Enfield Council

Biodiversity Net Gain
8th December 2023

DRAFT Guidance Note

How to use this document

The **first section** provides an overview and Enfield's objectives in applying Biodiversity Net Gain.

The **second section** sets out the legal and policy framework of Biodiversity Net Gain.

The **third section** details the methodology for calculating Biodiversity Net Gain, including metrics, in addition to Enfield's approach when assessing and monitoring that measurable gains are achieved.

The **fourth section** sets out how Biodiversity Net Gain will be integrated into Enfield's Development Management process. This section will also specify the requirements and conditions that applicants must follow to in order to achieve Biodiversity Net Gain.

- **Section One - Introduction to Biodiversity Net Gain**
- **Section Two - Biodiversity Net Gain Legal and Policy Framework**
- **Section Three - The Biodiversity Net Gain Approach**
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Purpose of this Guidance Note

As the statutory implementation date of January 2024 approaches, the purpose of this document is to provide interim guidance on Biodiversity Net Gain (BNG) and how new housing, industrial or commercial developments will deliver a mandatory minimum 10% gain.

This document outlines the requirements of the Environment Act, National Planning Policy Framework (NPPF) and guidance from Natural England and the Chartered Institute of Ecology & Environmental Management (CIEEM). It also sets out how Biodiversity Net Gain is expected to make a meaningful contribution to nature recovery.

The guidance note is primarily aimed at the development industry (in relation to housing and non-residential) as well as anyone considering promoting land for habitat creation and enhancement in Enfield. As such, the primary audience for the document is planning applicants, developers, planning agents, ecologists, landowners, land managers, land agents and site promoters. It may also be of interest to a wide range of conservation bodies and other technical stakeholders and the general public to better prepare for planning submissions.

It should be noted that this guidance note is not a formal planning policy. It does not establish a new planning policy, nor does it supersede any existing formally made planning policy. Instead, it sets out how Enfield Local Planning Authority intends to apply existing policy and prepare for upcoming mandatory Biodiversity Net Gain.

The intention is that this Guidance Note will be updated as necessary to respond to changes in national guidance and emerging local policy development.

SECTION ONE

An Introduction to Biodiversity Net Gain

Biodiversity Net Gain is an approach to development and associated land management that aims to leave biodiversity in a measurably better state than before.

Given the continuing decline in Biodiversity in the UK and globally, it is no longer enough to identify protected species and aim to conserve designated sites through the development process.

In seeking to drive Nature Recovery, the Government has introduced several measures including the mandating of measurable Biodiversity Net Gain in new development via the Environment Act 2021 (the Act). The Act includes a requirement for all future schemes including the development of land to deliver a mandatory minimum 10% Biodiversity Net Gain. This will include a requirement for the net gain to be maintained for at least 30 years.

The objective is that biodiversity will be in a measurably better state after new development has happened than before the development has taken place. So, if a developer wants to build some new homes on a parcel of land, the developer will have to calculate what level of biodiversity exists before development takes place, and then demonstrate how habitats will be created to increase biodiversity after the development has finished. This does not necessarily mean the same type of biodiversity or habitats are created as currently exists or created in the same place. It's about an overall increase in habitats and biodiversity, once a proposal has been adjusted for what will be lost and what will be gained. Hence the term 'net gain'.

Successful implementation of Biodiversity Net Gain has the potential to restore and create new habitats that can provide a home for a diverse range of species thereby positively contributing to biodiversity recovery.

Objectives of Enfield's Biodiversity Net Gain approach

Biodiversity is the variety of life and its processes; including the variety of living organisms, the genetic differences amongst them, and the communities and ecosystems in which they occur. An ecosystem is a community of plants, animals and microorganisms, along with their environment, that function together as a unit (an ecosystem can be as large as a rainforest or as small as a rotting log). The UK has suffered a considerable decline in biodiversity over recent years as a result of human activity.

Biodiversity is important in its own right and is an indicator of the wider health of the environment. Biodiversity is good for people's quality of life. A diverse and healthy environment improves the quality of life and provides recreational and educational resources for all sectors of the community. Biodiversity provides natural services (sometimes referred to as ecosystem services). These are components of nature, directly enjoyed, consumed, or used to yield human well-being, and are key to our survival, providing amongst other things, food, clean air and water. Biodiversity will help us adapt to climate change; as the climate changes healthy ecosystems and the services they provide will be increasingly valuable (but at the same time biodiversity will be threatened by an increasingly unpredictable climate).

To conserve our remaining biodiversity and reverse the recorded decline, the UK as a whole is moving towards measurable Biodiversity Net Gain throughout the planning process. The requirements of the Environment Act (2021) will ensure important ecosystem services are maintained and improved, as future developments look to not only conserve valuable habitats and species but enhance biodiversity via demonstratable measurable net gains.

The Enfield Local Planning Authority is considering how it can help to reverse the decline in biodiversity while continuing to provide the housing and commercial development necessary for our thriving communities' economic and social prosperity.

The Emerging Local Plan, Climate Action Plan, Blue and Green Strategy and Biodiversity Action Plan have made a clear commitment to prioritising biodiversity and delivering a green Local Plan. As a result, biodiversity will be a priority in development as a general principle, and open spaces, new buildings and development design should deliver biodiversity benefits throughout.

SECTION TWO

National and Local Regulatory Framework

This section sets out the legal and policy framework of Biodiversity Net Gain.

The Environment Act

The Environment Act 2021 (the Act) mandates Biodiversity Net Gain for development in England to ensure that the delivery of much-needed infrastructure and housing is not at the expense of vital biodiversity.

The Act sets out that most developments will be legally required to demonstrate a mandatory minimum net gain of 10% and secure those gains for a minimum of 30 years.

The Act sets out the following key components of mandatory biodiversity gain:

- Amendment of Town & Country Planning Act (TCPA)
- Requirement for a minimum 10% gain calculated using the Biodiversity Metric & approval of a biodiversity gain plan
- Habitat is required to be secured for at least 30 years via planning obligations or conservation covenants
- Delivered on-site, off-site or via a new government statutory biodiversity credits scheme (although this would be a last resort option)
- The setting up of a national register for net gain delivery sites.

It does not change existing legal protections for important habitats and wildlife species. It maintains the Mitigation Hierarchy of avoid impacts first, then mitigating and only compensating as a last resort. It will apply to Nationally Significant Infrastructure Projects (NSIPs) but not marine development.

A two-year transition period for this requirement is included in the Act to implement net gain within the planning system. The requirements of the Act are expected to be mandatory by January 2024 for larger sites and early 2024 for smaller sites.

National Planning Policy

The National Planning Policy Framework (NPPF) December 2023 sets out the Government's planning policies for England, providing the framework for local development plans that guide development, and as a material consideration in the determination of planning applications. The NPPF has at its heart the core principle of sustainable development and sets out several requirements related to the securing of Biodiversity Net Gain through the planning system.

The requirement for planning applications to deliver a net gain in biodiversity is set out in the NPPF.

Paragraph 180 (d) requires that planning decisions enhance the natural and local environment by "minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Paragraph 185 (b) requires plans to "promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity".

