

Biodiversity net gain and the Environment Bill

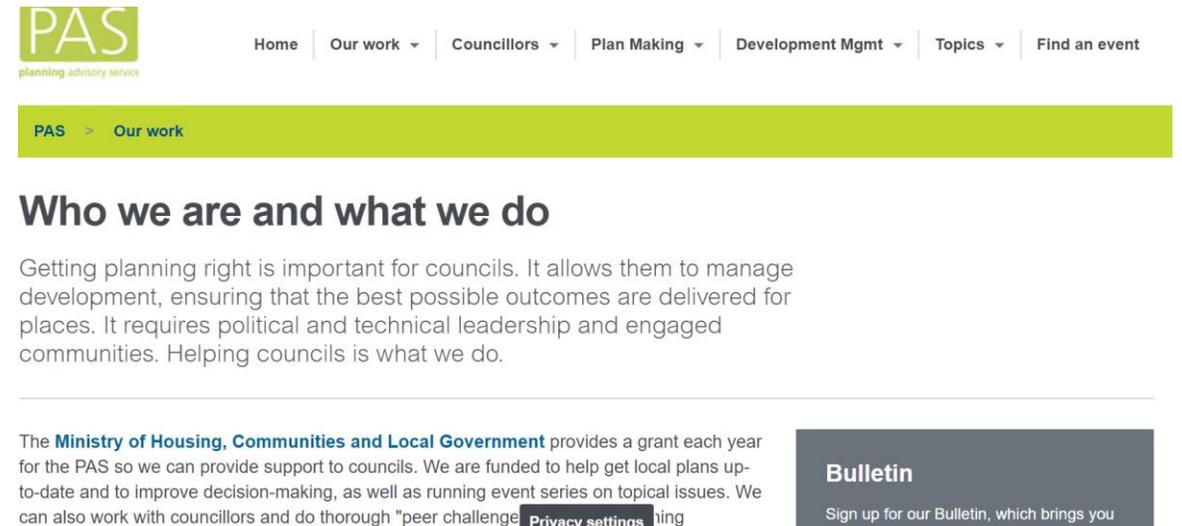
What does it mean for LPAs

- Go to www.slido.com Enter this code: #798656
or scan this QR code with your smartphone
- Turn your camera on and we will see you (which is nice!)
- Make sure you name yourself (click ... in corner of your video)
- We'll mute you to start with
- Questions in the Zoom chat please



Planning Advisory Service (PAS)

- Team of 9
- Provide support to councils
- Funded to help get local plans up-to-date and improve decision-making
- Run event series on topical issues
- Offer support through peer reviews
- Who's here today?



The screenshot shows the PAS website's 'Our work' page. At the top left is the PAS logo. To its right is a navigation menu with links for Home, Our work (selected), Councillors, Plan Making, Development Mgmt, Topics, and Find an event. Below the navigation is a green breadcrumb trail: PAS > Our work. The main heading is 'Who we are and what we do'. The text below explains that getting planning right is important for councils and that PAS helps with this. At the bottom left, there is a paragraph about funding from the Ministry of Housing, Communities and Local Government. At the bottom right, there is a dark grey box with the text 'Bulletin' and 'Sign up for our Bulletin, which brings you'.

PAS
planning advisory service

Home | Our work ▾ | Councillors ▾ | Plan Making ▾ | Development Mgmt ▾ | Topics ▾ | Find an event

PAS > Our work

Who we are and what we do

Getting planning right is important for councils. It allows them to manage development, ensuring that the best possible outcomes are delivered for places. It requires political and technical leadership and engaged communities. Helping councils is what we do.

The [Ministry of Housing, Communities and Local Government](#) provides a grant each year for the PAS so we can provide support to councils. We are funded to help get local plans up-to-date and to improve decision-making, as well as running event series on topical issues. We can also work with councillors and do thorough "peer challenge" [Privacy settings](#)ing

Bulletin
Sign up for our Bulletin, which brings you

Agenda

Introduction

Environment Bill and biodiversity net gain

Discussion session 1

How ready are you for mandatory biodiversity net gain?

