Biodiversity Net Gain

Supplementary Planning Document

July 2024

Calderdale Council

CALDERDALE LOCAL PLAN

Biodiversity Net Gain Supplementary Planning Document

Contents

Appendices

Purpose and Status of Supplementary Planning Documents (SPDs)

1.1 Supplementary Planning Documents build on and add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on other issues. As they do not form part of the Development Plan, they cannot introduce new planning policies and should not add unnecessarily to the financial burden on development. They are subject to public consultation before they are adopted and are a material consideration in planning decisions.

1.2 This SPD is intended to guide those seeking planning permission for development, including developers and their ecological consultants, through the process of complying with national and local policies and the legal requirements of the Environment Act 2021, to secure at least a 10% Biodiversity Net Gain (BNG) on development sites in Calderdale. The SPD sets out the required information to be submitted with planning applications (Section 4), the local approach to BNG delivery, information on when projects will be considered strategically significant and the requirements for monitoring of BNG delivery (Section 5), On-site delivery of BNG (Section 6) and Off-Site Delivery of BNG (Section 7). The Appendices provide more detail in relation to the Biodiversity Net Gain Strategy, the Validation Process and Pre-commencement Planning Discharge, a Glossary and relevant references. The SPD also establishes consistent procedures for the Council to follow when processing planning applications and has been informed by the work of all five local authorities in West Yorkshire, who are seeking to adopt a consistent approach to delivering Biodiversity Net Gain.

Biodiversity and Development

1.3 The natural environment provides vital benefits for our health, society and economy, known as 'ecosystem services'. The strength of these beneficial services is determined by the quality of the natural world and the biodiversity of the ecosystems within it. Biodiversity is defined as the variety of plants and animals living within an area or habitat, with different habitats contributing different functions or services for our environment. However, the UK has suffered a considerable decline in biodiversity over recent years, in turn causing a reduction in ecosystem service provision and undermining ecosystem balance.

1.4 As defined by Natural England, "Biodiversity Net Gain (BNG) is an approach to development, land and marine management that leaves biodiversity in a measurably better state than before the development took place," (Natural England, 2022). Natural England BNG guidance can be found at GOV.UK.[1]

1.5 To conserve our remaining biodiversity and reverse the recorded decline, the UK has enshrined a measurable 10% BNG throughout the planning process. The Government has mandated through the Environment Act a requirement for new development to deliver BNGs. This 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 demonstrable and measurable net gains.

When is the 10% Biodiversity Net Gain Not Required?

1.6 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (Statutory Instrument 2024 No. 47) came into force on 12th February 2024. The following is a summary of the types of development exempt from the 10% BNG. Please refer to the statutory instrument for full details. [2]

1. **De minimis exemption:** where the development does not impact on an onsite priority habitat, the development impacts less than 25 square meters of onsite habitat that has biodiversity value greater than zero and less than 5 meters in length of onsite linear habitat.
2. **Biodiversity gain sites:** planning permission for development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development.
3. **Householder applications:** within the meaning of Article 2 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
4. **Self build and custom build applications:** where the development consists of no more than 9 dwellings, is carried out on a site which has an area no larger the 0.5 hectares and consists exclusively of dwellings which are self-build or custom housebuilding. Where planning applications are submitted for self build and custom build housing applicants will be required to provide evidence to justify the exemption.

1 https://www.gov.uk/government/collections/biodiversity-net-gain
2 https://www.legislation.gov.uk/uksi/2024/47/contents/made

1.7 Although exempt, these small-scale developments will still be required to make notable contributions to nature recovery, e.g. bat boxes and rain gardens, etc. This will not normally need to be quantified via the use of the Defra Biodiversity Metric and are not considered further in this document. Any other types of development need to adhere to BNG criteria in full. Any requirements will though be the subject of conditions attached to planning permissions.

Consultation

1.8 Prior to preparation of the draft SPD, informal consultation took place with West Yorkshire local authorities. Several meetings were held to help achieve consistency across West Yorkshire. An early draft was distributed to Natural England and the Environment Agency for an informal consultation.

1.9 A statutory consultation was carried out in October and November 2023. Comments received during this period and resulting revisions to the SPD can be found within the Statement of Consultation published alongside the adopted SPD.

Environment Act 2021

2.1 The Environment Act 2021 amends the Town and Country Planning Act 1990. It sets out that the majority of developments will be legally required to demonstrate a minimum net gain of 10% and secure those gains for a minimum of 30 years. The requirement to demonstrate net gains applies to all habitats within the red line boundary, regardless of whether they are impacted or not.

2.2 Under the timetable set out by Government, developers in England will be required to deliver 10% "Biodiversity Net Gain" from 12 February 2024 onwards when building new housing, industrial or commercial developments meaning by law they must deliver a net positive for the local environment, for example by creating new habitats and green spaces. Biodiversity Net Gain for small sites is applicable from 2 April 2024, and implementation for Nationally Significant Infrastructure Projects remains planned for 2025.

2.3 To measure net gains for biodiversity through development, the use of a Biodiversity Metric will be required. The Biodiversity Metric has been co-developed with the input of industry, environmental non-governmental organisations, planners and land managers and is regularly updated and reviewed in line with relevant practice. Its use provides a national standard by which biodiversity gains and losses may be calculated. The version of the Metric current at the time of a planning application will apply. At the time of drafting the SPD this could be found at Natural England [3]

2.4 The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Section 90A and Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990[4] This legislation was inserted into the Act by Schedule 14 of the Environment Act 2021 and includes amendments made by the Levelling Up and Regeneration Act 2023 [5] and The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 (legislation.gov.uk) [6]

2.5 The relevant biodiversity net gain regulations most directly relevant to planning are:

- The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 (legislation.gov.uk)[7] which commence biodiversity net gain for most types of new planning applications and provides transitional arrangements for section 73 permissions.
- The Biodiversity Gain Requirements (Exemptions) Regulations [2024][8]which prescribe exemptions for categories of development to which biodiversity net gain does not apply.
- The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations [2024][9] which amend the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 to include provisions related to planning applications and the Biodiversity Gain Plan, as well as modifications for phased development.
- The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024][10]which set out the modifications for irreplaceable habitat.

In addition, there are regulations for the Biodiversity Gain Site register established under section 100 of the Environment Act 2021[11] for registered off-site biodiversity gains.

National Planning Policy

2.6 Paragraph 180 (d) of the National Planning Policy Framework (NPPF) December 2023 requires planning polices and decisions to contribute to and enhance the natural and local environment by:

> *d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*

3 https://publications.naturalengland.org.uk/publication/6049804846366720
4 https://www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted.
5 https://www.legislation.gov.uk/ukpga/2023/55/contents
6 https://www.legislation.gov.uk/uksi/2024/49/pdfs/uksi_20240049_en.pdf
7 https://www.legislation.gov.uk/uksi/2024/44/made
8 https://www.legislation.gov.uk/uksi/2024/47/contents/made
9 https://www.gov.uk/government/publications/the-biodiversity-gain-town-and-country-planning-modifications-and-amendments-england-regulations-2024
10 https://www.legislation.gov.uk/uksi/2024/48/contents/made
11 https://www.legislation.gov.uk/ukpga/2021/30/section/100/enacted

2.7 Paragraph 185 (b) of the NPPF requires plans to:

> *b) 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.*

2.8 Paragraph 195 of the NPPF also recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. This includes both designated and non-designated heritage assets. Proposals for biodiversity net gain should therefore ensure that heritage assets are appropriately conserved, and where opportunities present themselves, enhanced.