Paragraph 186 (d) advises that "development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

The Government's guidance also sets out the biodiversity Mitigation Hierarchy and provides advice on how to achieve Biodiversity Net Gain.

Regional Policy

Under the legislation establishing the Greater London Authority (GLA), the Mayor is required to publish a Spatial Development Strategy (SDS) and keep it under review. The SDS is known as the London Plan. As the overall strategic plan for London, it sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

Policy G6 (Biodiversity and access to nature) of the London Plan (2021) advises that for development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Enfield's Policy Alignment with Biodiversity Net Gain

The current Enfield development plan comprises:

- The London Borough of Enfield Local Development Framework Core Strategy (CS): The Enfield Plan (10th November 2010)
- The London Borough of Enfield Development Management Document (DMD) (on 19th November 2014)

The Council's policy position in respect of biodiversity builds upon existing national guidance and policy within the NPPF which makes biodiversity a material consideration. The newly proposed Biodiversity Net Gain metric and minimum target is welcome, especially to assess on a wider scale the increase in green infrastructure. Enfield's CS and DMD already include a range of policies to help protect and enhance blue green space in the borough that are beneficial for health by providing opportunities for physical activity and through known benefits of blue green space on mental health and wellbeing. Relevant policies are listed below:

Document	**Policy**
London Plan – Greater London Authority	G1 – Green infrastructure G2 – London's Green Belt G5 – Urban greening G6 – Biodiversity and access to Nature G7 – Trees and Woodland
The London Borough of Enfield Local Development Framework Core Strategy	CP36 – Biodiversity
The London Borough of Enfield Development Management Document	DMD78 – Nature Conservation DMD79 – Ecological Enhancements

It is widely acknowledged that climate change and biodiversity are interconnected. Climate change has negative impacts on biodiversity and is likely to become one of the most significant drivers of biodiversity loss, and loss of biodiversity will have significant direct and indirect impacts on human life and human well-being. However, biodiversity also makes an important contribution to climate change mitigation and adaptation, which means that conserving and promoting biodiversity is critical in the fight against climate change.

In recognising the wider issue of climate change and biodiversity are interconnected, Enfield Local Planning Authority has published the following supplementary planning guidance:

- Enfield Climate Action Plan (July 2020)
- Enfield's Blue and Green Strategy 2021-2031 (June 2021)
- Enfield Biodiversity Action Plan (September 2011)
- Mayor of London – Urban Greening for Biodiversity Net Gain: A Design Guide (2021)

The Council is currently in the process of producing a new Local Plan, the Emerging Local Plan (ELP) December 2023. The ELP is expected to be submitted to the Government for examination in 2024/25 with a target for adoption in 2025/26.

The ELP sets out the ambition for **20% Biodiversity Net Gain across Enfield** to address the strategic opportunities for nature recovery in the borough.

Of relevance is Policy 'BG4: Biodiversity Net Gain, Landscape Restoration and Offsetting' and is included below.

This policy sets out how development proposals will be expected to enhance and increase biodiversity and mitigate or offset the harm arising from the loss of natural habitats (e.g., trees and river corridors) and ecological features, in response to the plan's objective to create a distinct and leading part of London. Net gain is used as a proxy to measure the potential harmful effects arising from a development and calculate biodiversity net gain (e.g., habitat creation or enhancement).

The Environment Act has introduced a 10% mandatory requirement for biodiversity net gain within development, operational from January 2024. **The ELP sets out a higher requirement of 20% net gain to support the authority's ambitious nature recovery plans** which have been recognised by the Department for Environment, Food and Rural Affairs (DEFRA), This requirement has been tested for viability impacts. Net gain measurements should be calculated using Defra's biodiversity metric (an online tool) to establish the nature of the harm to biodiversity and the quality of the new green benefits arising from development as well as the anticipated costs of achieving a 10% level of net gain. In line with best practice, the provision of compensation to address residual biodiversity impacts will not be permitted unless the steps of the mitigation hierarchy (enhance, avoid or minimise, restore, compensate and offset habitat loss) set out in London Plan have been followed and all opportunities to avoid and then minimise negative impacts have been pursued.

BG4: Biodiversity Net Gain, Landscape Restoration and offsetting

1. All development proposals shall be considered in light of the mitigation hierarchy (avoid, mitigate and compensate) to protect most valuable ecological features of the site and minimise harm to nature. Measures will also be sought to increase or improve biodiversity through the restoration and re-creation of priority habitats and ecological networks and the protection and recovery of protected wildlife populations, especially where there are gaps across existing corridors.

2. Applicants must submit an action plan setting out how biodiversity will be improved as a result of the development to offset the loss or degradation of natural habitat on site (using the latest DEFRA metric model). The action plan will need to provide evidence of how the development will achieve a minimum of 20% net gain, including habitat creation, preferably on site. DEFRA has now confirmed a draft list of eight irreplaceable priority habitats which cannot form part of the net gain calculations and where bespoke mitigation must be agreed where harm is identified. BG4: Biodiversity Net Gain, Landscape Restoration and offsetting strategic policy

3. Where the 20% minimum requirement cannot be met on site, or would be better served elsewhere, adequate off-site compensation provision must be provided to an equivalent of better standard to offset the loss of habitats arising from the proposed development.

4. All proposals for biodiversity net gain in Enfield will be required to have regard to emerging Enfield Chase Landscape Recovery Strategy and subsequent London Local Nature Recovery Strategy. The Blue and Green Infrastructure Strategy sets out the evidence demonstrating that there are clear ecological benefits to investing in biodiversity net gain within Enfield. For the purposes of the Biodiversity Metric Calculation, the Enfield Chase Landscape Recovery Area is defined as having High Strategic Significance. Proposals which could lead to losses of biodiversity within the Enfield Chase Landscape Recovery Area will be resisted, even where compensatory credits can be provided elsewhere as this could compromise the area's strategic significance. Particular priority will be given towards contributions to native tree planting, river naturalisation and other habitat creation schemes in this area which compliment public accessibility.

Developers will be expected to submit a detailed action plan to ensure that biodiversity measures can be properly considered at the planning application stage, including details of the predevelopment biodiversity value of the site and the steps taken to avoid any adverse effects from development.

As a general rule, biodiversity gain should be provided on site. Where this is not practicable or viable (e.g., due to its size or location), off-site mitigation measures will be sought from developers to achieve net gain of at least an equivalent standard in line with the provisions set out in the biodiversity metric. Any contributions will be calculated on a site-by-site basis, based on the cost of mitigation.

Contributions will be sought towards enhancements to Enfield's emerging nature recovery network and the DEFRA funded Enfield Chase Landscape Recovery Programme as well as to the creation of buffer zones, removal of invasive species, planting of native species and river restoration projects (as set out in Enfield's Blue and Green Strategy and Biodiversity Action Plan). Applicants should also consider opportunities to upgrade and enhance existing sites of nature conservation importance (as shown on the Policies Map) and habitat corridors within non-designated areas. In line with DEFRA guidelines these measures will need to be maintained over a minimum of 30 years.

