation to High or Medium strategic significance scores:

The Statutory Biodiversity Metric User Guide (November 2023) says that, ahead of a Local Nature Recovery Strategy being published, a strategic significance score can be applied where there is a relevant plan, strategy or policy that specifies **suitable locations** for relevant habitat retention, creation and/or enhancement. For Gloucestershire we have identified the following relevant plans, strategies or policies, in addition to those referred to earlier in this document:

- Neighbourhood development plans
- Gloucestershire Tree Strategy
- Cotswold National Landscape Management Plan
- Wye Valley AONB Management Plan
- Malvern Hills AONB Management Plan
- River Wye SAC Conservation Plans and Supplementary Advice
- Wye Valley and Forest and Dean Bat Sites Supplementary Advice
- Wye Valley Woodlands Conservation Plans and Supplementary Advice
- Catchment management plans
- Severn River Basin Management Plan
- Severn Estuary Shoreline Management Plan

Appendix 2 - Irreplaceable habitats

There are specific provisions for the treatment of onsite irreplaceable habitats within the statutory framework for biodiversity net gain. Paragraph 180(c) of the National Planning Policy Framework provides strong policy protections for irreplaceable habitats: 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. It is recognised that the environmental cost of such loss or deterioration cannot adequately be captured by the biodiversity metric alone. For these reasons, the statutory framework for biodiversity net gain treats irreplaceable habitats differently.

The below irreplaceable habitats are an initial list, to support the launch of mandatory BNG, ahead of a public consultation on a broader definition of irreplaceable habitat in 2024.

For now, in mandatory BNG, the list of habitats will be:

- **Ancient woodland**
- **Ancient and veteran trees**
- **Blanket bog**
- **Limestone pavements**
- **Coastal sand dunes**
- **Spartina saltmarsh swards**
- **Mediterranean saltmarsh scrub**
- **Lowland fens**

The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024] define and list irreplaceable habitats for the purposes of biodiversity net gain. If these irreplaceable habitats form part of the development site, there are special modifications for the content and approval of the Biodiversity Gain Plan.

Although irreplaceable habitats are still included within the calculation of the pre-development and post-development biodiversity value of the onsite habitat, they will not be assigned a value unless there is an enhancement proposed to the habitat. So they will not usually contribute to the achievement of the biodiversity gain objective of at least a 10% gain. Instead, the Biodiversity Gain Plan must include information about how any adverse effect on the irreplaceable habitat has been minimised and any compensation plan if there are any adverse effects. 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.

Appendix 3 – Local Biodiversity Net Gain Validation List

Where development is subject to the general biodiversity gain condition, the application must be accompanied by minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

- a statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;
- the pre-development biodiversity value of the onsite 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;
- where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- a statement confirming whether the biodiversity value of the onsite 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 degradation has taken place supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to 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); and
- a plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or an earlier date), including any irreplaceable habitat.

Within the planning application form applicants will be asked to confirm whether this information accompanies the application. Where these details have been provided elsewhere in accompanying documents, applicants are encouraged to refer to these rather than duplicate this information within the application form.

In addition to these minimum information requirements the following information is required for **major development** applications:

- A full copy of the statutory biodiversity metric excel spreadsheet.
- Baseline, post intervention and off-site baseline and post-intervention maps (if needed) - The maps must include areas covered by each existing habitat type and the area in hectares (habitat module) or kilometres (watercourse and hedgerow modules) of each habitat type, using the UKHAB survey methodology. **The maps will need to be submitted in a format compatible with GIS software (e.g. Esri.shp).**
- The biodiversity assessment can be included as a chapter in the Ecological Impact Assessment report or as a separate biodiversity impact assessment report. The assessment must include a rationale for the condition assessment, strategic significance assigned to each habitat type, confirmation that the biodiversity gain hierarchy has been adhered to and an explanation as to whether on-site biodiversity net gains are significant.
- Where significant onsite gains or off-site gains are being delivered then a draft Biodiversity Gain Plan will be required.