2.9 The accompanying Planning Practice Guidance Sections entitled 'About Biodiversity Net Gain' and the 'Natural Environment' (Paragraphs 9 and 20 to 21) provide further information on Biodiversity Net Gain. **(12)**

Local Planning Policy

2.10 Policy GN3 'Natural Environment' in the Calderdale Local Plan (adopted March 2023) requires developments to:

> g) Design-in wildlife, and provide appropriate management, ensuring development follows the mitigation hierarchy and achieves measurable net gains in biodiversity in accordance with the most up to date national and local guidance.

Neighbourhood Planning

2.11 Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Development Plans can shape, direct, and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan. These plans are produced by the community, are examined and subject to the results of a referendum in the local area. If successful, they are then 'made' by the Council and become part of the statutory Development Plan.

2.12 Neighbourhood plans may include their own requirements for biodiversity gains based on assessments of the area but these should only exceed the national requirement of 10% where fully justified and all relevant planning considerations have been taken into account.

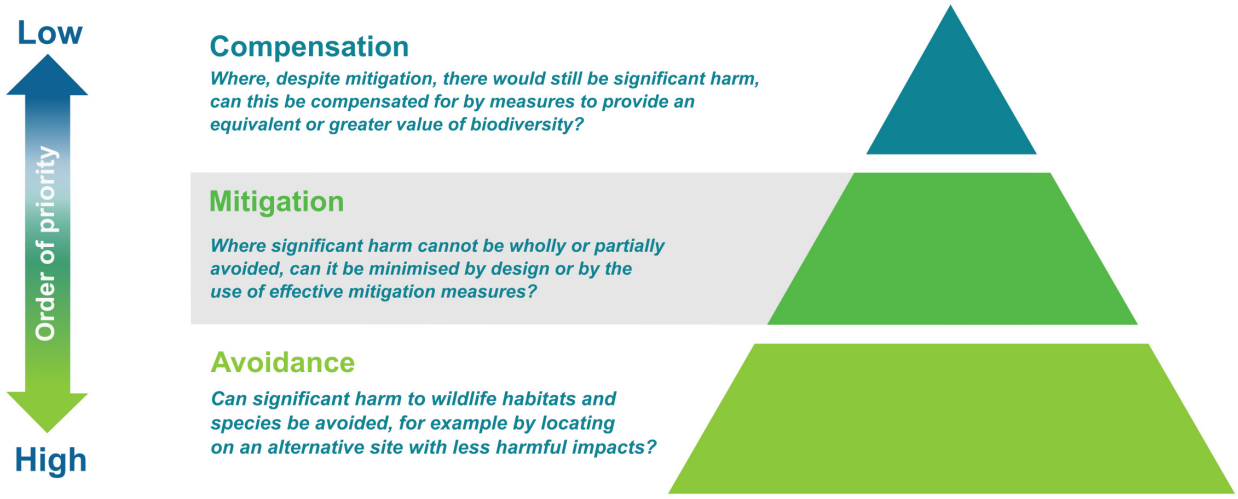
2.13 Applicants should check local neighbourhood plans on the Council's website. **(13)**

12 https://www.gov.uk/guidance/biodiversity-net-gain
13 https://new.calderdale.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning

The Mitigation Hierarchy

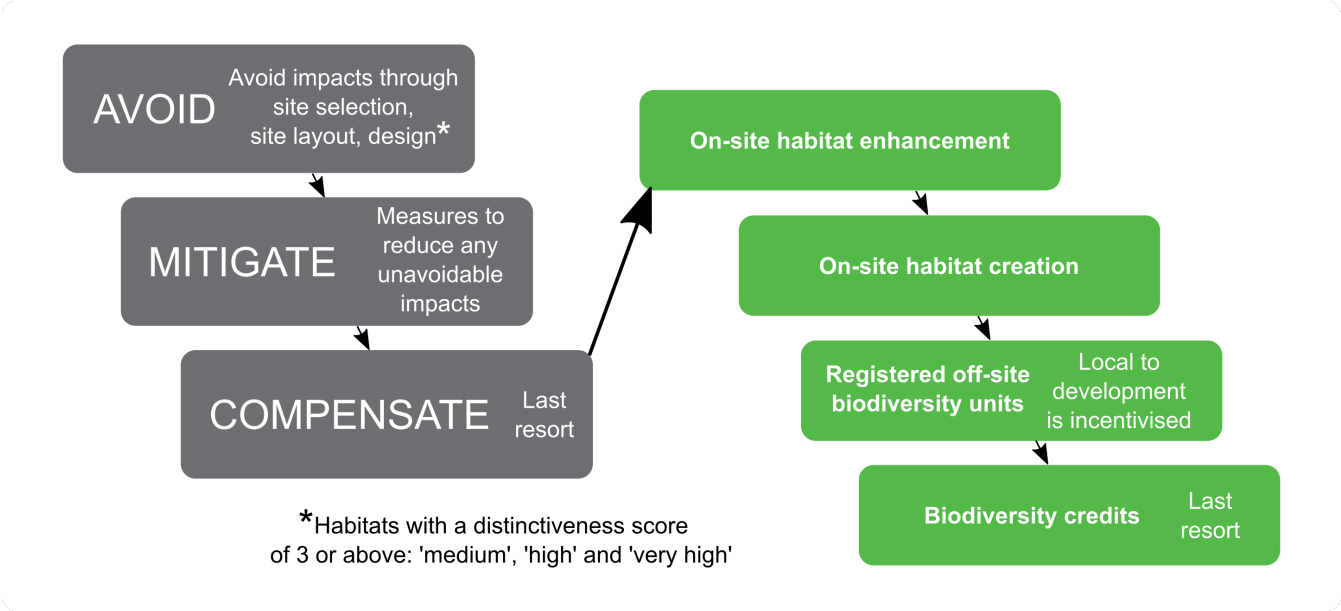
3.1 A key aim of Biodiversity Net Gain is to ensure that measurable gains can be achieved within the development site. Applications must first demonstrate appropriate application of the mitigation hierarchy, set out in the NPPF (paragraph 186). This requires that if significant harm to biodiversity resulting 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 as shown in Figure 3.1 below.

Figure 3.1 The Mitigation Hierarchy



3.2 Given the considerable value to public health from living close to nature, including green and blue infrastructure, it is imperative to deliver as much BNG on-site as possible. It is generally expected that any Medium, High and Very High Distinctiveness habitats should be retained on site, but the specific circumstances of individual development sites will be taken into consideration by the Local Planning Authority. The principle of retaining habitats of medium distinctiveness or above aligns with provisions made by the Biodiversity Gain Hierarchy and its effect for the purpose of the statutory framework for Biodiversity Net Gain as set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Figure 3.2 Biodiversity Gain Hierarchy



3.3 A major principle for Biodiversity Net Gain is for as much of this to be delivered on-site as possible within the red line boundary for the planning application. This is particularly important for retaining areas of high / very high ecological distinctiveness and ensuring that they do not become ecologically isolated or compromised by unsustainable levels of disturbance or damage.