Enfield's Interim Applicability of Biodiversity Net Gain

The Government confirmed that as of January 2024, mandatory Biodiversity Net Gain will apply to all development that falls under the Town and Country Planning Act 1990, subject to several exemptions including permitted development and householder applications (see 'Applications exempt from Biodiversity Net Gain')

In the interim period before Biodiversity Net Gain becomes mandatory, the Enfield's approach is to implement existing national and local policy in a way which matches best practice. Such best practice is similar to how mandatory Biodiversity Net Gain will operate, so it's a good opportunity to help both developers and decision-makers get familiar with what Biodiversity Net Gain is and how it should be applied.

Once Biodiversity Net Gain becomes mandatory, Enfield Local Planning Authority reserves the right in a future update of the ELP, policies to instruct a higher percentage Biodiversity Net Gain target(s) which if adopted would, under current law, take precedence over the nationally mandated 10% Biodiversity Net Gain.

Enfield's Emerging Local Plan sets out the ambition for 20% Biodiversity Net Gain across Enfield to address the strategic opportunities for nature recovery in the borough. Once the plan is adopted this will be a requirement. Until that time, the NPPF states that local planning authorities may give weight to relevant policies in emerging plans, and therefore the requirement is a material consideration.

SECTION THREE

The Biodiversity Net Gain Approach

This section details the methodology for calculating Biodiversity Net Gain, including the Biodiversity Gain Hierarchy and the metrics, in addition to Enfield's approach when assessing and monitoring that measurable gains are achieved.

In advance of Biodiversity Net Gain becoming mandate, Enfield continues to support development proposals that incorporate other principles to measure biodiversity such as the Mitigation Hierarchy and Biodiversity Net Gain Principles in accordance with the NPPF, also outlined in this section.

Applicable Development

All major development and minor development that meets the following thresholds, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and Small Sites Metric will be encouraged to deliver Biodiversity Net Gain during this interim period, however it will not be a requirement (see table below).

This is the agreed position until the mandatory Biodiversity Net Gain requirement comes into place in January 2024 - for major development, April 2024 - for minor development) and late November 2025 for nationally significant infrastructure projects.

	Residential development	Non-residential development	Interim period before BNG becomes mandatory	When BNG becomes Mandatory
Major development	Where the number of dwellings to be provided is ten or more OR where the number of dwellings to be provided is not known, on a site area 0.5 hectares or more.	The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more OR development carried out on a site having an area of one hectare or more. OR all full applications for minerals and waste developments	Expected to provide a minimum 10% Biodiversity Net Gain, avoiding harm to existing biodiversity in accordance with the ecological Mitigation Hierarchy.	**A minimum 10% Biodiversity Net Gain** as measured with the most up to date version of the Defra **Biodiversity Metric**.
Minor development	Where the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare OR where the number of dwellings is unknown on a site area of less than 0.5 hectares	Where the floor space to be created is less than 1,000 square metres OR where the site area is less than one hectare.	Encouraged to provide a minimum 10% Biodiversity Net Gain, avoiding harm to existing biodiversity in accordance with the ecological Mitigation Hierarchy.	**A minimum 10% Biodiversity Net Gain** as measured with the most up to date version of the Defra **Small Sites Biodiversity Metric**

Mandatory Biodiversity Net Gain will only apply to new applications for planning permission for major development made after January 2024, minor development from April 2024 and nationally significant infrastructure projects from November 2025.

Applications exempt from Biodiversity Net Gain

The Government confirmed the following developments shall be exempt from mandatory Biodiversity Net Gain:

- development impacting habitat of an area below a 'de minimis' threshold of 25 metres squared, or 5m for linear habitats such as hedgerows
- householder applications
- biodiversity gain sites (where the habitats are being enhanced for wildlife)
- small scale self-build and custom housebuilding (further definitions will follow)
- applications with temporary impacts that can be restored within two years
- sites which are solely made up of an existing sealed surface (such as tarmac or existing buildings) as these have zero biodiversity value

The Environment Act 2021 already makes exemptions for prior approval applications, permitted development, approval of reserved matters, urgent crown development and development related to High Speed 2 (HS2).

For permission in principle applications (PIPs), Biodiversity Net Gain information will be required at the technical details application stage (unless this is amended by subsequent DEFRA guidance) rather than with the PIP application. Biodiversity Net Gain will also not apply to listed building consent applications, but please note that if these are made jointly with a full application which is not exempt from Biodiversity Net Gain, then Biodiversity Net Gain will be required for the full application.

Biodiversity Net Gain will not apply to Section 73 applications to vary the conditions imposed on an existing permission approved prior to January 2024 for major development, April 2024 for minor development and November 2025 (expected) for nationally significant infrastructure projects. However, Biodiversity Net Gain will apply to Section 73 applications seeking to vary the conditions imposed on the existing permission and which will alter the post-development biodiversity value.

Biodiversity Net Gain will not apply to Outline consents for major applications approved prior to January 2024, however the subsequent reserved matters application(s) will not need to incorporate Biodiversity Net Gain.

Although the above-mentioned developments are exempt from mandatory Biodiversity Net Gain, they still provide opportunities for biodiversity enhancements which could be secured through planning policy. In addition, being exempt from Biodiversity Net Gain does not mean the development is exempt from wider nature related policy requirements, such as protected species, trees or habitats.

Applicants are encouraged to make use of the Council's Pre-application Service to further understand the specific requirements in relation to their site.

Achieving Mandatory Biodiversity Net Gain

The biodiversity gain objective of at least a 10% gain is measured against the pre-development biodiversity value of the onsite habitat for the development. The objective is met if this value is exceeded by at least 10% through a combination of:

- onsite biodiversity gains measured as part of the post-development biodiversity value of the on-site habitat for the development
- registered offsite biodiversity gains which have been allocated to the development; and
- the purchase of biodiversity credits for the development

Biodiversity Gain Hierarchy

The Biodiversity Gain Hierarchy (which Local Planning Authorities such as Enfield must take account of when determining the Biodiversity Gain Plan) emphasises that on-site biodiversity gains should be considered first followed by registered offsite biodiversity gains and – as a last resort – biodiversity credits.

The Biodiversity Gain Hierarchy means the following actions in the following order of priority:

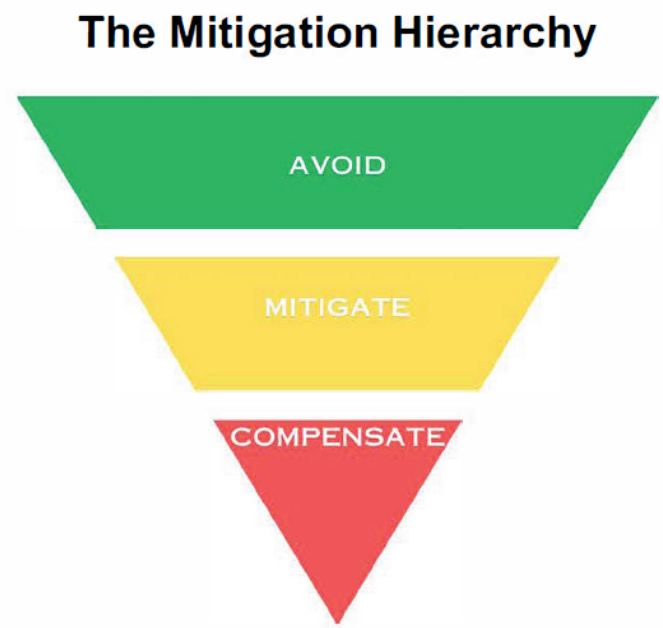
1. avoiding adverse effects of the development on onsite habitat with a habitat distinctiveness score, applied in the biodiversity metric, equal to or higher than six
2. so far as those adverse effects cannot be avoided, mitigating those effects
3. so far as those adverse effects cannot be mitigated, 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.

