

PAS Biodiversity Net Gain and Nature Recovery update for councillors

1 November 2022

BNG & Nature Recovery update for members

- We have a lot of people in the 'room' so you are muted to start
- Questions in the Q&A please
- Please 'like' or thumbs up questions you want to ask, rather than repeating the same question
- We may not get round to all your questions, but will add answers to our biodiversity net gain FAQs page where relevant
- You can also use the 'chat' function, e.g. if you have technical issues or email Meg: megan.kidd@local.gov.uk
- We will be using polls, so please answer these
- This event is being recorded, slides and the recording will be up on our website next week

Agenda

1. Introduction and housekeeping

2. Introduction to BNG and nature recovery

Krista Patrick & Beccy Moberly, PAS

3. Defra and Natural England update on BNG and nature recovery

Catherine Duggan, Defra
White, Natural England

4. BNG and nature recovery in local authorities

Beccy Moberly, PAS

5. Biodiversity Net Gain in Salford

Cllr McCusker, Salford City Council

6. The LNRs and BNG in Cornwall

Cllr Alvey, Cornwall Council

7. Q&A

8. Summing up and feedback

Finish at 6.30

Planning Advisory Service (PAS) and BNG

- PAS is part of Local Government family, Team of 14
- Funded by DLUHC to support **English planning authorities** (LPAs)
- Wide programme, including in 2022/23: design, developer contributions, Local Plans, Environmental Outcome Reports & development management designation
- Environmental planning a recent addition, covering nutrient neutrality, nature recovery and biodiversity net gain
- Poll: have you been to a PAS event before?



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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.

What we do

The [Department for Levelling Up, Housing and Communities](#) 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" reviews of planning departments. We believe in a 'sector led' improvement approach, where local authorities help each other to continuously improve.

[Privacy settings](#)

Bulletin

Sign up for our Bulletin, which brings you news of our latest support, case studies, events and muses.

2. Introduction to Biodiversity Net Gain and nature recovery

Krista Patrick

Beccy Moberly

Why are we here? Valuing the natural environment in local decision making



The natural environment is the foundation for all aspects of our daily lives.

Nature's systems link and underpin human life and economic activity by cycling water, pollinating crops and regulating the climate.

- The stock of the aspects of **UK natural capital** we are currently able to value was an estimated **£1.2 trillion** (2019)
- The value of **health benefits** associated with outdoor recreation in the UK was estimated to be between **£6.2 billion and £8.4 billion** in 2020

Background & Policy Context

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



25 Year Environment Plan (2018) -

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



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

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

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



A Green Future: Our 25 Year Plan to
Improve the Environment



Environment Act New Duties

- All planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain from Nov 2023 (S98-101).
- Enhanced duty for LAs to conserve and enhance biodiversity (S102) and report on their actions (S103).
- LPAs will need to comply with the above duty and have regard to the Local Nature Recovery Strategy in local planning policy and decisions (S102).
- Responsible authorities appointed by the Secretary of State (S105) to lead the Local Nature Recovery Strategy (LNRS), working with a broad range of stakeholders.



Environment Act 2021

CHAPTER 30

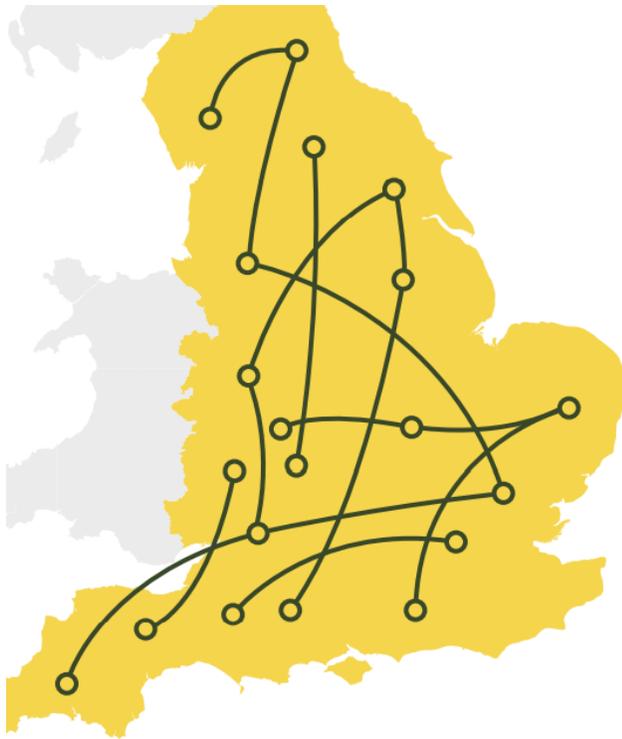
Biodiversity Net Gain (BNG) and Nature Recovery – what are they?