3.4 Principle 5 of the BNG 10 Good Practice Principles for Development[14] refers to the need for a measurable net gain, but importantly all 10 Principles must be adhered to in a demonstrable way. Written evidence that all 10 Principles have been considered and whether or not they are met must be submitted with the majority of applications. This information should be included in the Biodiversity Net Gain Strategy or Draft Biodiversity Gain Plan as outlined within Section 4 and Appendix 1.

Table 3.1 The Biodiversity Net Gain 10 Good Practice Principles for development

Principle 1	Apply the Mitigation Hierarchy
Principle 2	Avoid losing biodiversity that cannot be offset by gains elsewhere
Principle 3	Be inclusive and equitable
Principle 4	Address risks
Principle 5	Make a measurable Net Gain contribution
Principle 6	Achieve the best outcomes for biodiversity
Principle 7	Be additional
Principle 8	Create a Net Gain legacy
Principle 9	Optimise sustainability
Principle 10	Be transparent

The Biodiversity Metric

3.5 Biodiversity value is calculated by use of a Biodiversity Metric[15] set out by DEFRA. The Biodiversity Metric is a habitat-based approach to assessing an area's value to wildlife. It calculates these values as "biodiversity units" which are calculated using the size, quality and location of the habitat. The Biodiversity Metric is a spreadsheet-based tool and must be used in conjunction with a qualitative ecological assessment.

3.6 There are three types of biodiversity units in the metric, which are dealt with in different sections of the Biodiversity Metric calculator:

- Area habitat units
- Hedgerow units including lines of trees
- Watercourse units including rivers, streams, canals and ditch networks

3.7 Use of the Government's Biodiversity Metric must adhere to the Principles and Rules set out within the Metric.

3.8 This BNG approach does not replace protection for habitats and species that exists within planning policy and legislation. This includes the statutory protections afforded to species and sites, which may be separate from the planning process, and the policy requirements that relate to impacts on non-statutory Local Wildlife Sites and Local Geological Sites. It also includes identified Habitat Networks, Priority Habitats and Priority Species and irreplaceable habitats. If present within or near to a development, whether these be through direct or indirect impacts, impacts to these features will continue to be considered in accordance with the policy requirements, and in line with the legal responsibilities of the Local Planning Authority (LPA).

3.9 Losses to irreplaceable habitats, including habitats within Special Protection Areas (SPA), Special Areas of Conservation (SAC), Sites of Special Scientific Interest (SSSI), Ancient Semi-Natural Woodland, Plantations on

14 Biodiversity Net Gain Good Practice Principles for Development (CIRIA, CIEEM, IEMA Julia Baker 2016) https://cieem.net/wp-content/uploads/2019/02/Biodiversity-Net-Gain-Principles.pdf

15 https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

Ancient Woodland Sites and other habitats considered to be of Very High Distinctiveness (such as Priority Habitats including blanket bogs and upland hay meadows) should be accounted for within the metric under the relevant tab and in all such cases the requirement for bespoke compensation will need to be discussed with all relevant bodies, including the LPA.

Small Sites Metric

3.10 Natural England has produced a Small Sites Metric (SSM) for use on smaller development sites. Such sites are defined (for the purposes of this Small Sites Metric) as:

i. For residential: 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 (ha), or where the number of dwellings to be provided is not known, a site area of less than 0.5 ha.
ii. For non-residential: where the floor space to be created is less than 1,000 square metres OR where the site area is less than one ha.

3.11 However, the SSM cannot be used on such sites:

- Where habitats not available in the SSM are present
- Where priority habitats are within the development site (excluding some hedgerows and arable field margins)
- Where protected species are present on the development site
- Where any offsite interventions are required

3.12 The habitat survey and assessment on sites using the Small Sites Metric should be carried out by a competent person as set out on page 6 of the Small Sites Metric.

Small Sites Metric (SSM) and Watercourses

3.13 The (SSM) is not suitable for use with high or very high distinctiveness habitats. Rivers and streams are categorised as either high or very high distinctiveness and so the SSM cannot be used where rivers and streams are present.

3.14 The SSM can be used for canals, culverts, and ditches; these habitats have a medium or low habitat distinctiveness.

3.15 Canals, culverts, and ditches can be retained, and then enhanced to any medium distinctiveness river type (i.e. canals or ditches) within the SSM. The SSM does not account for any gain in watercourse units from enhancing a culvert to a high or very high distinctiveness habitat (i.e. rivers and streams and Priority Habitat rivers). In this scenario, a gain in watercourse units must be assessed using the Biodiversity Metric.

Accounting for Degraded Sites

3.16 If a habitat has been cleared, destroyed or degraded previously, and an earlier baseline should be used, assessors must use the following approach in the Metric:

- Use the pre-degradation habitat type as the site's baseline
- Note how this habitat type and condition has been determined
- Account for the time between the habitat loss and compensation through the temporal risk function

3.17 If details of any degradation are provided in a planning application then these will be checked at the validation stage, and where details are not provided, the condition of the site, including any degradation, will be addressed during the consideration of the planning application.

3.18 Within Schedule 14 of the Environment Act [16] which sets out the biodiversity gain condition for development, measures are included that allow LPAs to recognise any habitat degradation since 30 January 2020 and to take the earlier habitat state as the baseline for the purposes of Biodiversity Net Gain. This is the date to be applied through this SPD and the relevant date as it was the day the Bill entered Parliament. To ascertain the habitat's present condition and that on 30 January 2020, aerial imagery or data sets from that time should be used.

16 https://www.legislation.gov.uk/ukpga/2021/30/part/6/enacted

3.19 Data records, imagery, and historic field surveys may be used to determine pre-degradation habitat types. Use a precautionary approach when assigning condition scores. For example, assign a higher condition score in the absence of contrary evidence.

3.20 If there is evidence a woodland has been felled, then use the classification "Woodland and Forest: Felled" when woodland is deemed to be the appropriate baseline.

3.21 The requirements of paragraphs 3.16 and 3.17 address the requirements of the current Metric but any revisions in future iterations of the Metric will take precedence.

Respecting the Historic Environment

3.22 Where sites come forward which include, or are within the setting of, a designated heritage asset, due consideration needs to be given to the likely effect of plans for habitat creation or enhancement on the asset's significance and be tailored accordingly. In order to do this it is vital that, where appropriate, proposals for biodiversity net gain are informed by a proportionate assessment of the historic and cultural significance of sites.

3.23 Sites identified to deliver off-site biodiversity gains should avoid locations where they would cause harm to the significance of a designated heritage asset. There may however also be opportunities for some off-site gains to be delivered in locations that could mutually benefit both biodiversity and the historic environment, where measures would better reveal or enhance the significance of a heritage asset or be of benefit to an asset's ongoing conservation and management.

Other Designated Sites

3.24 Habitat creation or enhancement to deliver biodiversity net gain should not result in damage or adverse impacts to designated nature conservation sites including Special Protection Areas (SPA), Special Areas of Conservation (SAC) or Sites of Special Scientific Interest (SSSI).