Developers are encouraged to follow the Biodiversity Gain Hierarchy from the earliest stage possible when selecting a site and considering development proposals.

Before Biodiversity Net Gain becomes mandatory however, Enfield Local Planning Authority expects that other biodiversity principles such as The Mitigation Hierarchy and Good Practice Principles for Development are fully considered alongside Biodiversity Net Gain.

The Mitigation Hierarchy

The NPPF requires that applications satisfy the requirements of the Mitigation Hierarchy, of avoid, mitigate and compensate, and where a development cannot, planning permission should be refused. The Mitigation Hierarchy remains a critical element of national and local policy and is essential for delivering the most sustainable and appropriate solutions for the natural environment. The Mitigation Hierarchy requires that developments first seek to avoid impacts on biodiversity; minimise impacts where they cannot be avoided; mitigate any impacts that cannot be avoided or minimised; and as a last resort, compensate for losses which cannot be avoided, minimised or mitigated. Use of the mitigation hierarchy can help to minimise the gains required by a development.



AVOID

Site layouts should avoid impacts on existing biodiverse habitats through site selection, by designing buildings and infrastructure around them and retaining as much as possible. Biodiversity net gain is easier to achieve where habitat impacts are avoided due to the way that risks associated with habitat creation or enhancement are accounted for in the Biodiversity Metric.

MITIGATE

Where it is not possible to avoid impacts, the developer should explore ways of reducing or minimising the impact on the site layout, such as through good project design or sensitive timing.

COMPENSATE

This would see any lost habitat areas recreated. This approach sits at the bottom of the mitigation hierarchy and is the least favoured approach. It must also be recognised that not all habitats can be re-created, such as ancient woodland, which is considered to be irreplaceable.

The Mitigation Hierarchy is a separate consideration from Biodiversity Gain Hierarchy, and the introduction of the Biodiversity Gain Hierarchy does not weaken, undermine or replace the Mitigation Hierarchy as a consideration. Biodiversity Net gain is additional to the hierarchy and only applies once the impacts on biodiversity have been avoided, mitigated and compensated. However, the statutory provisions mandatory Biodiversity Net Gain are an important material consideration that in many cases will take precedence over local planning policy. The statutory framework represents the appropriate national approach towards, and benchmark for, biodiversity gains in planning and will therefore be given the appropriate weight.

The Government's guidance indicates that decision makers should generally not give weight to local policy which requires biodiversity gains for types of development which would now be exempt under the statutory framework. Other local biodiversity policies which require specific enhancements to support biodiversity would continue to apply to these applications where appropriate.

Good Practice Principles for Development

The guidance document 'Biodiversity Net Gain: Good Practice Principles for Development', sets out ten good practice key principles, which provide a framework for achieving an overall benefit for biodiversity.

The principles should be applied all together as a unified approach:

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

The 'Good Practice Principles for Development' and 'The Mitigation Hierarchy' both require development proposals to apply the ecological Mitigation Hierarchy in order to result in no significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for only as a last resort.

Only as a last resort, and if compensating for losses on-site is not possible through careful design, then biodiversity losses should be offset by gains off-site.

Measuring Mandatory Biodiversity Net Gain

Enfield Local Planning Authority expects that Biodiversity Net Gain will be measured using the latest version of DEFRA's 'Biodiversity Metric' (the Metric) or the Small Sites Metric (effectively a simplified metric with modifying condition values pre-populated) and be in accordance with the UK Habitat Classification methodology, applied to both baseline habitat and on-site linear feature units such as rivers, streams and hedgerows. This is a habitat-based approach used to assess an area's value to wildlife and uses habitat features to calculate a biodiversity value (no. of 'biodiversity units').

The DEFRA metric should be used to assign a unit score to the site before development. The information needed to populate the metric should be taken from habitat surveys of the site before development and any related habitat clearance or management. It should then be used to assign an estimated unit score to the site after the proposed development takes place, considering habitats proposed on-site and if necessary, additional habitat improvement off-site.

Some major sites may not be suitable for delivering Biodiversity Net Gain on-site, for example where site characteristics may mean there is not the opportunity to deliver on-site such as limited open space being provided on-site in urban settings. In this instance, Enfield Local Planning Authority would consider off-site Biodiversity Net Gain, provided a suitable project has been identified in agreement with the Enfield Local Planning Authority to deliver this.

The application of the Mitigation Hierarchy and the integration of Biodiversity Net Gain will require consideration from an early stage of development. Ideally, an ecological consultant should be engaged at the earliest opportunity, before the design phase of the development, to ensure sites selected are suitable for development, that a net gain on the site is feasible and will avoid the need to retrofit Biodiversity Net Gain measures at a late stage resulting in costly changes to design proposals.

The level of net gain is established by comparing the 'pre-development' unit score with the 'post development' unit score and must represent an increase of at least 10% as below.

For more guidance on statutory biodiversity metric tools please see here.

DEFRA Metric Calculation

Pre-Development Baseline Biodiversity Value

Post-Development Biodiversity Value

Metric Term	Explanation
Size	The size of the habitat parcel to be retained, enhanced, created, or lost. Size is measured in hectares for area features, or in kilometres for linear features. The metric accepts size measurements to any number of decimal places.
Distinctiveness	A measure based on the type of habitat and its distinguishing features. This includes consideration of species richness, rarity, the extent to which the habitat is protected by designations and the degree to which a habitat supports species rarely found in other habitats.
Condition	A measure of the habitat against its ecological optimum state. Condition is a way of measuring variation in the quality of patches of the same habitat type
Strategic significance	Describes the local significance of the habitat based on its location and the habitat type.
Difficulty	A measure which represents the uncertainty in the effectiveness of management techniques used to enhance or create habitat.
Time to target condition	The average time taken between starting creation or enhancement of habitats and that habitat reaching its target condition and or distinctiveness.
Spatial risk	Spatial risk represents the relationship between the location of biodiversity loss (on-site) and where the off-site habitat is being delivered. This is applied to off-site interventions only. The metric penalises proposals where the off-site habitats are far away from the site of impact. This is done to avoid reducing biodiversity in the local areas, recognising the importance of ecosystem services provided to the local community.

The metric will show the amount of habitat to be created/restored in terms of biodiversity units. The process involves being able to recognise different habitat types down to a detailed level and an understanding of their current condition, therefore it is recommended that it is completed by a competent person who has the knowledge and skills to perform specified tasks to complete and review biodiversity metric calculations.

This can be obtained through training, qualifications, experience, or a combination of them. Competency aligned with the British Standard '[Process for designing and implementing biodiversity net gain (BS 8683:202)]'.

