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#### A short BNG refresher

- Introduced in the Environment Act
- Requires most development to provide a 10% uplift in biodiversity
- Onsite, offsite or statutory credits
- Uses habitat as a proxy for biodiversity
- Should be secured and managed for 30 years
- Is calculated using the Statutory Biodiversity Metric

https://naturalengland.blog.gov.uk/wp-content/uploads/sites/183/2022/04/BNG-Brochure Final Compressed-002.pdf





#### How it fits with the LNRS

- LNRS will dictate strategic significance for biodiversity net gains
  - offering the opportunity for a 1.15 uplift in the unit value of habitats created
  - But also increasing the cost of destroying existing strategic habitats
- In turn biodiversity net gain sites will contribute to achieving the measures mapped out by the LNRS
- Once published it will be important for all BNG stakeholders to be familiar with it and we are keen for BNG to be considered as part of the strategy's preparation process





#### BNG the current situation

- We finally got BNG in February 2024 for major developments
  - April 2024 for small sites
  - 2025 for NSIPS
  - Defra admits there was mixed readiness amongst LPAs
  - Despite funding 89% (£22.4m) of funding being claimed
    - There has been confusion on what it can and should be spent on
  - Delays on guidance has probably had an impact on this





#### Expectations vs. reality

- What we thought we'd get
  - An effective means to ensure development improves biodiversity without slowing the planning process, by considering BNG from the outset
  - An opportunity for LPAs to secure areas in which nature thrives
  - Opportunities to create accessible greenspace, manage flooding, combat climate change and more through well designed green infrastructure, included from the start
- What we got
  - A post permission condition
  - Opportunities for developers to wait until after planning permission to really consider BNG
  - Potentially leading to hold ups in the pre-development stage



#### Wider obstacles



This has led to a number of issues:

- Differing levels of understanding across organisations and sectors
- The onus for making BNG work has been placed on LPAs and developers
  - In 2023 CIEEM identified skills gaps in the ecology sector
- Uncertainties on enforcement and monitoring remain
- Concerns that the biodiversity unit market won't scale up in time?
  - Defra suggested it can
  - But 2024 Audit Office report not so sure
  - Environment Act partially to blame?



#### Issues identified in Greater Lincolnshire



Low level of understanding amongst developers, agents and even some ecological consultants has lead to the following:

- Business as usual applications
- Undervalued baselines and overvalued post development
- Unrealistic tree numbers and including trees in gardens
- Inappropriate use of strategic significance
- Multiple faults on proposals leading to passing them back and forth
- An increase in proposals being passed off as self build
- Applications marked as exempt when they aren't



#### Issues identified in Greater Lincolnshire

Beyond mistakes or rule bending within applications other issues have been encountered:

- The planning portal for some blocks macros
- An overuse of high scoring, apparently easy to deliver, habitat like mixed or bramble scrub
- Difficulty sourcing offsite habitats which require specific conditions
- Lack of clarity on how the standard condition works and how it ties into S106 and Conservation Covenants
- Massive increase in workload only partially covered by Defra grants
- A future of monitoring and enforcement looming, especially when considering build up of schemes over 30 years
- Skills gap, there are not enough ecologists



#### What can we do

- Remind stakeholders biodiversity net gain isn't new and has been in the NPPF for a while
- Mandatory net gain has just made it enforceable and measurable
- Promote early engagement, early consideration of BNG and the provision of extra evidence at the application stage
  - CIEEM have identified the 'provision of more than the minimum information' as good practice
- Monitor and stimulate the biodiversity unit market
- Try to reduce confusion through good guidance and shared principles
- Create an environment of joint working across stakeholders (LPAs, land managers, NGOs, developers)
- Accept that 10% BNG was devised with the intention of achieving at least 'no net loss'



#### How the GLNP are working with stakeholders to overcome these barriers

The GLNP has been working with LPAs across Greater Lincolnshire to support their BNG work:

- Helping to find the ecological expertise they need by participating in the recruitment process
- Setting up a forum where LPA ecologists in Greater Lincolnshire can share their experience
- Reviewing draft internal processes for LPAs
- Helping to write BNG policy in Local Plans





#### How the GLNP are working with stakeholders to overcome these barriers

- Commissioned by GIGL to prepare internal guidance and metric training for LPAs
- Lecturing on the Lincoln University Nature Recovery MSc
- Running student and graduate placements
- Engaging in the preparation of a Greater Lincolnshire BNG framework and principles
- Working with multiple stakeholders preparing guidance on strategic significance prior to LNRS





#### Light at the end of the tunnel?

- Greater Lincolnshire has some really passionate advocates for nature recovery
- Great examples of joint working
  - Local Plans
  - BNG Framework
  - A general sense of being in it together across LPAs and externally too sharing knowledge
  - Green Investment in Greater Lincolnshire creating market confidence
    - Engaging with agents to understand habitat demand
    - Providing guidance and training
    - Preparing Section 106 templates
    - Reporting to Defra to help monitor BNG markets



#### Light at the end of the tunnel?

- Greater Lincolnshire LPAs are also:
- Preparing guidance and frameworks for BNG
- Committed to sharing data from BNG with the Lincolnshire Environment Records Centre, which can be used to:
  - Enhance Greater Lincolnshire's environmental evidence base
  - Monitor progress towards priorities in the LNRS
  - Monitor progress towards meeting LPA biodiversity duties and 30x30 targets





#### Lessons

Two key lessons learned from the first six months of BNG and shared by DEFRA in their blog were:

- Be strategic
- Work together

And I'm glad from the our experience over the last six months in Greater Lincolnshire these are things we are already doing and doing well!

So while it wasn't necessarily what we expected hopefully we can work together to ensure BNG makes a meaningful contribution to nature recovery





#### **Further information**

Insights from Local Authorities (Defra Blog post)

https://defraenvironment.blog.gov.uk/2024/05/16/securing-off-site-biodiversity-net-gain-insights-from-local-planning-authorities/

Implementing statutory biodiversity net gain (National Audit Office)
<a href="https://www.nao.org.uk/reports/implementing-statutory-biodiversity-net-gain/">https://www.nao.org.uk/reports/implementing-statutory-biodiversity-net-gain/</a>

Mandatory Biodiversity Net Gain in England: Technical Guide (CIEEM, IEMA and Natural England) <a href="https://cieem.net/resource/mandatory-biodiversity-net-gain-in-england-technical-guide/">https://cieem.net/resource/mandatory-biodiversity-net-gain-in-england-technical-guide/</a>