3.25 Sites identified to deliver off-site biodiversity gains may be required to go through a consent/assent process where necessary, and/or be assessed under the Habitats Regulations, known as a habitats regulations assessment (HRA), to test if the proposal could significantly harm the designated features of a European site. Further guidance on this is provided in Section 4.

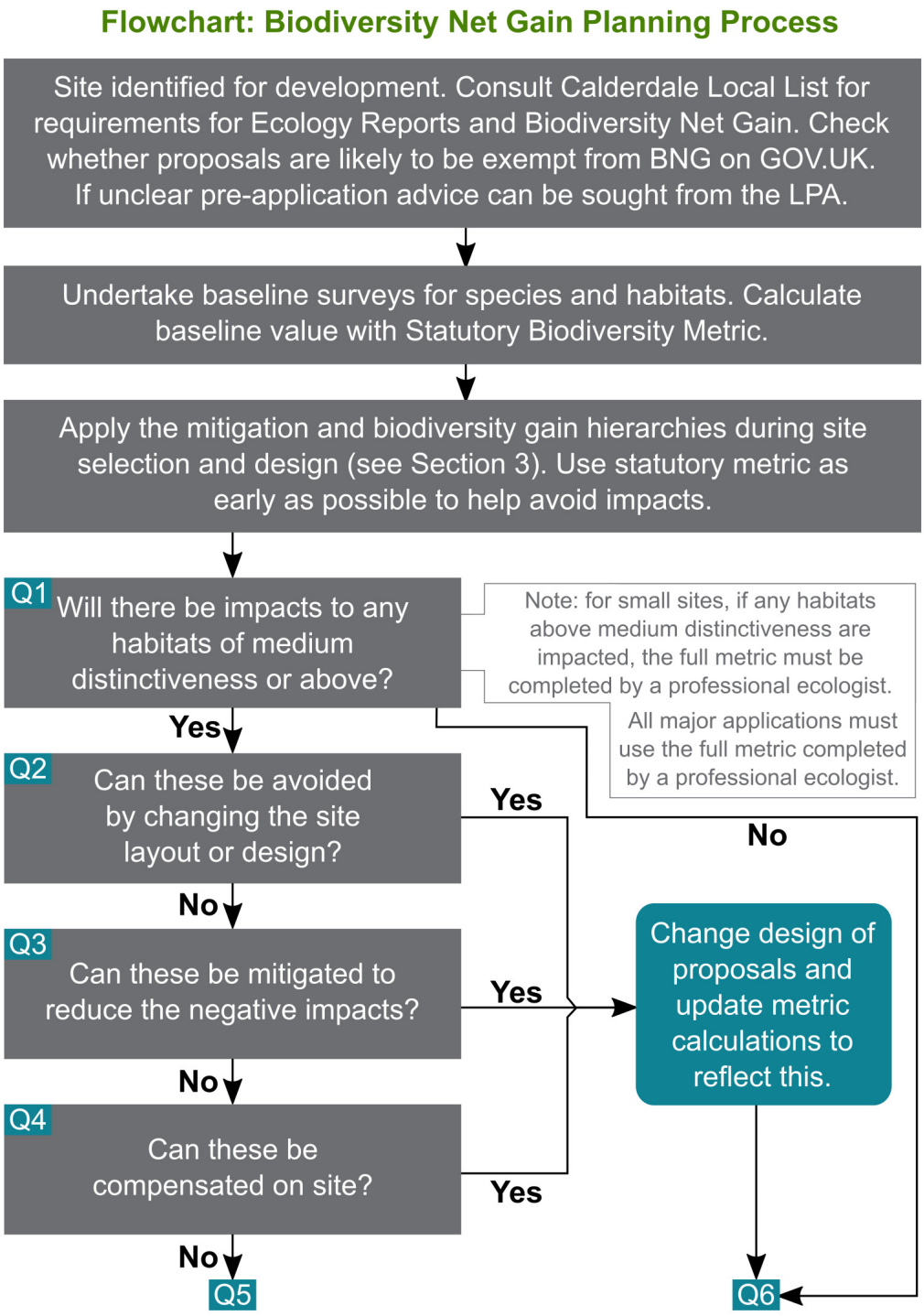
3.26 In Calderdale the relevant nature conservation sites are:

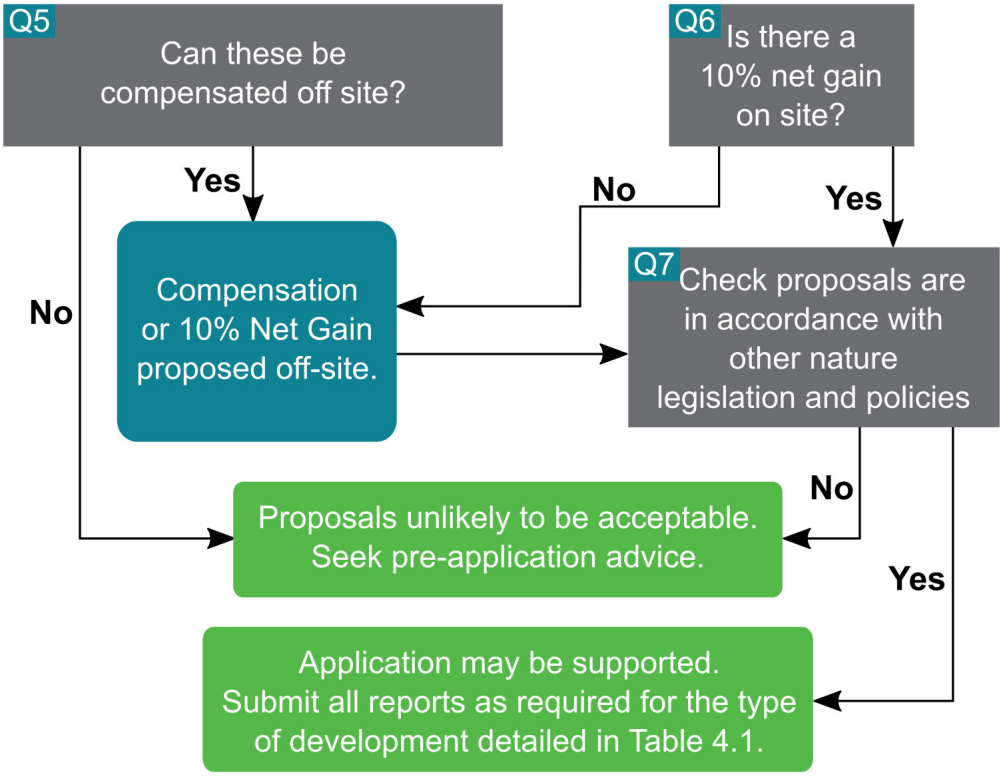
- Crimsworth Dean SSSI
- Broadhead Clough SSSI
- Withens Clough SSSI
- Elland Bypass Cutting SSSI
- South Pennine Moors SAC
- South Pennine Moors Phase 2 SPA

Background

4.1 It is important that information, as specified in this document, is submitted to the LPA for planning applications to be determined in a timely manner.