Enfield Local Planning Authority recommend the metric assessment be completed by a competent person as follows:

- Biodiversity Metric Assessment - A suitably qualified ecologist who has achieved Field Identification Skills Certificate (FISC) of Level 3 or above or holds a CIEEM accreditation. Evidence will need to be provided showing the required qualifications of the appointed Ecological consultant.

- Small Sites Metric Assessment – A person capable in identifying habitats present on the site before the development and identifying the management requirements for habitats which will be created or enhanced within the landscape design. The competent person must carry out the habitat survey and assessment and be able to confidently identify the habitats likely to occur in a given geographic location at the time of year the survey is undertaken.

You must be a qualified assessor to undertake a river condition assessment.

Evidence for metric decisions should be provided and signposted within the 'User comments' column of the metric calculation tool.

Exempt applications will not be required to achieve Biodiversity Net Gain through use of Biodiversity Metric calculations at this stage. Applications for new single dwellings (or possibly other small applications where it has been agreed that Biodiversity Metric calculations will not be applied due to very low ecological baseline value) will still be expected to demonstrate general biodiversity enhancements by provision of integral bat roosting features and integral bird nesting features.

Deliberate Devaluing of the Baseline Habitat

The Council will not tolerate the deliberate clearing of valuable habitats before applying a biodiversity metric to a proposed development site. Schedule 12 of the Environment Act (2021) deters against site clearance ahead of a planning application by allowing planning authorities to recognise any habitat degradation since 30th January 2020 and to take the earlier habitat state as the baseline for Biodiversity Net Gain. Where there is evidence of pre-emptive clearance occurring on site before ecological surveys have been carried out (such as removal of vegetation, including trees, or loss of other habitat features such as hedgerows or ponds) their deteriorated condition before such changes occurred will not be taken into consideration and the ecological potential of the site will be used to decide the acceptability of any development proposals.

Location of Biodiversity Net Gain Provision

The Biodiversity Net Gain approach embeds a spatial hierarchy of habitat delivery, where there is a preference for on-site habitat creation and enhancement in the first instance. The Biodiversity Metric incentivises habitat delivery on or close to the development site through a Spatial Risk Multiplier, which reduces the biodiversity value of habitats delivered further away from the development. An expectation for Biodiversity Net Gains should be borne in mind in decisions to acquire sites. Biodiversity Net Gain should then be designed into the scheme at the earliest point and should be suitable to the locality.

On-site delivery

On-site is land where the application site boundaries and all land necessary to carry out the proposed development (i.e., land required for access to the site from the road), typically outlined in red on submitted plans.

On-site does not include any other land owned by the applicant that is close to or adjacent to the property, typically outlined in blue on submitted plans.

In securing the on-site Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

a) a condition subject to which the planning permission is granted,
b) a planning obligation, or
c) a conservation covenant

There may be some instances where a minimum of 10% Biodiversity Net Gain cannot be delivered on-site and may involve off-site provision. In such instances, this should be demonstrated through submitted evidence to be agreed with Enfield Local Planning Authority.

In instances where a site is adjacent to a watercourse that is in full/part ownership of the applicant, the watercourse needs to be included within the red line site boundary and considered as part of Biodiversity Net Gain. Where a watercourse is in part ownership then the red line boundary should run to the centre of the watercourse.

Where an applicant's red line boundary covers or falls within the riparian zone (defined as 10 metres from the bank top of any river, stream or canal), but excludes the channel of the watercourse, then the river metric (including the condition assessment) will need to be applied. In instances where this may occur then any adjacent lengths of watercourse must be included within a metric assessment.

Off-site delivery

Off-site delivery of Biodiversity Net Gain can be achieved in two ways:

- Off-site land under the control of the applicant located nearby to deliver the Biodiversity Net Gain works required.
- Off-site land under the control of a third party to take on the responsibility to deliver the Biodiversity Net Gain works required. (Statutory Credits)

All off-site Biodiversity Net Gain, in the Environment Act called a 'biodiversity gain site,' has to be on the national Biodiversity Net Gain register that will be run by Natural England.

In securing the off-site Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

a) a planning obligation, or
b) a conservation covenant

In cases where Biodiversity Net Gain is delivered off-site, it will be prioritised in areas covered by Enfield's Local Nature Recovery Strategy (LNRS) and located as close as possible to the development site.

Where off-site Biodiversity Net Gain provision is proposed a binding legal agreement between the landowner (whose land will accommodate the off-site provision) and the developer will be required to ensure the planned habitat enhancement is achievable. The landowner will then be legally obliged to deliver the required outcomes as per the agreement, so they will need to be sure the habitat enhancement is physically and financially achievable.

When submitting off-site Biodiversity Net Gain to the Biodiversity Register the developer will also need to include Habitat Management and Monitoring Plans (HMMP). Templates will be made available by Natural England before Biodiversity Net Gain becomes mandatory.

The legal agreement between the landowner and developer and Biodiversity Registration will need to have been completed before submitting the Biodiversity Gain Statement (Core information) as part of a planning application.

The small sites metric is not appropriate for use where off-site habitat enhancement is proposed for development proposals of any size.

Enfield Local Planning Authority is not registered as a Responsible Body for the purposes of signing conservation covenants. As such, at this stage conservation covenants cannot be used to secure claimed biodiversity gains. Enfield Local Planning Authority may review its position with regards to conservation covenants and potential status as a Responsible Body in due course, but from day one of implementation, this route will not be available to applicants in Enfield.

Off-site delivery - Beyond Enfield Local Planning Authority boundary

There may be instances where it is acceptable for an applicant / developer to rely on off-site gains beyond the boundaries of Enfield Local Planning Authority. Off-site delivery mechanisms outside of Enfield Local Planning Authority must be secured in the same way (i.e. via planning obligation or conservation covenant). However, Enfield Local Planning Authority will not be party to any legal agreements beyond the boundaries of Enfield. Instead, a planning obligation would need to be signed with the relevant local planning authority within which the off-site solution is located, or a conservation covenant with a suitable Responsible Body.

Exceptions

The application of the Biodiversity Net Gain approach does not replace existing protection for habitats and species that exists within planning policy and legislation. This includes the legal protections afforded to species and statutory sites, which are separate from the planning process, and the policy requirements that relate to priority habitats and species, irreplaceable habitats and protected sites, whether these be through direct or indirect impacts. If present within or near to a development, impacts to these features will continue to be considered in accordance with the policy requirements, and in line with the legal responsibilities of Enfield Local Planning Authority.

Any biodiversity units resulting from mitigation and compensation sites for protected species and protected sites can only be used to achieve no net loss. Therefore, the requirement for a minimum 10% Biodiversity Net Gain would still need to be achieved elsewhere onsite or through offsite provision.

The losses to irreplaceable habitats, including habitats within Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites or Local Wildlife Sites (LWS, Ancient Seminatural woodland, Plantations on Ancient Woodland sites and other habitats considered to be of high distinctiveness (such as blanket bogs, upland hay meadows, etc.) cannot be accounted for within the metric and in all such cases the requirement for bespoke compensation will need to be discussed with all relevant bodies, including Enfield Local Planning Authority.