Discussion session 2

How do you think we should focus our support?

Summing up, next steps and feedback

Finish at **XX**

Biodiversity Net Gain



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

BNG delivery mechanisms now

Onsite (units)

Offsite (units)

Potentially in full or combination



Delivered via habitat creation/enhancement via landscaping/green infrastructure

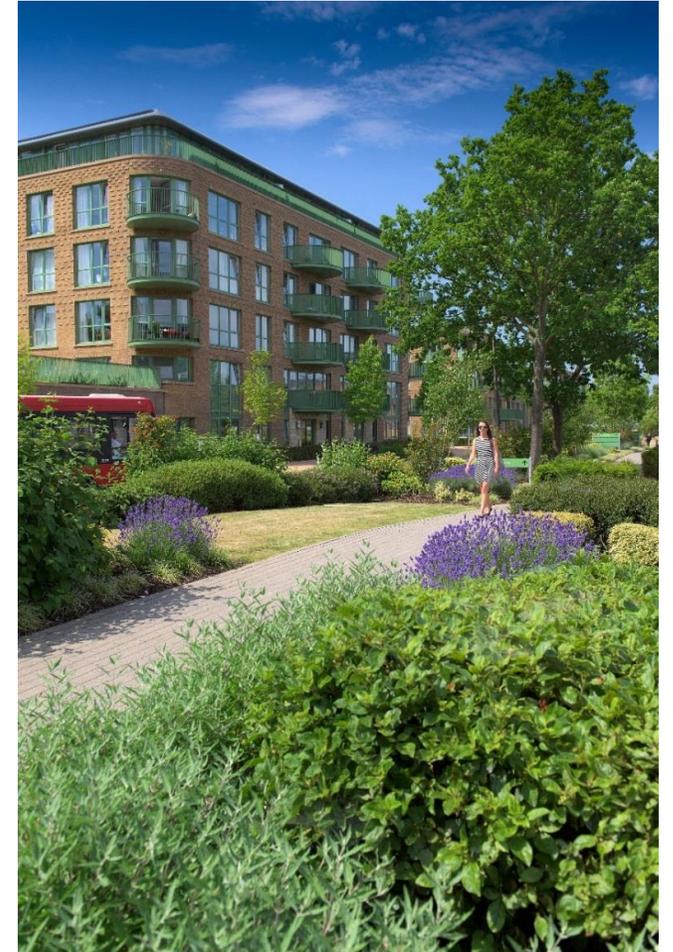


Delivered through new habitat creation/enhancement on land holdings or via habitat banks

Why BNG?

- Biodiversity decline
- Despite policy for no net loss (NERC Act, NPPF)
- Time to be more ambitious

- What about for you as LPAs?
 - Public realm
 - Green Infrastructure
 - Place making
 - Active travel
 - Potential income stream
 - Link to other agendas – climate change, flood resilience



BNG now



- 25 Year Environment Plan
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Design Guides – NIC + MHCLG
- National Policy Statements
- Biodiversity metric 2.0

Environment Bill

- Covers air quality, water, waste & resource, nature & biodiversity, conservation covenants
- Sets up Office for Environmental Protection (OEP)
- Nature and biodiversity:
 - Local Nature Recovery Strategies
 - **Biodiversity Net Gain**
 - Strengthened biodiversity duty on public authorities
 - Strategic protected site and species strategies
 - New tree felling consultation requirements