Figure 4.1 Simplified process when submitting planning applications





4.2 The LPA also requires information relating to ongoing management and monitoring of those habitats to ensure they will be managed to successfully establish and to reach the planned condition and Biodiversity Unit value. Information should be provided that allows the LPA to be certain that retained, enhanced or created habitats will be protected and managed for a minimum of 30 years, as required by the Environment Act 2021.

4.3 The Biodiversity Gain Plan template[17] and associated guidance for developers and LPAs published by Government requires details of off-site habitat creation and/or enhancement proposed, including the Biodiversity Gain Register reference number and details (evidence) of associated legal agreement that secures the off-site habitat for 30 years (S106 or Conservation Covenant). This guidance should be referred to by developers when preparing development schemes.

17 https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

BNG Information Required for Validation and Determination

4.4 Where the development is subject to the biodiversity gain condition, the application must be accompanied by the latest minimum national information required in relation to Biodiversity Net Gain. This can be viewed within Biodiversity Net Gain Planning Practice Guidance [18] in Calderdale's Local List or the national information requirements.

4.5 In addition to the minimum national information requirements, Calderdale Council also requires the following information to validate an application:

Table 4.1 Which information should be submitted at each stage of the different application types within Calderdale

Type of application	Biodiversity Net Gain Information required at each stage of application		
	Validation	Determination	Discharge of Condition
Where claiming a development qualifies for the *de minimis* exemption (i.e. Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat or 5m for non-priority onsite linear habitats (such as native hedgerows).	High-resolution photographs providing comprehensive coverage of the site.	N/A	N/A
All major planning applications and small-scale sites affecting a: 1. Site of Special Scientific Interest (SSSI). 2. Local Wildlife Site. 3. Calderdale/UK Priority Habitat. 4. Wildlife Habitat Network. **Outline applications for the above**, where landscaping or layout is up for consideration.	All National Validation requirements Biodiversity Net Gain Strategy or a draft Biodiversity Gain Plan. A Statutory Biodiversity Metric calculation submitted as an excel spreadsheet of the pre- and draft post-development habitats. Habitat condition assessments and condition criteria sheets for baseline habitats with supporting evidence. A habitat map showing pre- and post-development habitats.	Further information may be requested by officers if required. Information will require updating if layout or landscaping plans change prior to determination.	Final Biodiversity Gain Plan A Statutory Biodiversity Metric calculation submitted as an excel spreadsheet of the final pre- and post-development habitats. This must be error free, conform to trading rules and demonstrate a 10% net gain. Habitat Management and Monitoring Plan. GIS shapefiles showing the pre- and draft post-development habitats and their condition, for on-site and off-site (where necessary). *This information must be prepared and submitted alongside the application for reserved matter approvals for outline applications.*
Small-scale sites and outline applications not meeting the above criteria.	All National validation requirements	Further information may be requested by officers if required.	Final Biodiversity Gain Plan

18 https://www.gov.uk/guidance/biodiversity-net-gain Paragraph: 011 Reference ID: 74-011 20240214

Type of application	Biodiversity Net Gain Information required at each stage of application		
	Validation	Determination	Discharge of Condition
			A Statutory Biodiversity Metric calculation submitted as an excel spreadsheet of the final pre- and post-development habitats. This must be error free, conform to trading rules and demonstrate a 10% net gain. Habitat Management and Monitoring Plan. *This information must be prepared and submitted alongside the application for reserved matter approvals for outline applications.*
Phased development	All national validation requirements A Statutory Biodiversity Metric calculation submitted as an excel spreadsheet of the pre- and draft post-development habitats. Habitat condition assessments and condition criteria sheets for baseline habitats with supporting evidence. A habitat map showing pre- and post-development habitats.	Further information may be requested by officers if required. Information will require updating if layout or landscaping plans change prior to determination.	Overall Biodiversity Gain Plan and/or a Phase Biodiversity Gain Plan Habitat Management and Monitoring Plan (if for a specific phase). GIS shapefiles showing the pre- and draft post-development habitats and their condition, for on-site and off-site (where necessary). *This information must be prepared and submitted alongside the application for reserved matter approvals for outline applications.*
Any of the above applications where the redline boundary is within 10m of a Watercourse.	N/A	Excel spreadsheet of the river condition indicator scores and overall river condition score for each surveyed sub-reach.	N/A

4.6 Further information, in addition to that indicated by Table 4.1, may be required prior to determination where it is material to the consideration of the application and will be requested by the planning team.

4.7 A detailed explanation of the content and reason for the information required is set out below:

High resolution photographs providing comprehensive coverage of the site

4.8 This is to allow the LPA to consider whether the application genuinely meets the criteria to qualify for a *de minimis* exemption, particularly where the proposal is for substantive building works and there are significant areas of on-site habitat (where the distinctiveness is higher than very low) within the red line boundary.

Statutory Biodiversity Metric calculation

Validation/Determination

4.9 A completed Statutory Biodiversity Metric calculation submitted as an excel spreadsheet. This will need to include the baseline pre-development habitats and a draft metric calculation of the post-development habitats.

4.10 It is recognised that post-development habitats, particularly those on-site within the red line boundary, may be subject to change as the application progresses through the determination stage, therefore post-development habitats are only requested in draft form at this point. The submitted metric may therefore indicate a net loss in biodiversity units or a lack of meeting the trading rules, however this should be acknowledged and discussed within the Biodiversity Net Gain Strategy or Draft Biodiversity Gain Plan (see paragraphs 4.21 to 4.23 below).

Discharge of Biodiversity Gain Condition

4.11 A completed Statutory Biodiversity Metric calculation submitted as an excel spreadsheet of the final pre- and post-development habitats. This must be error free, conform to all trading rules and demonstrate a 10% net gain.

4.12 At the stage of discharging the general biodiversity condition, the project should have finalised the level of biodiversity net gain that will be achieved and the mechanism that this will be delivered (ie. On-site, off-site or via statutory credits). If off-site biodiversity net gain is to be used (including use of statutory credits), this must be confirmed and must be included within the 'off-site' tabs of the metric. The submitted metric **must** demonstrate a minimum 10% net gain with all metric rules and principles met. Any metric calculations submitted at this stage displaying errors or warnings are likely to be rejected at validation, unless "Rule 4" is being employed and this has already been discussed with the LPA prior to application.

Habitat condition assessments and condition criteria sheets

4.13 The Condition assessment sheets included within the Statutory Metric should be completed and submitted, identifying which criteria are currently met by on-site habitats. Additional detail and explanation should be provided to justify decisions about habitat condition. Where habitat of varying condition is found within a site it should be clear which areas and mapped polygons or lines correspond to different condition assessments.

4.14 Botanical surveys must have been undertaken under appropriate conditions and time of year, for example between May and September for grassland and prior to any mowing/cutting or heavy grazing. Where Modified Grassland is being assigned to a grassland, sufficient evidence including quadrat survey data to demonstrate species diversity and abundance will be required. If there is uncertainty regarding the habitat classification or survey methods it may be required that the habitat be assessed against its National Vegetation Classification (NVC) community type using quadrats.

Spreadsheet of the river condition indicator scores

4.15 River condition is assessed using 32 condition indicators that are automatically extracted from MoRPh5 field surveys once the data have been uploaded into the information system. Each river condition indicator is assigned a score of 0 to +4 (positive indicators) or 0 to -4 (negative indicators). These river condition indicator scores are automatically extracted from MoRPh5 field surveys and provide the preliminary condition score for a MoRPh5 subreach before it is translated into a final condition score according to the river type.