SECTION FOUR

Integration of Biodiversity Net Gain into Development Management

There are 5 key stages in Enfield's Development Management process:

- Development site selection
- Pre-application
- Submission and Validation
- Consideration and Determination
- Pre-commencement
- Commencement and Monitoring
- Enforcement

This section sets out how Biodiversity Net Gain will be integrated at each stage. This section will also specify the requirements and conditions that applicants must follow to in order to achieve mandatory Biodiversity Net Gain.

Development site selection

The prospective applicant should consider the location, context and appropriateness of developing their site from an ecological perspective. This can help to understand the broad potential feasibility of developing the site and to scope out the range of constraints, opportunities and impacts. Ecological advice should be incorporated into site selection from the outset.

This should include locating and designing development to have minimum impact on existing site habitats and focusing development on areas of low distinctiveness. The mitigation hierarchy should always be applied and impacts upon protected, irreplaceable and priority habitats avoided. If wildlife impacts are likely, the applicant should appoint qualified ecologist to produce an Ecological Impact Assessment, the scale of which will be proportionate to the scale of potential impacts. Baseline ecological surveys should be undertaken, and the statutory Biodiversity Metric used as early as possible to identify options with the least impact. Identify which option will be of greatest benefit to wildlife and reduce the need and cost for additional Biodiversity Net Gain compensation.

Pre-application Stage

You can engage in pre-application discussions with Enfield Local Planning Authority to identify whether or not your proposal is likely to be acceptable, what can be done to make your application acceptable, how we will apply our policies to your proposal and which type of application form you will need and the related or supporting information you will need to submit.

We encourage all applicants to seek advice before submitting an application. Getting early advice on biodiversity matters is essential, given the climate and ecological crisis, the need for better access to nature for Enfield's residents and the Local Planning Authorities' commitment to delivering Biodiversity Net Gain through the planning system.

For larger and more complex sites, Enfield Local Planning Authority may request that the applicant signs up to a Planning Performance Agreement (PPA) which can provide improved certainty for both parties and ensure enhanced bespoke levels of service from the Council in exchange for proportionate and reasonable costs being covered by the applicant. PPAs can cover all or just part of a development process but work best when covering the full period from pre-application through to delivery. Where a PPA is agreed, appropriate and costed, Enfield Local Planning Authority and Ecology Service resourcing will be identified within it.

Also for larger and more complex sites, Enfield Local Planning Authority may request that the development proposal is referred to the Enfield's Design Review Panel. This provides prospective applicants with a chance to understand how their site can respond to its context and opportunities to deliver high quality development. Engagement with this process at the pre-application stage is the most productive, economic and advantageous way to approach things, as this can assist in designing in appropriate responses from the outset rather than trying to retrofit responses into recommendations around elements of a fixed design. This can be particularly helpful in terms of designing in a site's approach to Biodiversity Net Gain. Further information can be found at

Considering Biodiversity Net Gain at the initial stages of the development management process will help to achieve better outcomes for biodiversity and will avoid the need to retrofit Biodiversity Net Gain measures at a late stage resulting in costly changes to design proposals.

Submission and Validation Stage

Biodiversity Assessment

In advance of Biodiversity Net Gain becoming mandatory, Biodiversity assessments (that could include a preliminary ecological appraisal or ecological impact assessment) are already submitted with planning applications. These assessments should consider the risk of the development creating adverse effects on the stability of adjacent land and/or infrastructure, which should include canal infrastructure, and identify the extent to which mitigation measures may be needed to minimise such risks.

An applicant must have established a proposed approach to delivering at least 10% Biodiversity Net Gain by the time a planning application is submitted. This does not mean that the applicant has a fully developed Biodiversity Gain Plan or Habitat Management and Monitoring Plan (HMMP), but that it has sufficient understanding of how it will approach compliance with the statutory requirement, and justifications associated.

Mandatory Biodiversity Net Gain

A Biodiversity Net Gain Statement must be submitted containing all necessary "biodiversity gain information" as set out within the Environment Act 2021 and any subsequent secondary legislation (for more guidance see 'Section Five - Validation Requirements') and can include:

- Wildlife / Ecology Survey
- Biodiversity Checklist
- Arboriculture Report
- Biodiversity Net Gain Statement
- Completed Biodiversity Metric
- Biodiversity Net Gain plans and drawings
- GIS data
- Declaration Form

On receiving an application, Enfield Local Planning Authority officers will check:

- whether an application is Biodiversity Net Gain 'liable'
- whether all of the above listed validation requirements have been submitted
- whether the headline results page of the submitted Metric identifies any errors or red flags
- whether the declaration form includes all necessary aspects for the type of application submitted.

Consideration and Determination Stage

Once satisfied that the information submitted is accurate, satisfactory and sufficient with reference to statutory requirements, adopted policy and in relation to the Guidance Note, Enfield Local Planning Authority can proceed towards determination.

Officers will consider whether sufficient information has been provided to answer the following questions:

- Has the Metric been completed properly?
- Has the mitigation hierarchy been followed?
- Has the proposal followed the sequential approach and provided appropriate justification?
- Does the development and associated Biodiversity Net Gain align with the Enfield's Biodiversity Net Gain Principles?
- Has the strategic significance multiplier been applied and justified appropriately?
- Have they got a clear strategy for securing any off-site gains?
- Have they been clear about how gains will be achieved across the whole site through future phases (where relevant)?
- Are their proposals for securing the gains, management, maintenance and monitoring appropriate?

Enfield Local Planning Authority intends to develop template planning conditions and planning obligations; however, these are not yet available.

When determining an application, Biodiversity Net Gain will often be a material consideration, and Enfield Local Planning Authority will want to consider, where relevant, whether the general Biodiversity Net Gain condition is capable of being discharged successfully through the imposition of conditions and agreement of planning obligations to secure significant on-site biodiversity gains and registered offsite gains.

In securing Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

a) The national deemed condition subject to which the planning permission is granted,
b) a planning obligation, or
c) a conservation covenant

If significant on-site gains are planned or there is any reliance upon off-site gains or statutory credits, then the means of securing these gains must be identified in any emerging planning obligation.

If the information listed in the validation stage is not submitted, or is submitted but in inadequate form, and is found by the Local Planning Authority to be necessary to demonstrate relevant policies have been satisfied, then your application will usually be refused.

Pre-commencement Stage

Following determination, the applicant / developer works up the final detail of their Biodiversity Net Gain proposal in line with the approved Biodiversity Net Gain Statement and other approved plans of the application. The final Metric is completed in full.

Where reliant upon an off-site solution, the applicant / developer secures the necessary biodiversity units, and the off-site provider supplies a proof of purchase / allocation certificate.

A Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan are developed for all on-site and off-site gains using the national templates. Any agreements or arrangements with third parties relied upon for management, maintenance or monitoring should be established. Once prepared, the applicant / developer submits these documents alongside any other necessary information to Enfield Local Planning Authority seeking discharge of necessary conditions and/or planning obligations.