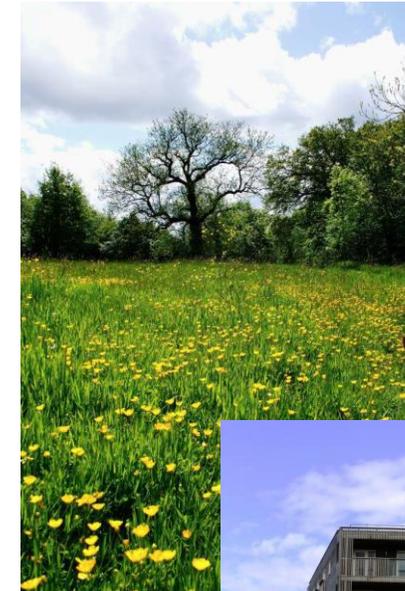
Draft Environment (Principles and Governance) Bill

Presented to Parliament by the Secretary of State for Environment, Food and Rural Affairs by Command of Her Majesty

December 2018

Mandatory BNG – key components

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



BNG delivery mechanisms

Onsite (units)

Potentially in full or combination



Delivered via habitat creation/enhancement via landscaping/green infrastructure

Offsite (units)



Delivered through new habitat creation/enhancement on land holdings or via habitat banks

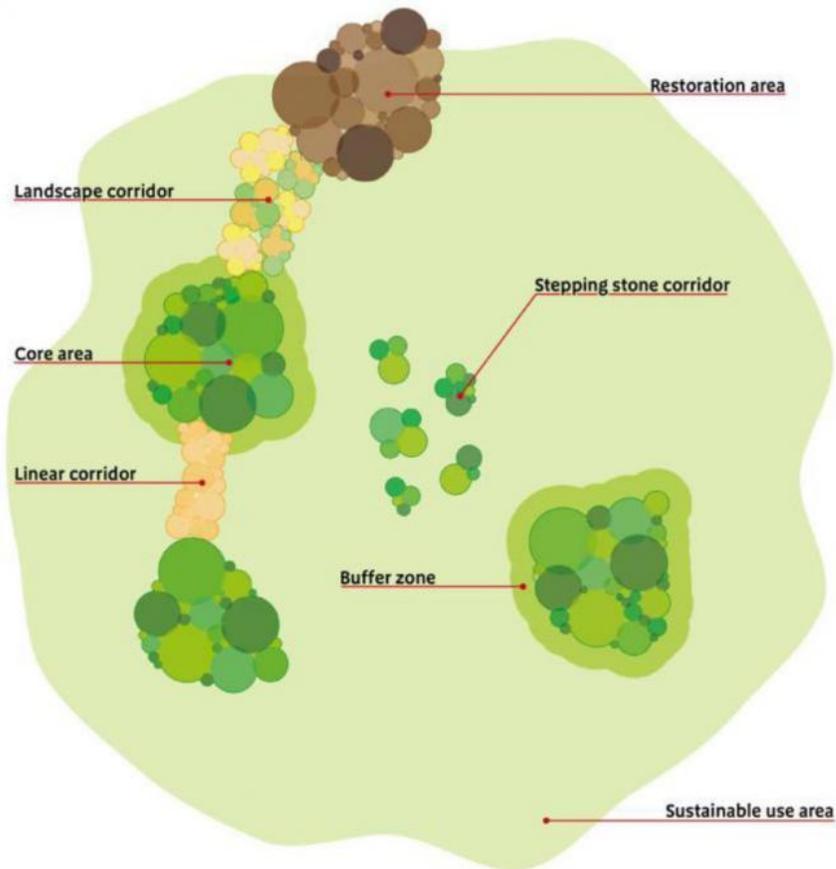
Statutory Credits

Only if units not available



Delivered through landscape-scale strategic habitat creation delivering nature-based solutions

Local Nature Recovery Strategies



Underpinned in Environment Bill;
partnership led

Locally developed, spatial strategies for
nature working within a national framework

Identify opportunities and priorities for
enhancing the natural environment

Inform and underpin the national Nature
Recovery Network (NRN)

Can be used to target BNG delivery

BNG Secondary Legislation

Net gain plan: Details on procedures to approve, factors to consider and appeals

Amendments to Planning Register

Exemptions

Degradation

Irreplaceable habitat

Net gain register

Additionality or 'stacking', i.e. how do you account for BNG alongside habitat provision for other reasons (e.g. mitigation or compensation)

How BNG applies to:

- Permissions granted under TCPA Sections 73a & 102; Sections 141 or 177
- Planning permission amendments
- Phased development

What does all this mean for us?