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

Nature recovery is about stepping beyond conservation into active restoration of the natural world and halting the decline in species abundance by 2030.

What is the Nature Recovery Network?



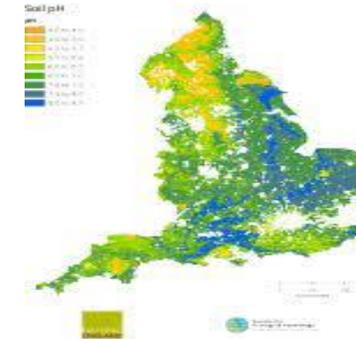
Nature Recovery Network (NRN):

- **National network of wildlife-rich places**
- Expand, improve and connect across towns, cities, countryside and coast
- Recover nature across England at scale
- **Tackle crises of biodiversity loss and climate change and improve public health and wellbeing**

How will the NRN be delivered?

1. New spatial tools

To target and plan the NRN – aligning needs at a national level and local priorities through Local Nature Recovery Strategies (**LNRS**)



2. Strong partnerships

To deliver action on the ground. Including: government, landowners and managers, business, local communities and conservation organisations

3. Integration of policies and funding streams Aligning and maximising existing opportunities, creating new, targeted policies and securing new funding or finance (**public and private**)



BNG in national policy

NPPF: Planning policies and decisions should contribute to and 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.

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Design Guides – NIC + MHCLG
- National Policy Statements
- Biodiversity Metric 3.1
- CIEEM, CIRIA & IEMA Good Practice Principles for BNG and guide for development
- British Standard *BS 8683: Process for designing and implementing biodiversity net gain*

Other biodiversity considerations

- Wildlife sites – European, SSSIs, local wildlife sites
- Protected species
- Priority and irreplaceable habitats
- Habitats Regulations Assessment (HRA)
- Strategic Environmental Assessment (SEA)
- Environmental Impact Assessment (EIA)
- Surveys – species, habitat

AVOID

Avoid impacts – site selection, site layout, design

MITIGATE

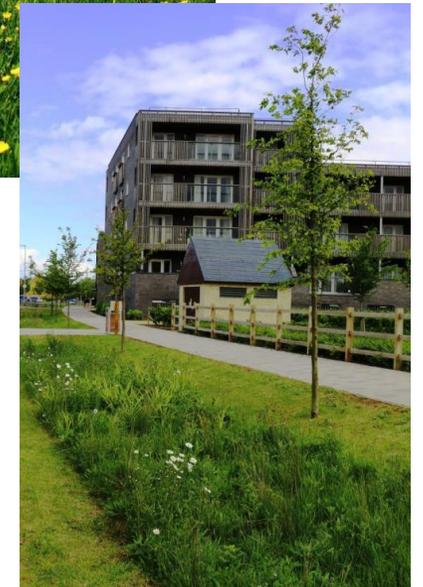
Measures to reduce any unavoidable impacts