Biodiversity Gain Plan

Before the development can begin, a Biodiversity Gain Plan shall be submitted by the developer to discharge the national deemed condition relating to the submission and approval of the Biodiversity Gain Plan. The purpose of the Biodiversity Gain Plan is to provide a clear and consistent document with which a developer sets out how the proposals meet the biodiversity net gain objective outlined in the Biodiversity Gain Statement. The Biodiversity Gain Plan contains the relevant information for Enfield Local Planning Authority to determine whether the Biodiversity Net Gain objective has been met and shall satisfy the following:

- Pre-development biodiversity value of on-site habitat is correct.
- Post-development biodiversity value of on-site habitat is what the Biodiversity Gain Plan says or more.
- Any reliance upon off-site gain is allocated to the development and has the value in as specified in the Biodiversity Gain Plan.
- Any reliance upon statutory credits have been purchased.
- The development will deliver at least 10% Biodiversity Net Gain
- Any other matters to be specified in Regulations.

The Chartered Institute of Ecology and Environmental Management (CIEEM) has published Biodiversity Net Gain Report and Audit Templates which are intended to provide a framework for writing reports for projects that are aiming to achieve biodiversity net gain in the interim period ahead of the mandatory requirement.

For all Outline planning applications, the information should follow the recommendations of the CIEEM Biodiversity Net Gain Feasibility Report Template

For full or reserved matters planning applications, the information should follow the recommendations of the CIEEM Biodiversity Net Gain Design Stage Report Template

Commencement and Monitoring Stage

Management and Monitoring Requirements

In securing Biodiversity Net Gain, the biodiversity value will be maintained for a minimum of 30 years and secured at the planning permission stage. During construction and for a 30-year period following this, monitoring will be implemented to ensure that all on and/or off-site Biodiversity Net Gain is delivered to the required condition. Reporting of findings to Enfield Local Planning Authority will be required.

Management and Monitoring Plans will need to be submitted as part of a detailed Biodiversity Net Gain Plan. Understanding an accurate date of commencement is important to monitoring compliance with any Biodiversity Gain Plan associated legal obligations and planning conditions.

Monitoring and reporting are the responsibility of the developer and should be set out in the Biodiversity Gain Plan. The monitoring reports should include a summary of habitat type, extent, and condition (with a comparison where applicable against the expected condition proposed in the biodiversity gain plan). It is expected as a minimum, that a 5-year aftercare report focusing on the establishment of the habitat in years 1-5 will be submitted alongside monitoring assessments submitted in years 2, 5, 10, 20 and 30. The monitoring reports should include:

- The baseline biodiversity assessment against which an uplift in biodiversity value will be monitored.
- The project's biodiversity targets.
- A detailed adaptive management plan setting out how habitats will be created or enhanced and describing the proposed ongoing management for a minimum of 30 years.
- The details of when target condition will be achieved and how they will be maintained.
- A detailed monitoring plan that will be used to inform ongoing management and assess the progress towards achieving target condition. This should outline the surveys that will be used to inform condition monitoring reports.
- Monitoring reports will be provided to Enfield Local Planning Authority in years 1, 2, 3, 5, 10, 15, 20, 25 and 30.
- The roles, responsibilities and professional competencies of the people involved in implementing and monitoring the Biodiversity Net Gain delivery.

- Evidence that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management.
- GIS files showing the baseline biodiversity values and all proposed target biodiversity values for any created or enhanced habitats both on and off site.

A monitoring fee will be set during the negotiation of any relevant planning obligation to cover the Council's administrative and technical costs involved in monitoring the agreement and habitat creation or enhancement.

The same criteria as set out in relation to frequency of reporting and prioritisation of Council resources will be used in establishing the appropriate monitoring fee representative of the amount of officer time likely necessary in monitoring the Biodiversity Net Gain proposals:

- the size of the Biodiversity Net Gain habitat being enhanced or created,
- the distinctiveness of the habitat,
- the condition that the Biodiversity Net Gain is targeted to achieve,
- the strategic significance of the enhanced the created habitat, and
- consideration of the difficulty, temporal and spatial risks.

Enforcement

Monitoring is not just about quality control but also identifies the need for early intervention and enforcement. Through the above monitoring approach, Enfield Local Planning Authority expects the landowner / developer / off-site provider to be able to identify potential concerns and necessary mitigations at an early stage so as to avoid breaches and the need to engage enforcement.

Depending on the circumstances, if necessary and appropriate, Enfield Local Planning Authority may use enforcement powers as per its adopted Planning Enforcement Plan.

SECTION FIVE

Validation Requirements

The **national section** below sets out the interpretation of national requirements that are required for your application to be validated; these are defined by the Environment Act 2021 and any subsequent secondary legislation.

The **local section** below sets out the local requirements of Enfield Local Planning Authority that may be necessary for the successful processing of your application, depending upon its precise nature, constraints or scale. The matters set out in this section are not needed for your application to be validated but may be required to demonstrate that relevant planning policies/legislation have been satisfied by your proposals - failing to submit them at the outset, with your application, could jeopardise validation or what could otherwise be a favourable decision on your application.

National Requirements

When you apply for permission, the submitted Biodiversity Gain Statement must:

- Confirm whether the development is exempt from Biodiversity Net Gain / statement as to whether applicant believes development subject to General biodiversity gain condition (GBGC)
- Demonstrate the pre-development biodiversity value of on-site habitat on date of application (or earlier), including completed metric tool showing publication date and version of metric
- Where earlier date, reasons for proposing;
- Statement confirming whether biodiversity value of on-site habitats is lower on date of application because of degradation – if so, value should be taken as immediately before degrading activities
- Description of any irreplaceable habitat (IH)
- Plan (to identified scale, must show North) showing on-site habitat on date of application, including IH.

Local Requirements

The local validation requirements below set out how applicants should demonstrate compliance with the above national requirements and other local requirements as set out within Enfield Council's draft Biodiversity Net Gain Guidance Note.

The contents of the Biodiversity Gain Statement will vary dependent on the type of application; however, the following provides a broad outline:

- How adverse impacts on habitats have been minimised
- The pre-development biodiversity value of the on-site habitat
- The post-development biodiversity value of the on-site habitat
- The biodiversity value of any off-site habitat provided in relation to the development
- Any statutory biodiversity credits purchased
- Any further requirements as set out in secondary legislation.

An indicative but not comprehensive guide for inclusion within the Biodiversity Net Gain Statement shall include the following:

Item	**Commentary**
Wildlife / Ecology Survey	All ecological reports should follow CIEEM guidance on the lifespan of ecological reports and surveys
Arboriculture Report	Necessary to help inform accurate baseline, proposals and management plans.
Biodiversity Net Gain Statement	• Including all statutory information relevant to the application type as set out in the section above. • Including information responding to requirements set out in the Enfield Council Biodiversity Net Gain Guidance Note setting out how the applicant: ○ has followed the Biodiversity Gain Hierarchy ○ justifies any use of off-site gain ○ justifies any reliance upon statutory biodiversity credits ○ has followed the Enfield Biodiversity Net Gain Principles ○ has applied the strategic significance criteria ○ proposes to secure biodiversity gains and their management, maintenance and monitoring for the 30-year period.