Where do we start?

What more do we need to do?

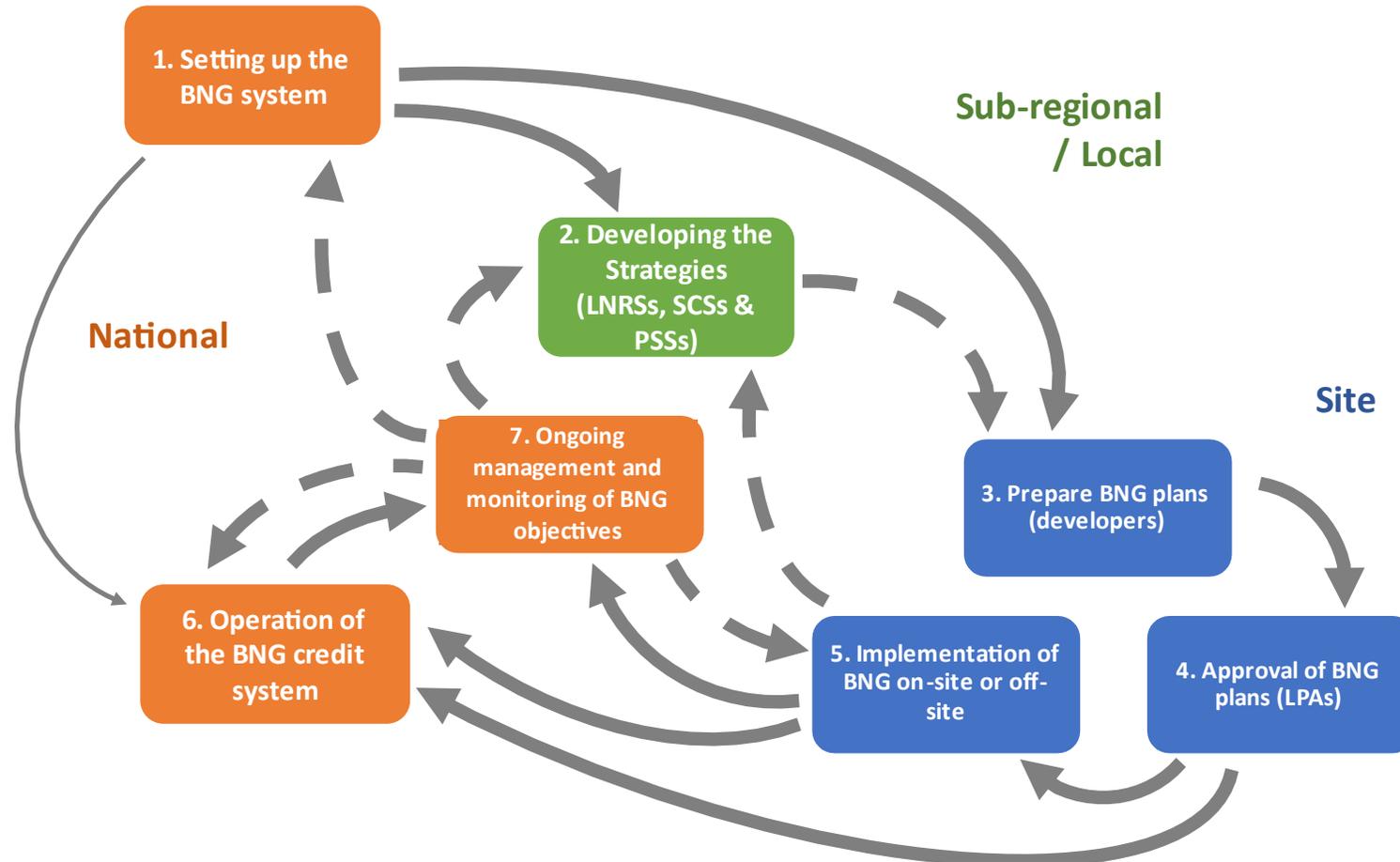
How do we get from A to B?