4.16 The excel spreadsheets of these 32 indicator scores will be required during determination of a planning application where a River Condition Assessment has been undertaken. If the final condition score has been reduced due to the channel being considered over-deep, this will need to be supported by the professional judgement of a Geomorphologist.

4.17 The optimal survey season for rivers, streams, canals, and ditches is April to September inclusive and it is expected that surveys will take place within these months.

A habitat map showing pre- and post-development habitats

4.18 A plan clearly showing all on-site baseline pre- and post-development habitats will be required to allow the LPA to interpret the BNG information and compare the proposals against the metric and other submitted plans (such

as the site layout and any detailed landscaping plans). This plan will also be used to audit the delivery of Biodiversity Units post-development.

4.19 Habitat Plans must:

- Be drawn to an identified scale and show the direction of north
- Depict pre- and post- development habitat parcels as UKHab habitats
- Display the associated biodiversity units and individual "habitat reference number" which needs to correspond to the data entered into the submitted Statutory Metric spreadsheet.

Where off-site habitat details are supplied the habitat map should correspond to the above requirements.

GIS shapefiles

4.20 GIS shapefiles for pre- and post-development habitats, for on-site and off-site (where necessary), should be provided alongside the Biodiversity Gain Plan prior to commencement of development. This is required to allow the size of area and linear habitats presented in the metric and mapping to be confirmed. GIS mapping for developments is also required for the internal use of the LPA and Natural England to monitor the contribution of BNG to the Local Nature Recovery Strategy (see para 5.6).

Biodiversity Net Gain Strategy/Draft Biodiversity Gain Plan

4.21 A Biodiversity Net Gain Strategy demonstrating how the biodiversity objective of a 10% biodiversity net gain will be achieved post-development. These details must be provided as a separate BNG Strategy Report or as part of a draft Biodiversity Gain Plan.

4.22 The Biodiversity Net Gain Strategy must include the following minimum information:

- The steps taken to minimise adverse biodiversity impacts and evidence that the mitigation hierarchy and biodiversity gain hierarchy have been applied
- The proposed approach to enhancing biodiversity on-site including whether any of these enhancements are considered ‘significant’
- The type and location of any proposed off-site biodiversity enhancements
- The amount of on-site gains, off-site gains and biodiversity credits proposed
- Details of how on-going management and monitoring of any ‘significant’ on-site and off-site habitats will be secured

4.23 Further guidance on the structure and content of the Biodiversity Net Gain Strategy is provided in Appendix 1.

Biodiversity Gain Plan (BGP)

4.24 The statutory framework for biodiversity net gain requires a Biodiversity Gain Plan to be submitted and approved by the LPA to discharge the biodiversity gain condition prior to the commencement of development. The details included in this plan should correspond with any information previously submitted during the planning application process, including any submitted Biodiversity Net Gain Strategy/Draft Biodiversity Gain Plan. If there are major differences compared to the details previously approved, discussion with the LPA (which may fall under pre-application advice) prior to submission is encouraged. Failure to do this may result in the discharge of condition being refused and will require another submission of a discharge of condition application. In addition, any changes to proposals which significantly alter the biodiversity net gain strategy may require additional permissions such as S73 variation of condition or an application to vary the S106 agreement, dependant the changes proposed.

4.25 In accordance with Paragraph 14(2) of Schedule 7A and Articles 37C (2) and 37C (4) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, a Biodiversity Gain Plan must

contain certain information. These specific matters are set out by Paragraph: 035 Reference ID: 74-035-20240214 of the Biodiversity PPG. [19] Biodiversity Gain Plan [20]

4.26 There is a standard Biodiversity Gain Plan template to complete, which brings together many of these matters into one document, and can be accessed on GOV.UK.[21]

Overall Biodiversity Gain Plan and/or a Phase Biodiversity Gain Plan

4.27 Where a development is considered a phased development for the purposes of Biodiversity Net Gain (See Paragraph 053 Reference ID: 74-053-20240214 of the BNG section in the PPG) [22], an Overall Biodiversity Gain Plan will be required. This is different in several ways from a standard Biodiversity Gain Plan [23] reflecting that there are unlikely to be detailed proposals agreed at the outset.

4.28 In recognition that phased development can often be implemented over a long period of time, the purpose of the Overall Biodiversity Gain Plan is to confirm that there is a clear upfront framework for how the biodiversity gain objective of at least a 10% gain is expected to be met across the entire development. Each Phase Biodiversity Gain Plan will subsequently set out a phase's contribution to biodiversity net gain and confirm progress towards the overall biodiversity gain objective for the development once clear proposals for each phase have been developed.

4.29 There are standard Overall/Phase Biodiversity Gain Plan templates to complete, which will be available soon on GOV.UK.

Habitat Management and Monitoring Plan (HMMP)

4.30 A Habitat Management and Monitoring Plan is required alongside the Biodiversity Gain Plan, which sets out the long-term plans for management of all significant on-site gains and/or all off-site gains. Where appropriate the plan will also need to cover the protection and maintenance of retained habitats. The management plan is required to cover a minimum 30-year period; however this may be longer where more difficult to create habitats are proposed and will be agreed with the LPA when considered necessary.

4.31 Natural England have published HMMP templates for projects of all scales which can be used for both on and off-site habitats. Applicants should use this template when submitted HMMPs for the LPA to review for consistency and should be accompanied by a completed "HMMP Checklist".

4.32 The HMMP will be secured separately to the 'General Biodiversity Condition', by appropriately worded conditions for any significant on-site gains. The HMMP for any off-site gains may be secured within a S106 agreement, where it is not being secured separately to the planning application (either via separate S106 agreement or a Conservation Covenant).

4.33 The HMMP should include the following minimum information:

- How retained habitats will be protected through construction and how management will maintain their condition post-development
- A plan or map, of the habitats to be created and managed as part of the HMMP. Each habitat parcel should be mapped using UKHab [24] with a habitat parcel reference number.
- How initial habitat enhancement or creation will be carried out and when this will be considered complete. The initial habitat creation or enhancement is the actions required to first implement the habitat.
- The management prescriptions to be implemented for baseline habitats to reach and maintain the planned habitat type and/or condition criteria targets
- Detailed assessments of the risks and challenges (technical and administrative) associated with achieving the planned condition and how management will overcome them
- Aims and objectives in non-technical terms that are understandable to the general public, which may include new residents and businesses

19 https://www.gov.uk/guidance/biodiversity-net-gain
20 https://www.gov.uk/government/publications/biodiversity-gain-plan
21 https://www.gov.uk/government/publications/biodiversity-gain-plan
22 https://www.gov.uk/guidance/biodiversity-net-gain
23 https://www.gov.uk/government/publications/biodiversity-gain-plan
24 https://ukhab.org/

- Roles and responsibilities for initial creation or enhancement and on-going management as well as contingencies if those individuals or organisations are unable to carry out their responsibilities at any point
- Information relating to how funding has been agreed to deliver management

4.34 The HMMP should include a Monitoring and Reporting Plan which details a programme of monitoring visits over the minimum 30-year period. There should also be a programme for the provision of reports to the LPA. This should correspond to the monitoring schedules set out within Section 5.