COMPENSATE

Last resort

Key components of mandatory BNG

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



3. Updates from Defra and Natural England

Catherine Duggan, BNG team, Defra

Nick White, Principal Adviser, Natural England



Department
for Environment
Food & Rural Affairs

Biodiversity Net Gain

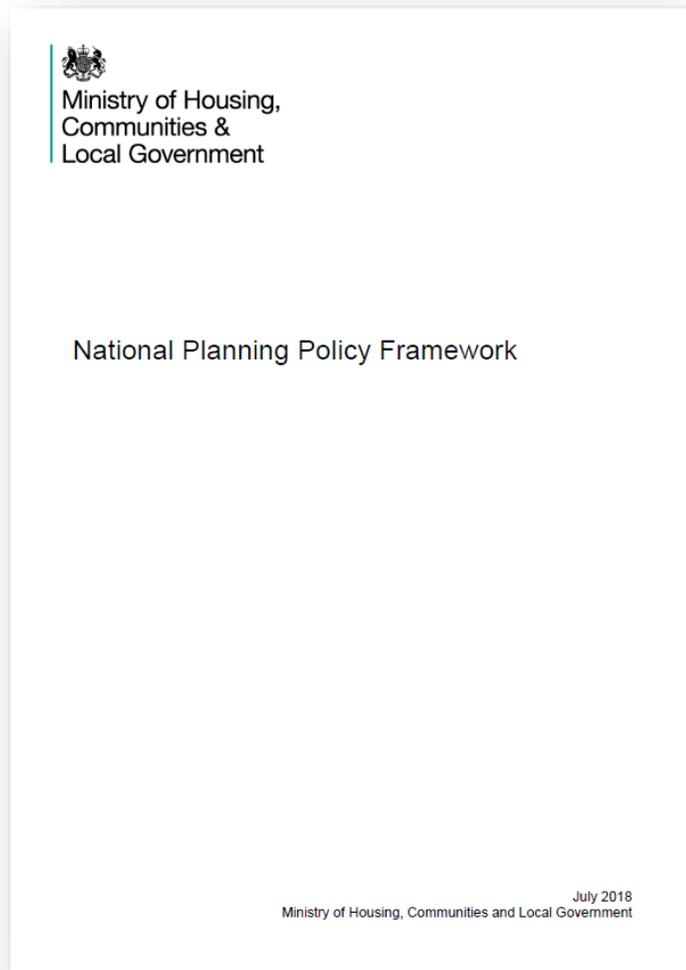
Catherine Duggan

Defra BNG Team

October 2022



Biodiversity net gain in the planning system



Biodiversity net gain is part of the National Planning Policy Framework. Principle of net gain in NPPF from 2012; strengthened in NPPF update in 2018.

Paragraphs 8 & 32: the environmental objective of sustainable development.

Paragraph 170: Planning policies and decisions should contribute to and enhance the natural and local environment by (d):... ***providing net gains for biodiversity;***

Paragraph 174. To protect and enhance biodiversity and geodiversity, plans should: (b)... ***pursue opportunities for securing measurable net gains for biodiversity.***

Making biodiversity net gain mandatory in planning

- Government consulted on making biodiversity net gain mandatory in the planning system in 2019.
- The government committed to making BNG mandatory through the Environment Act. Publication of an impact assessment and government response.
- The government's response to the 2019 biodiversity consultation set out the intention for a 2 year transition period following Royal Assent of the Environment Act.
- Environment Act - achieved Royal Assent in November 2021. Includes clauses to apply a minimum 10% increase in biodiversity on most planning applications. Government proposed to some exemptions including householder development and permitted development.
- **Transition period; November 2021 - November 2023**
- Government consulted this year on BNG implementation and secondary legislation (Jan 22). This included questions on application of BNG in TCPA developments, proposed exemptions, and detail on the operation of the offsite market and register. It also included a section on the application of BNG in Nationally Significant Infrastructure Projects (NSIPs) – government proposed to apply in 2025.
- Government consulted over the summer on the BNG Metric for use in mandatory net gain.
- Government has also separately consulted on the principles of marine net gain.

Biodiversity net gain

- During the transition period, Defra and other are working on several areas.
- These include:
 - Development and passage of **secondary legislation**.
 - Publication of a **Biodiversity Metric**.
 - Development of the **systems** required to support BNG; for example to handle the sales of biodiversity credits and manage the registration of offsite mitigation
 - **Skills and capacity** – development and publication of guidance, tools and support for sectors implementing BNG. For example, consulting on a standard template for the biodiversity net gain plan.
 - **Monitoring, evaluation, assurance and reporting** – setting up an evaluation and monitoring framework to monitor, evaluate, assure and report on BNG; development of templates for capturing monitoring data.