Timelines – what do we know?

Summer 2021	Autumn 2021	Spring 2022	Spring 2023
<ul style="list-style-type: none"> • Defra consultation: LNRS & secondary legislation • LNRS pilots report • New BSI standard • Metric 3.0 published + small sites metric 	<ul style="list-style-type: none"> • Royal Assent for Environment Bill • Details on statutory credits 	<ul style="list-style-type: none"> • Defra response to consultations • LNRS roll out 	<ul style="list-style-type: none"> • Digital BNG site register in place • Statutory credit service in place
<p>Now</p> 			<p>Autumn 2023 Mandatory BNG</p>

What Natural England and Defra are doing now to prepare

- Working with local authorities and getting their input
- Engaging cross-government and other organisations – CIEEM, IEMA, LGA, etc
- Details of statutory BNG credit scheme, including who will run it
- Digital platforms (register and credit scheme)
- New burdens, including ALGE/ADEPT survey
- Advice on conservation covenants and their relation to planning obligations and conditions
- Details on LNRS including ‘responsible authorities’



One envisaged “BNG logic model” (Natural England)

Greater Manchester Combined Authority

- 10 LPAs
- GM 5 year Environment Plan
- Evidence base
- Implementation plan with support for LPAs:
 - Training
 - BNG process with GM Ecology Unit
 - Model SPD
 - Validation checklist
 - Off-site BNG and habitat banking

The screenshot shows the GMCA website header with navigation links: Home, What We Do, Environment, Natural environment, Biodiversity Net Gain. The main content area features the title "Delivering Biodiversity Net Gain in Greater Manchester" and a sub-heading "What is Biodiversity Net Gain?". The text explains that Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before. A sidebar on the right contains a "Related News" section with a photo of a residential area and the headline "Environment Retrofitting Task Force to drive".

GMCA GREATER MANCHESTER COMBINED AUTHORITY **ANDY BURNHAM** MAYOR OF GREATER MANCHESTER Who We Are What We Do The Mayor News Brexit Coronavirus Contact Meetings Search The

[Home](#) / [What We Do](#) / [Environment](#) / [Natural environment](#) / [Biodiversity Net Gain](#)

Delivering Biodiversity Net Gain in Greater Manchester

What is Biodiversity Net Gain?

Biodiversity Net Gain is an approach to development, such as a new building or construction, that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity, developers will need to provide an increase in appropriate natural habitat and ecological features over and above that being affected. Through Biodiversity Net Gain, officials hope that the current loss of biodiversity through development will be halted and wildlife corridors can be restored.

Biodiversity Net Gain in Greater Manchester

The Greater Manchester Five-Year Environment Plan includes a high-level commitment to supporting the delivery of Biodiversity Net Gain across our city region. As part of proposals being brought forward by the Government's 25-Year Environment Plan and the Environment Bill, all developments under the Town and Country Planning Act will need to achieve net gain for biodiversity of 10%. This is soon to become mandatory through the forthcoming Environment Act in 2023 – the National Planning Policy Framework also requires net gain to be achieved in a measurable way.