4.35 A draft HMMP may be required prior to determination where particularly difficult habitat creation or enhancement is proposed, either on or off-site, in order to compensate for the loss of certain habitats. For example, where the loss of Calderdale priority habitat is proposed, in addition to demonstrating a Biodiversity Net Gain is feasible and achievable, proposals must also demonstrate how Local Plan Policy GN3 to prevent significant adverse impacts to priority habitats has been met.

Other requirements in addition to Biodiversity Net Gain

4.36 Other ecological surveys and reports may be required in addition to Biodiversity Net Gain information. This information should be used to inform BNG and demonstrate that the proposals are compliant with all national and local policy and legislation in relation to biodiversity. Calderdale's Local List for validation provides detailed information on when the following reports are required:

- Preliminary Ecological Appraisal (PEA)
    - PEAs are an initial survey designed to identify all the ecological features on the site and then clearly state whether further, more detailed surveys are required for habitats or protected species. In cases where there is a negligible impact on habitats, a PEA is required rather than the EcIA. PEAs should comply with CIEEM Guidelines for Preliminary Ecological Appraisal (GPEA) | CIEEM [25]
- Ecological Impact Assessment (EcIA)
    - EcIAs are required where there is a more substantial impact on habitats. These should be informed by any necessary surveys and comply with CIEEM guidance.
- Habitat Regulations Assessment
    - It is the responsibility of the LPA, as competent authority, to screen applications for 'likely significant effects' on any European site and to undertake an 'appropriate assessment' if likely significant effects are identified, this is known as a Habitat Regulations Assessment (HRA).
    - All applications with potential pathways for adverse effects on the SAC or SPA will need to provide further information to allow the LPA to conduct their assessment about the potential for Likely Significant Effects to occur.
    - Further information on the HRA process is provided in Calderdale's Local List and at GOV.UK.[26]

25 https://cieem.net/resource/guidance-on-preliminary-ecological-appraisal-gpea/
26 https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

Application Process

4.37 The stages to be followed by major developments in the application process are outlined below in Table 4.2. Refer to Section 3 for the definition of *small sites*.

Table 4.2 Stages of submitting major development applications in Calderdale

Stage 1: Site Baseline Pre-development	
1.	Assess the selected site for the level of potential ecological harm (desk-based feasibility surveys may be used to establish this).
2.	Undertake ecological surveys starting with a Preliminary Ecological Appraisal (PEA) using UKHab to classify habitats, followed by any required extended surveys for habitats and protected species.
3.	Establish the site's baseline biodiversity value utilising the latest version of the Statutory Biodiversity Metric.
Stage 2: Development design	
4.	Use the information collected during baseline surveys to design the site layout, applying the NPPF Mitigation Hierarchy and Biodiversity Gain Hierarchy.
5.	Use the latest version of the Statutory Biodiversity Metric to explore a variety of options considering how these impact upon biodiversity on the site.
6.	Consider seeking pre-application advice from Calderdale Council. The Council's pre-application advice webpage outlines circumstances where this is particularly encouraged (Do I need planning permission and will I get it?[27]).
7.	Design the development, including a landscaping plan, based on the opportunities for on-site habitat retention, enhancement and creation. Consider Local Nature Recovery Strategies (LNRS), and pre-application advice received and Calderdale's local requirements such as Local Plan Policies and this Supplementary Planning Document when planning any BNG delivery.
Stage 3: Masterplan and Ecological Impact Assessment	
8.	Produce a masterplan and calculate final results of the post-development Biodiversity Net Gain metric.
9.	Undertake Ecological Impact Assessment (EcIA) based on results of previous surveys and ensure that any provisions for protected species or other policy requirements (such as compensation for irreplaceable habitats) align with BNG delivery and have been accounted for correctly in the metric.
10.	If sufficient biodiversity enhancement cannot be achieved on-site, provide evidence and determine best option to achieve Biodiversity Net Gain off-site.
11.	Produce a Biodiversity Net Gain Strategy Report or complete a draft Biodiversity Gain Plan demonstrating how the biodiversity objective of a 10% biodiversity net gain will be achieved post-development. Minimum information requirements are outlined within Section 4 of this SPD and Calderdale's Local List.
Stage 4: Submit for Validation	
12.	Submit application, along with all ecological survey data, EcIA, completed Statutory Biodiversity Metric calculation spreadsheet and Biodiversity Net Gain Strategy Report or Draft Biodiversity Gain Plan to LPA. Further documents may be required dependant on the type of application. Check Calderdale's Local List requirements or Table 4.1 of this SPD for further information.
13.	Planning application will be determined with conditions and/or a S106 Agreement where significant on-site or off-site gains are to be delivered.

27 https://new.calderdale.gov.uk/planning-and-building-control/do-i-need-planning-permission

Stage 5: Submission of the Biodiversity Gain Plan and Discharge of Conditions	
14.	Formulate Construction Environmental Management Plan (CEMP) and Habitat Management and Monitoring Plan (HMMP) in accordance with conditions.
15.	If required, secure any off-site biodiversity units with a legal agreement and ensure these are allocated to the development on the National Register (if not provided by the LPA or are secured as part of the determination process). If required, purchase Statutory Credits from the Secretary of State (where the LPA has approved this).
16.	Submit final Biodiversity Gain Plan and Statutory Biodiversity Metric Calculation to LPA for approval.
Stage 6: Post-Development Monitoring	
17.	Monitor significant on-site and off-site Biodiversity Net Gain habitats to ensure they are managed effectively and achieve the target condition and/or distinctiveness within 30 years from the date the initial habitat creation or enhancement activities start.
18.	Submit reports to the LPA detailing progress on achieving target habitat condition target condition and/or distinctiveness at specific intervals per the monitoring schedule required. Expected monitoring schedules are detailed in Section 5 of this SPD

Approach for Phased Development and Outline Applications

Phased Developments

4.38 Phased developments present additional complexity to the planning and delivery of Biodiversity Net Gain with different phases providing different amounts of on-site units.

4.39 For phased developments, it must be demonstrated in the Overall Biodiversity Gain Plan how overall development will reach 10% Biodiversity Net Gain. Applicants are encouraged to seek pre-application advice from the LPA in regards to the strategy to deliver biodiversity net gain (including the balance between onsite and off-site gains). The strategy should front-load the delivery of biodiversity net gain where possible to reduce the risk of not meeting the 10% BNG objective later in the project time line. With each subsequent Phase Biodiversity Net Gain Plan it will be necessary to provide an update on the Overall BGP including whether the proposals are on target to deliver the biodiversity units as approved.

4.40 Where early phases have secured an excess of biodiversity units, they may be counted towards the requirements for subsequent phases however, it must be clear who is legally responsible for the delivery, management, monitoring and maintenance of those units.

Outline Applications

4.41 For outline applications, where layout and landscaping are reserved matters, the detail relating to delivery of BNG may not be available at this time, however enough information should be provided to allow the LPA to confidently determine that the development will be able to deliver 10% Net Gain and the subsequent approvals required to secure this.

4.42 The approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission) however, the Biodiversity Gain Plan should be prepared and submitted alongside Reserved Matter approvals.