Completed Biodiversity Metric	• Must be the latest published national Metric appropriate for the size and type of development. • Must be submitted as a Microsoft Excel Workbook (versions with both macros enabled and disabled must be provided) and also as a PDF (note both must be provided). • Any red flag errors will result in the Metric being returned and the application not being validated.
Biodiversity Net Gain plans and drawings	• On-site baseline habitat plan • On-site post-intervention proposed habitat plan • Off-site baseline habitat plan • Off-site post-intervention proposed habitat plan • Plans should be to scale and in line with other validation checklist conventions for site plans. • Plans should identify all different habitats referred to within the Metric submission so the size and location of habitat parcels can be fully understood spatially as well as through the Metric.
GIS data	GIS data files providing the same information as provided on the BNG plans and drawings above.
Declaration Form	A signed declaration form confirming that: • the Biodiversity Net Gain Statement includes all of the information required for validation for the type of application being made • the applicant has checked whether the baseline habitat has deteriorated significantly since 30 January 2020, and how the baseline date has been appropriately adjusted to reflect (such as to disregard) any deterioration • the Metric and other Biodiversity Gain Information have been completed by a suitably competent person (defined locally as being someone holding a Field Identification Skills Certificate (FISC) of Level 3 or above or holds a CIEEM accreditation) • Where necessary, the watercourse part of the Metric and other associated Biodiversity Gain Information have been completed by a suitably competent person (to be defined in secondary legislation but in the case of the Watercourse Metric requires specialist training to undertake).

It would be advisable that information about any potential planning obligations, including draft heads of terms, be provided as early in the process as possible.

In addition to these minimum requirements, further information can be provided in order to assist the consideration of Biodiversity Net Gain as part of the application. Specific further requirements within Biodiversity Net Gain Statement should respond to the following:

Core Information

- Map(s) of the site, and maps showing any Biodiversity Net Gain which is to be provided offsite.
- Excel and .pdf copy of the completed relevant Metric or other measurement of Biodiversity Net Gain?
- Habitat/ecology survey
- Has it been clearly set out how harm has been avoided following the mitigation hierarchy?
- Is there a pre-development biodiversity value score?
- Is there a post-development biodiversity value score given?
- If off-site Biodiversity Net Gain is going to be provided, is the nature of this, including its value given?
-

Supplementary information regarding measuring Biodiversity Net Gain

- Has a measurement of Biodiversity Net Gain been provided?
- If the Biodiversity Metrics have been used, is it the correct type and version?
- Is a percentage Biodiversity Net Gain proposed?
- Are all habitats in the red line boundary accounted for?
- Have the reasons for the condition scores been set out, in accordance with the DEFRA guidance?
- Are there high distinctiveness habitats proposed for creation/enhancement? If so, is there sufficient evidence to support this?
- Is a high level or more than one-step change in condition proposed? If so, is there sufficient evidence to support this?
- Is the strategic significance consistent with the relevant strategy/guidance document?
- Has trading downs been avoided?

In respect of the Habitat Survey / Ecology Assessment

- Is the appropriate type of survey/assessment submitted for the right type of Metric?
- Has the assessment been completed by an appropriately qualified ecologist (Biodiversity Metric) or ‘competent person’ (Small Sites Metric)

In respect of Mapping

- Is a baseline habitat map, showing the parcels of land corresponding to the Metric, provided?
- Is a proposed Biodiversity Net Gain habitat map, showing the parcels of land corresponding to the Metric, provided?

In respect of Management

- Has information been provided to clearly show how the proposed Biodiversity Net Gain habitats will be implemented, managed, and monitored for a minimum of 30-years?

Please note that there is a growing amount of published government information and guidance about biodiversity net gain, but the key 'planning practice guidance' that dictates how application submissions will be affected is still in draft while corresponding legislation is finalised.

The date for this has been communicated as 'January 2024' but will be confirmed once the relevant legislation is 'made' (i.e. completes its parliamentary approval process).

The list shall be further reviewed as and when Government publishes further guidance and legislation.

The Planning Portal Blog also provide regular updates more details and timings are finalised.

GLOSSARY

Avoidance
Measures taken to avoid creating impacts from the start. For example, changing the location of the development or development activities within the site to avoid the habitats present.

Biodiversity Gain Statement
To be submitted as part of a planning application setting out the core information as to how a scheme will deliver Biodiversity Net Gains

Biodiversity Gain Plan
To be conditioned as part of a planning application, setting out the full strategy for achieving Biodiversity Net Gain, including information not captured in the biodiversity metric such as species factors, habitat management plans and how the net gains will be managed and maintained.

Biodiversity Metric
A tool developed by Natural England/DEFRA (Biodiversity Metric) to be used for measuring biodiversity on development sites or changes in land use, which fall within the major planning application threshold.

Biodiversity Net Gain
Biodiversity Net Gain is development that leaves biodiversity in a measurably better state than before.

Biodiversity Unit
The value given to a habitat by the Metric based on factors such as area, distinctiveness, condition and strategic location.

Condition
A measure of the habitat against its ecological optimum state. Condition is a way of measuring variation in the quality of patches of the same habitat type.

Condition assessment
The process of assigning habitat condition, to be undertaken by a competent person.

Compensation
Measures taken to provide a biodiversity contribution that is proportionate to the long-term loss of residual impacts that cannot be completely avoided or minimised.

Conservation covenants
An 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. It is a private, voluntary agreement made for the public good, which can continue to be effective even after the land changes hands.

Habitat creation
The removal or the loss of the present habitat in the action of creating the new one or creating habitat where none was previously present (including bare ground). This includes, for example, removing scrub in order to create a wetland habitat or removing hardstanding to create new grassland habitat.

Habitat enhancement
The improvement of the condition of an existing habitat, thereby increasing the biodiversity value of a habitat type. Enhancement is achieved through measures that improve habitat biodiversity capacity and/or remove factors that detract from its value. This includes increasing the diversity of species that can be supported by a habitat, for example by managing improved grassland so that it becomes semi-improved grassland, which would seek to increase species diversity.

Habitat type
The technical annex lists biodiversity metric habitat types and their source material. Source material includes:

- UK Habitat Classification
- Natura 2000 (Annex I habitats)
- European Nature Information System habitat type hierarchical view
- Water Framework Directive Lake typologies

Habitat management and monitoring plan (HMMP)
A detailed plan that outlines how the land will be managed over at least 30 years to create and enhance habitats for Biodiversity Net Gain and manage and monitor the Biodiversity Net Gain.

Linear habitat
Habitats recorded in the biodiversity metric according to length (kilometres) instead of area (hectares). This includes habitats in the hedgerow and watercourse modules. It's taken as a centre line measurement along the length of the feature.

Metric
This is used to quantify impacts on biodiversity (unit value) and calculate compensation and net gain requirements. The most recent Natural England national biodiversity metric.

Mitigation Hierarchy
This is a stepwise approach first seeking to avoid impacts, then to minimise them, then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.

Project timeframe
The timeframe over which the biodiversity metric calculates gains and losses for specific habitat interventions.

Small Sites Metric
The Small Sites Metric is a simplified version of the Biodiversity Metric and has specifically been designed for use on small development sites. The Small Sites Metric is expected to become mandatory from April 2024.