Capacity and skills

- We are undertaking work to assess LA requirements to be able to implement BNG successfully:
- ALGE/ADEPT review project - Published
 - Surveyed LPAs on a range of questions relating to capacity and skills for BNG and LNRS
 - Published on Defra Science Search – Project NR0183
- New burdens
 - Initial £4.18M dispersed earlier this year.
 - Assessment looking at burdens in the remainder of the transition period and from Nov 23 onwards in line with new burdens doctrine.
- PAS (Planning Advisory Service)
 - Delivering training and guidance products
- Guidance
 - Scoping work underway; considering interaction with other existing guidance products; aiming to test guidance with users

What's next?



- Writing and testing guidance
- Statutory instruments
- Consultation responses
- Engaging supply and demand-side stakeholders
- Digital – register creation and development of a platform to sell statutory biodiversity credits
- New burdens process

BNG actions you can start now

- **Consider early!** – site selection + outline design
- Refer to **guidance/standards** – CIRIA/CIEEM/IEMA, BS8683 or Government Advice
- What are the **local priorities**? Consider including BNG in Local Plans and other strategies e.g. LNRS, GI strategy, biodiversity opportunity areas etc
- Undertake **baseline metric calculations**
- Determine your **delivery strategy** – onsite/off-site or combinations of + how relates to other obligations. Set out monitoring and reporting expectations
- Identify **potential BNG Sites** – Consider whether LPA landholdings might also be suitable or appropriate to provide biodiversity units
- Ensure **Cross-Organisational Readiness** - Ensure that the planning; ecology, parks & greenspace; policy; legal and executive arms of local Government are aware of and prepared for mandatory BNG

4. BNG and nature recovery in local authorities

Beccy Moberly

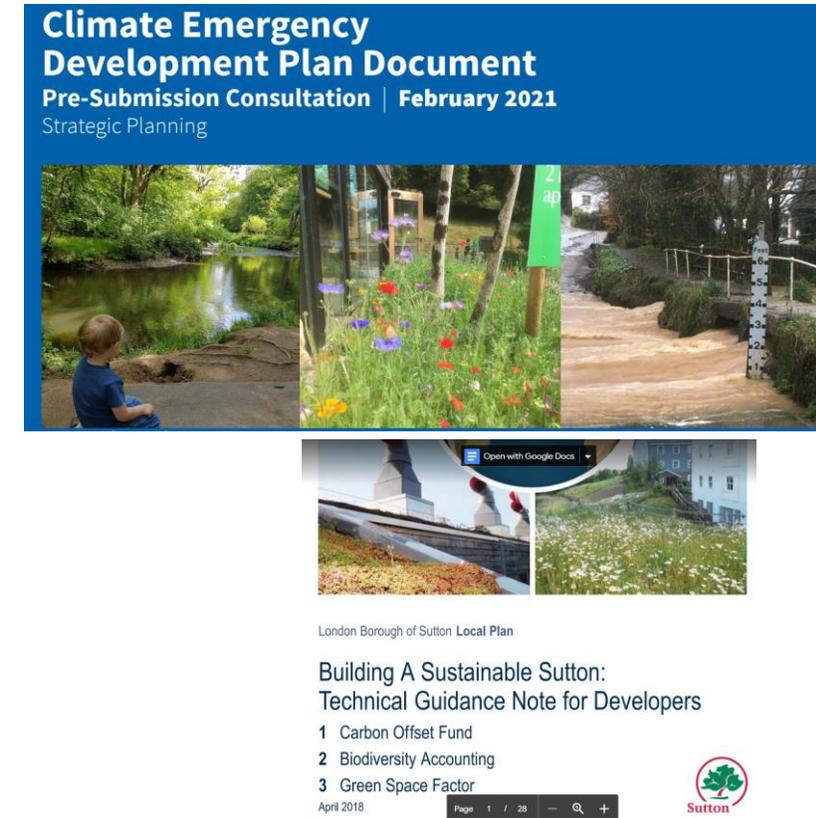
What is the local authority role in BNG and nature recovery?

