



Biodiversity net gain briefing

Government published a [consultation on biodiversity net gain](#) on 2 December 2018 which closed on 10 February. The Wildlife Trusts coordinated and submitted a national response, drawing on the expertise and experience of the movement. Together we work with hundreds of planners, developers and construction firms to make space for wildlife in new developments.

Biodiversity Net Gain

Biodiversity net gain in development is defined as “*development that leaves biodiversity in a better state than before*”¹. The National Planning Policy Framework (NPPF) states that planning policy should identify and pursue opportunities for securing measurable gains for biodiversity. This is a strong recommendation, but policy remains ‘should do’ guidance only. The government is now consulting on whether biodiversity net gain should be mandatory for all development decisions made at the local planning authority level, primarily under the Town and Country Planning Act.

One of The Wildlife Trusts’ strategic aims is to make it normal for all housing, commercial and infrastructure development to contribute positively to nature’s recovery on land and at sea. Our [Housing Vision](#) promotes this approach. Biodiversity net gain, implemented in the right way, is therefore an important mechanism to help achieve The Wildlife Trusts’ ambition.

A mandatory requirement for biodiversity net gain would support delivery of existing planning policy, create a level playing field for developers and make it easier to implement a consistent national approach to net gain. We broadly support a mandatory approach to biodiversity net gain, but there are a number of important principles that must be applied.

1. **Mitigation Hierarchy:** In the NPPF, Defra makes it clear that net gain does not replace the Mitigation Hierarchy². We support this and believe that net gain must be additional to the hierarchy and come into play only once the impacts of development on biodiversity have been avoided, mitigated and compensated. **However, in the consultation, net gain and compensation for biodiversity loss are conflated.** It is not made clear that offsite compensation is a last resort, nor that net gain is additional to compensation. We are looking for **absolute clarity that the mitigation hierarchy is primary and is not undermined by a strategy for biodiversity net gain.**

At present, planning policy focus is on addressing development impacts on protected sites, priority habitats and species. The Wildlife Trusts believe that biodiversity net gain should cover all biodiversity to stop the incremental loss of widespread species and habitats resulting from development. Therefore, the metric approach to quantifying

¹ Biodiversity Net Gain: Good practice principles for development (2016) CIEEM, CIRIA, IEMA

² NPPF Para 175 a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused

biodiversity net gain must enable this, and ensure all biodiversity, of high, medium and low value is taken into account in the calculation. Importantly, net gain is not just about an improved compensation offer. It should apply to all developments regardless of scale and level of impact on wildlife.

2. ***Spatial plan:*** It is essential that a biodiversity net gain strategy is supported by a spatial plan, the Nature Recovery Network, if it is to achieve the benefits set out in the consultation paper, for both biodiversity and business.

The consultation says *“The government will only mandate biodiversity net gain if it is satisfied that it will deliver benefits for development, including greater certainty and process cost savings”*.

A Nature Recovery Network (NRN) and associated mapping will provide this certainty. It will enable decisions to be based on high quality, robust spatial environmental information, backed by clear and consistent policy processes to help developers before they submit their planning applications. By taking a spatial approach, the location of important areas for biodiversity that should be avoided and those places where development could contribute to a NRN are known even before development sites are chosen. This allows biodiversity impact to be considered at the earliest stage possible and for the mitigation hierarchy to be applied properly, avoiding damage to important sites and species and reducing costly delays.

The consultation proposes that, as with the current planning process, habitat surveys to identify habitats and their condition are done. The Trusts believe that having up to date information available for development – both in terms of locational choices and on site-requirements is fundamental. Local Nature Recovery Maps should form an important part of the upfront evidence base. These maps would help developers understand the potential level of risk and impact resulting from their proposed development, before committing resources on up to date site surveys to support a planning application.

To ensure the success of a mandatory approach to biodiversity net gain, we need to ensure that any biodiversity net gain delivers value for money for the developer, is ecologically suitable and secured for the long term. To achieve this, net gain needs to be appropriately located. For example, sites need to be near to other similar habitat to encourage colonisation; and contribute to making existing sites either bigger or more connected (as well as being less suitable ecologically - small, isolated compensation sites are also difficult and expensive to establish and manage for nature).

Spatial planning will identify where, within a NRN, carefully designed development could contribute most to the network. It would identify those areas that are so good for wildlife that it would be very expensive to both mitigate the damage caused by development and deliver net gain, so best avoided – therefore aiding forward planning and decision-making at a strategic level. But also ensure biodiversity net gain commitments are targeted in the right locations to secure long-term outcomes for wildlife.

Mapping of ecological networks has been a national planning policy requirement for almost seven years, yet there are many areas that are still without maps to inform decisions. To deliver on net gain policy and the wider ambitions for Nature’s Recovery within the 25 Year Environment

Plan, we believe it will be crucial to include a **statutory requirement, within the Environment Bill to produce Nature Recovery Maps**

3. *Robust monitoring strategy:* The measurement of biodiversity net gain is based on habitats rather than species. **For this to work for biodiversity a robust monitoring strategy must assess habitat quality as well as quantity.**
4. *Integrated approaches:* A parallel process to deliver net gain for certain protected species is still being developed. **Any district level or strategic approach to protected species licensing must demonstrably deliver net gain for that species.** We also need to get more **clarity on how biodiversity net gain and district licensing for protected species work together so that one does not undermine the other.**
5. *Use of a standard Metric:* To provide clarity and consistency for developers, local planning authorities and those organisations assessing the likely impact of development on biodiversity (including The Wildlife Trusts), there should be one standard biodiversity metric. If this is not agreed, the market will create a number of spurious and convenient metrics. [Defra's biodiversity metric](#) is rigorous, standard, tested and commonly applied within industry. **We recommend that TWT endorses the revised Defra metric, following scrutiny of the final version.**
6. *Biodiversity net gain must be a pre-requisite:* The NPPF and the 25 Year Environment Plan also support net environmental gain. This is not being considered for mandatory implementation now, but the consultation seeks further evidence on the approach. Net environmental gain delivers benefits for people and society which derive from nature and green spaces. Although we agree that provision of new habitats should deliver benefits to people where possible, we would be concerned with a system that allowed net biodiversity loss to be offset with environmental net gains such as increased recreation (for example replacing species-rich grassland with sports facilities). We therefore welcome the fact that this consultation focuses on biodiversity net gain, and we **will hold Defra to the principle that biodiversity net gain should precede net environmental gain.**
7. *In perpetuity:* **All mitigation, compensation and biodiversity gain delivered through the scheme should be permanent** and not lost at a later stage. This will require effective and adequate investment, management, monitoring and enforcement
8. *National Infrastructure Projects:* Whilst we welcome the proposal that new development could be required to deliver biodiversity net gain, we think this consultation does not go far enough. Nationally significant infrastructure is not in the scope of this proposal. That means that some of the most damaging development of all, for example new motorways, High Speed rail links and other proposals set out by the National Infrastructure Commission will not be required to deliver a net gain for the environment. This is a missed opportunity that could deliver wildlife gains at scale and make a real difference to nature's recovery. **The Wildlife Trusts seek a commitment from Government that it will address biodiversity net gain for national infrastructure projects and a timescale for implementing this.**