Related News

Environment
Retrofitting Task Force to drive

Plymouth City Council

- Place-making – nature close to people
- Greenspace assessment
- Plymouth and SW Devon SPD BNG policy:
 - 10% net gain
 - Biodiversity Metric
- Natural Infrastructure Team:
 - Environmental planning advice
 - Parks and greenspaces
 - Biodiversity network



Lichfield District Council



- Biodiversity offsetting scheme due to site allocations issues in 2009
- 20% habitat replacement ratio (not Biodiversity Metric)
- Net gain policy and SPD
- Delivery through planning conditions and S106
- Nature recovery network mapping

But the LPA journey can look very different

Place-making principles

Local Plans

- An evidence base
- BNG policies w/ local distinctiveness
- An agreed target
- The agreed metric
- Detailed guidance (SPD)
- Strategy for offsite BNG delivery (LNRS)

Development Management

- Validating checklist for BNG
- Assessing BNG in applications
- Some standard BNG conditions
- A template for S106 agreements on BNG

Delivery

- Assessment of sites for BNG
- LA managed habitat banks
- Third party local offsite delivery
- National statutory credit system
- Monitoring – onsite and offsite

Now

Mandatory
BNG

Questions

- Any questions about the BNG regulatory regime?
- We'll answer what we can, but will also log so that we can make sure they're part of our support package

Poll: [www.slido.com #798656](https://www.slido.com/join/798656)

Which of following aspects of BNG do you feel most able to deliver in your authority? (You can select more than one)

- Policy
- Development Management
- Offsite delivery
- Link to place making and wider authority interests
- Members' interest/understanding
- Third sector engagement
- None of the above
- Other – please specify



LPA Biodiversity Net Gain Capacity and Skills Project

- Two year project funded by Defra started in March 2021
- Focus on BNG, but also touching on LNRS and other relevant aspects of Environment Bill
- Aim is to enable LPAs to be 'day one ready' for BNG
- Develop a programme of training and support for 330+ LPAs England-wide:
 - Policy planners
 - Development management planners
 - Councillors
 - Others as relevant
- Outputs will include:
 - Community of LPA planners and members
 - Website and resources focused to key groups

Session 1

How ready are you for mandatory biodiversity net gain?

- If you answered yes that you are currently involved in BNG delivery, what are you doing now?
- How geared up is your authority already for mandatory BNG?
- What's your biggest issue or concern about BNG?
 - What do you not know about?
 - What are the gaps in your knowledge?

In break-out groups – 20 minutes

Session 2

How do you think we should focus our support?

- What do you need support on to be able to deliver BNG in your LPA?
- How do you like to get this support?

(Bear in mind that we have 330+ LPAs to provide support to)

- 20 mins - back in break-out groups

Poll: www.slido.com #798656

- How would you most like to get support through the project? (Prioritise from 1 to 6)
 - Training events (online)
 - Discussion/sharing knowledge events (online)
 - Online community/support
 - Dedicated website
 - Detailed guidance
 - Case studies
 - Other?



Next steps

- Support offer
- Advisory group
- Looking forward to planning reforms and wider environmental agenda

What do you think?

How did we do?

We'll share our presentation & notes from the day with you all afterwards

PAS

The latest from PAS

Local Plan Gateway Review

Local Planning Authorities (LPAs) are required to have an up to date local plan in place by the end of 2023 or face government sanction/intervention. The planning system is in the middle of substantial change and PAS has created a "Gateway Review" - to help LPAs weigh up the best options for getting their local plan 'to the line'.

Infrastructure Funding Statements - A step-by-step guide and sample template

In December 2020 councils have to report for the first time on Section 106 contributions, and for those that charge the Community Infrastructure Levy the reporting requirements have changed slightly too. We have put together a guide and even a video to help you understand what you must report and what you should report.

Upcoming Events

Find out about our new series of events that are focussed on developing the skills you need to be a better planner or councillor involved in planning.

Keep in touch

The Planning Advisory Service bulletin
Sensible people do not volunteer to get more email. But 8,000 people including planners from every planning

Subscribe to our bulletin

It is where we announce new materials and events.

See also @pas_team