- Planning decisions and Local Plan policies
- Setting strategy, linking to overarching council strategy and objectives:
 - Local Nature Recovery Strategy
 - Climate emergency
 - Place making & infrastructure
 - Natural capital and ecosystem services
- Embedding and joining up across council services, including estates
- Mapping, evidence and data
- Working in partnership
- Securing funding
- Delivering nature recovery on the ground
- Engage local communities, farmers and landowners



Why start now?

- Get ready early, test approaches and feed in experience to NE and Defra
- Not just about planning – how could you join up across council services?
- Address climate and ecological emergency
- Link into place-making and infrastructure:
 - what you want your borough's natural environment to look like
 - how the natural environment can deliver for local people
- Gather evidence
- Join up across LPAs - Local Nature Recovery Strategy (LNRS)
- Resourcing – expertise needed
- Avoid rush of non-BNG applications before it becomes mandatory



BNG Journey



- Corporate embedding of BNG as a priority
- Development of place-making principles around BNG
- Development of local strategy and evidence
- **Embedding in Local Plans and Strategic Planning**
- **Establishing Development Management arrangements**
- Delivery of schemes
- Monitoring and reporting of progress

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What is PAS doing to help?

Web-based guidance, including case studies and best practice

- BNG FAQs
- BNG journey
- Nature recovery

Self-service presentations and training

- Event slides and recordings, including conservation covenants
- Introduction to BNG

Events

- BNG and nature recovery for planners and councillors – 7 events: overview x2; BNG essentials (DM focus) x2; Policy and Strategy x2; Insights on Nature Recovery x1

Networks

- Officer practitioner network
- Stakeholder liaison (ADEPT, ALGE, CIEEM, etc)
- Feeding into Defra, NE and DLUHC policy development



We're keen to find out – nature recovery:

Q1 How big an opportunity for improving your place will nature recovery be? (1 = very little / 5 = lots and lots)

Q2 How well prepared to deliver nature recovery is your authority at the moment? (1 = not at all / 5 = very well)

We're keen to find out – biodiversity net gain:

Q1 Has your authority started working on BNG?

Q2 Do you understand your role as a councillor in helping your authority deliver biodiversity net gain?

Q3 How confident are you that your local authority can be ready to deliver BNG in November 2023? (1 = not at all confident / 5 = very confident)

5. What we're doing in Salford

Councillor Mike McCusker, Salford City Council

Salford City Council

Biodiversity Net Gain in Salford

Councillor Mike McCusker

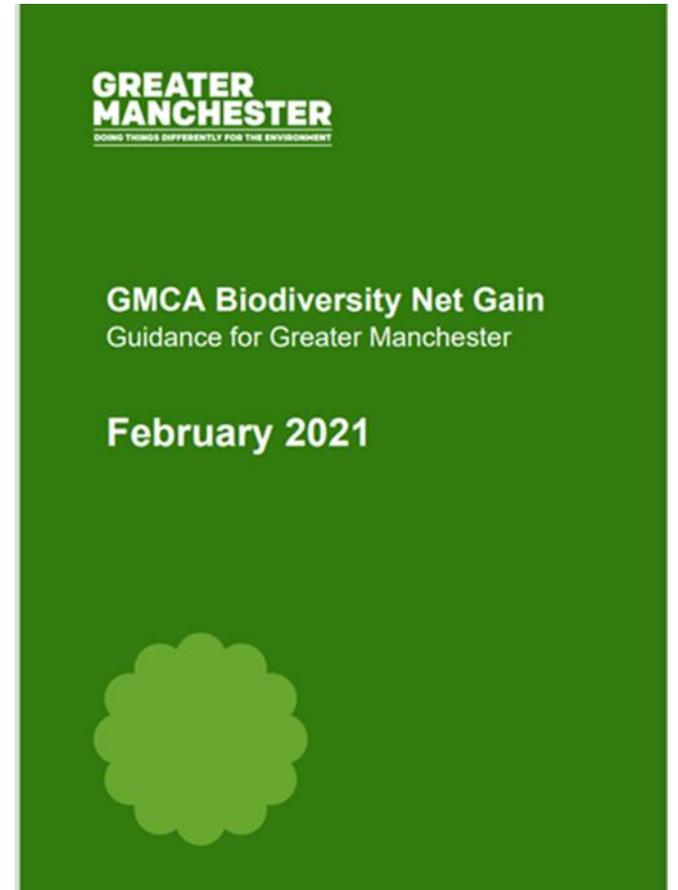
Lead Member for Planning, Transport
and Sustainable Development

Outline

- Greater Manchester Context
- Development of Salford City Council Local Plan policy
- Implementation ahead of national timeline
- Some issues and challenges

Greater Manchester context

- Strong Local Nature Partnership - Greater Manchester Natural Capital Group - Defra 'Urban Pioneer'
- GM BNG Task Group – GMCA, Natural England, GM Ecology Unit, Salford City Council, other partners
- Consultancy support from WSP, Footprint Ecology – GM BNG guidance document – feeding into DEFRA through Urban Pioneer
- Early engagement with all ten councils – development management and policy planners



Awareness raising and training in Greater Manchester



- Seminars and workshops for planners, and politicians
- Working through DEFRA BNG metric
- Training for 5 planners from each district – development management and policy planning

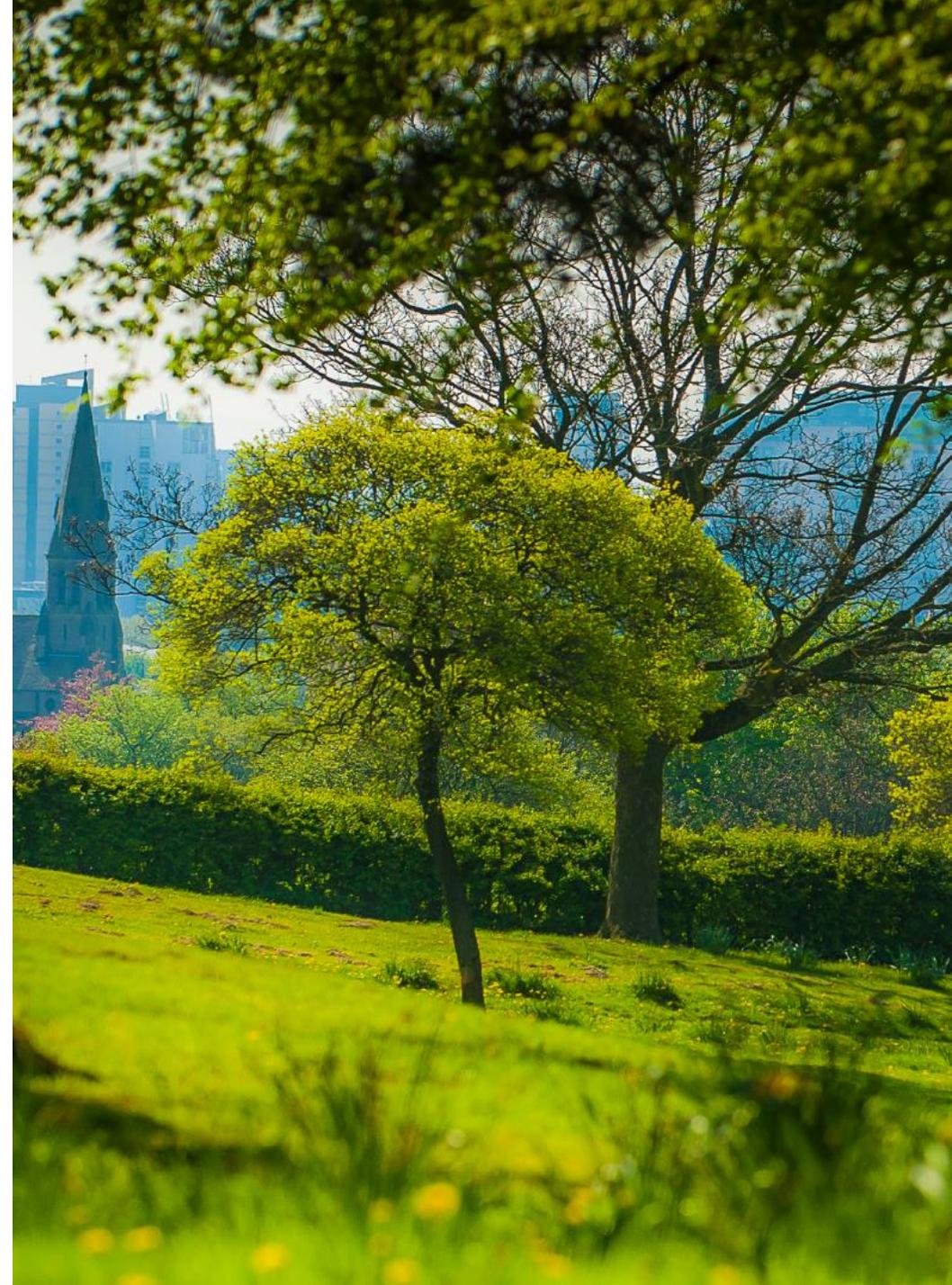
GM Five Year Environment Plan 2019 - 2024

- Comprehensive action plan on road to Zero Carbon GM by 2038
- Natural Environment key theme – Natural Capital Group
- Local Nature Recovery Strategy – GM Pilot
- GM Green City Partnership
- Biodiversity Declaration – signed by GMCA and Salford City Council
- Strong political leadership – SCC City Mayor and Lead Member



Drivers: Salford context

- Approximately half the city area is open land (including parks, farmland, some previously developed land, etc)
- 30% of Salford is Green Belt
- High levels of deprivation in some areas and high levels of inequality within the city
- High levels of development (2800 dwellings in 21/22)

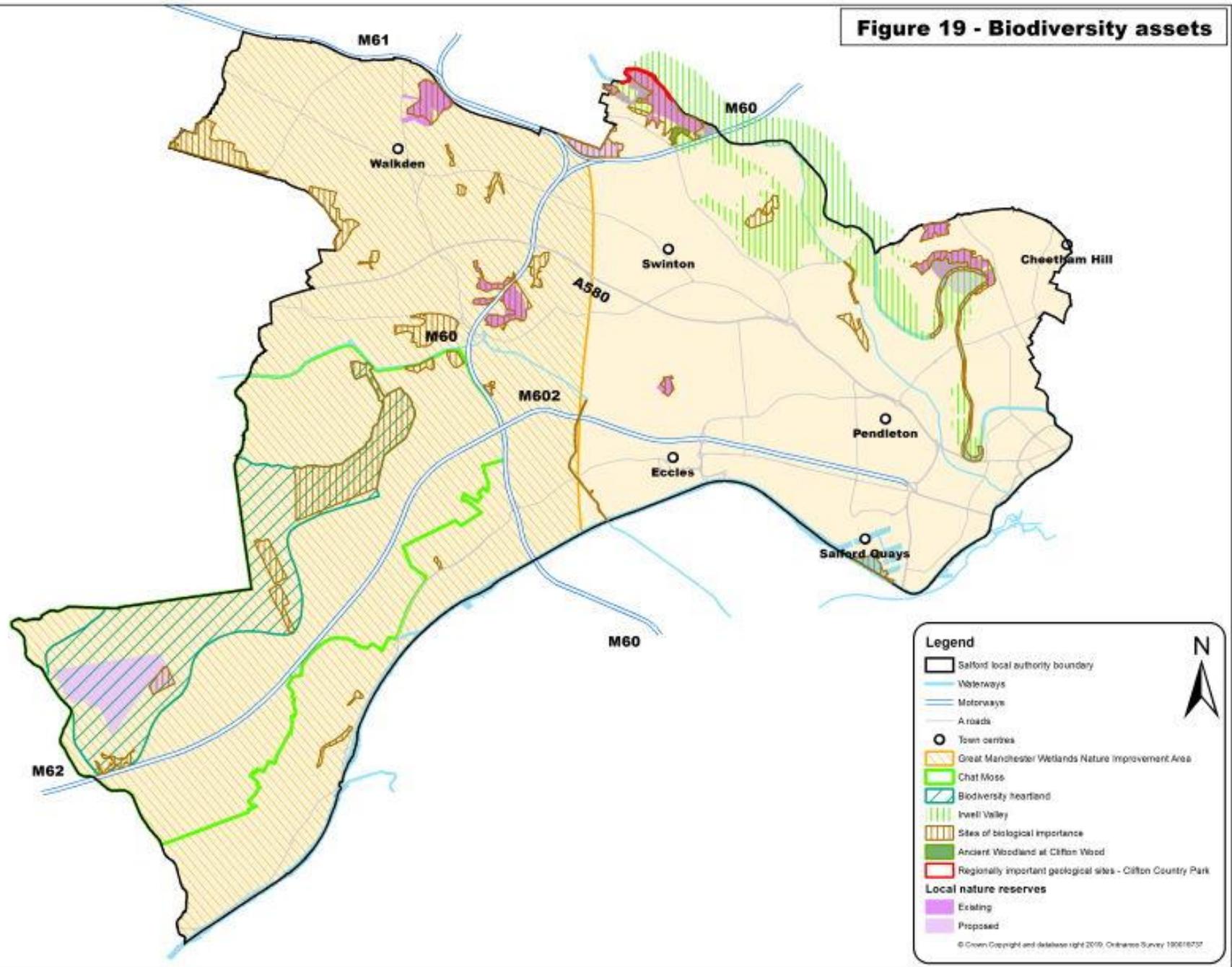


Drivers: Salford context

- Only 27% of local sites (SBIs) in positive conservation management
- No surface water bodies at good ecological status
- Green Belt in western Salford part of a narrow “gap” between the Manchester and Merseyside conurbations – important for species movement in warming climate
- No nationally or internationally designated sites for nature conservation



Figure 19 - Biodiversity assets



A fairer city

Salford's Local Plan

- Aims to create a better and fairer Salford for all – central to everything the local plan is seeking to accomplish
- Ensure development is genuinely sustainable (support economic, social and environmental objectives)
- Sets out strategic objectives for the city over the long term



A fairer city
Salford City Council

Publication Salford Local Plan:
Development Management
Policies and Designations

January 2020

Biodiversity Net Gain policy

- All development shall deliver a net gain in biodiversity value.
- All major development shall deliver at least a 10% net gain in biodiversity value



Challenges to Policy

- Some challenges to 10% from developers at Publication stage (early 2020 when Environment Bill at early stages)
- Also challenges from an environmental perspective
- Background Note on Biodiversity Net Gain produced prior to Submission – far less challenge at subsequent stages (Submission June 2021, Hearings December 2021)

Current implementation ahead of regulations

- Validation checklist – BNG metric required for major development since early 2021
- Development Management – implementing BNG based on requirements in the NPPF (para 174, 180) – but not 10% at this stage
- Ongoing work at a Greater Manchester level (e.g. pricing biodiversity units; sharing good practice)
- Working towards a list of potential offset sites – currently commissioning Habitat Management Plans for 3 City Council owned sites in Salford
- Council declared a Biodiversity Emergency October 2022

Some issues and challenges

- Understanding and adherence to new requirements varies
- Off-set sites – local benefits vs strategic priorities, in Salford most development in city centre
- Must deliver **Biodiversity gain** not just open space and recreation
- 30-year management plan required
- Role of Local Nature Recovery Strategies in guiding investment, link to planning?
- New work area needs to be resourced – ecological input and expertise required - will upfront funding be provided to ‘hit the ground running’ ?
- Further funding still required to address decline in biodiversity

Salford City Council

Thanks you - any Questions?

6. What we're doing in Cornwall

Councillor Martin Alvey, Cornwall Council

7. Questions and answers

- Please submit your questions through the Q&A
- We will answer as many as we can today
- We will add answers to FAQs on the PAS website



8. Summing up & next steps

What do you think?

How did we do?

Next steps:

- BNG and nature recovery event for members, officer events on 'BNG essentials', policy & strategy and insights on nature recovery
- Answering outstanding questions and adding to FAQs
- Ongoing support on biodiversity net gain and nature recovery through PAS projects

For more information:

- <https://www.local.gov.uk/pas/topics/environment>
- Sign up to the PAS bulletin: <https://www.local.gov.uk/pas/our-work/keep-touch>