Background

5.1 The delivery of BNG must align with national legislation and guidance however, there are certain aspects which reflect the difference between local authorities and the habitats within them. Therefore, the following sections provide detail on the local expectations in regard to BNG within Calderdale.

5.2 Regard will also be given to the National Character Area (NCA) in which the proposed development is located, and biodiversity enhancement measures will be encouraged which reflect the environmental opportunities identified in the National Character Area profile. In Calderdale the relevant NCAs are:

- 36. Southern Pennines
- 37. Yorkshire Southern Pennine Fringe

Strategic Significance

5.3 Habitats are scored higher within the Statutory Biodiversity Metric if they are formally identified in a local strategy, this is known as their "Strategic Significance". The location score for Strategic Significance in the Biodiversity Metric is based on the geographical importance of the site's biodiversity value. In Calderdale the designated nature conservation sites are the most important locations for biodiversity, followed by the Wildlife Habitat Network (WHN).

5.4 In relation to Metric calculations for both on and off-site habitats the following should be used to apply the scoring of Strategic Significance:

High = Any Calderdale/Priority habitat, any habitat within the Wildlife Habitat Network or nature conservation designation such as a:

- Local Wildlife Site (LWS)
- Site of Special Scientific Interest (SSSI)
- Special Area of Conservation (SAC)

Medium = Any semi-natural habitats immediately adjacent to the above locations or in a location that forms a new strategic connection between two separate parts of the WHN.

Low = Everywhere else in the district

5.5 All of the above Strategic Significance categories apply equally to Hedgerow Biodiversity Units as well as Habitat Biodiversity Units. In Calderdale, all native hedgerows are considered to be a Calderdale Priority Habitat.

Local Nature Recovery Strategies

5.6 The Local Nature Recovery Strategy (LNRS) is currently being developed and, when published, will be used to help refine which habitats in Calderdale are considered to be of strategic significance in which areas. As opportunity mapping becomes available through the LNRS, up to date information on the Local Nature Recovery Strategy, and how this can be used to determine strategic significance, will be published.

Watercourse Strategic Significance

5.7 All rivers and streams within Calderdale are considered Priority Habitat and all Canals are included within the Wildlife Habitat Network, therefore both are of High Strategic Significance.

5.8 When utilising off-site Watercourse Biodiversity Units, where these are being delivered within the district and in the same River Basin Management Plan or Catchment Plan these can be scored as High Strategic Significance. Watercourse Biodiversity Units may, as a last resort, be delivered outside of the district where they are demonstrated to be contributing to the same River Basin Management Plan or Catchment Plan and be scored as Medium Strategic Significance. Any other location should be scored as Low Strategic Significance.

Expectations for Riverine Net Gain (and/or to offset losses)

5.9 Watercourse Units associated with river habitat can be improved in several ways including:

- Enhancing (improving) the condition of the same type of river (e.g. an 'other rivers and streams' river goes from poor to moderate condition).
- Enhancing the river to a higher distinctiveness river type (e.g., a culvert to an 'other rivers and streams' or an 'other rivers and streams' to a 'Priority Habitat' river), in this scenario the condition can be equivalent or better in the enhanced river type.
- Improvements to in-watercourse and/or riparian encroachment multipliers. This is reflected in the watercourse module of the Biodiversity Metric which includes two separate columns for 'Watercourse Encroachment' & 'Riparian Encroachment'. Technically, reduced watercourse or riparian encroachment alone could result in additional Watercourse Units being achieved, without the need for changes to 'condition' or 'distinctiveness'.
- Increases in watercourse length associated with interventions that promote natural function and processes (for example, reinstating a previous natural course or channel realigned to reinstate sinuosity / meanders that would be naturally expected to occur) would yield additional Watercourse Units.

5.10 The River Condition Assessment Information System[28] can be used to support scenario modelling of proposed changes to inform potential mitigation options. To forecast predicted post-intervention condition scores, re-run the river condition assessment with planned river restoration interventions and anticipated channel responses. Alternatively, look at the values of the 32 positive and negative 'Condition Indicator' scores to help understand which features can be changed to achieve BNG and then adjust the scores to take account of the impacts of the proposed interventions. Assessments must be undertaken by persons trained and accredited in the River Condition Assessment Methodology.

5.11 The riparian zone (lands that occur along the edges of rivers and other water bodies) can be enhanced through reducing the extent of encroachment; for example, by removing hardstanding or other structures, reconnecting channel–riparian interactions. Beneficial measures such as providing appropriate planting that improves riparian habitat complexity, installing green roofs/walls, and/or the inclusion of wetland features such as backwaters and ponds can also be incorporated into the riparian zone. Enhancements to the riparian zone also contribute to area biodiversity units.

5.12 Compensation (BNG) must be adequate to offset any ecological impacts, e.g. Himalayan balsam control is not enough on its own to provide BNG if a culvert is being introduced with subsequent ecological impacts on connectivity and river ecosystem function.

5.13 Proposals for enhancement and forecast condition must be realistic. Change in condition level should be supported by forecast scores from the River Condition Assessment Information System. River enhancement will require a specialist contractor or involvement of a nature conservation organisation for delivery.

5.14 Applicants must provide information on how the habitat enhancement will be carried out and demonstrate how it will be undertaken, that it is feasible (including assessment of flood risk and impact on flood risk assets where required), that constraints have been considered, and the risks to achieving habitat of a certain quality. Applicants must set out which condition elements are being aimed at in the enhancement, and what change to which indicators will demonstrate that condition improvement is achieved.

5.15 In relation to over-deep channels, the condition score can be improved by addressing the over deepening. The final condition is scaled to fit a range that is achievable by the particular river type. In cases where the final condition is estimated to be Good or Fairly Good for river types D to M, a final stage is to consider the likely hydrological connectivity among the habitats that are present. If the surveyed channels are identified as being too deep relative to their width to be fully hydrologically connected, the final condition is downgraded from Good to Fairly Good or from Fairly Good to Moderate. In addition to the indicators of condition and the Final condition assessment, guidance is given on which specific geomorphic features are expected or are highly likely to be observed in the field surveys if the river is in good condition and functioning according to its river type.

5.16 Note also that some apparent ditches may actually be very heavily modified natural watercourses that would have existed without human intervention and may be part of the river system. For example, natural headwater streams may have been straightened and deepened to provide a land drainage function. This should be determined by a suitably qualified person with reference to historic maps, LIDAR data[29] and the like, and assessed using the River Condition Assessment methodology if they are part of the river system.

28 https://modularriversurvey.org/river-condition/
29 https://www.data.gov.uk/dataset/f0db0249-f17b-4036-9e65-309148c97ce4/national-lidar-programme

5.17 There are a number of other regulatory systems or byelaws which could assist in facilitating BNG. One example is the Land Drainage Act 1991[30] where Section 66 allows internal drainage boards to make byelaws that control all activities within a certain distance of all watercourses within their district (other than main rivers).

Weir Removal

5.18 River habitat enhancement proposals that include deculverting of watercourses and removal of weirs will be viewed especially favourably due to the benefits to the river ecosystem. This is a requirement of Local Plan policy GN3 part 1 (m) which states that the Council will seek to achieve better management of Calderdale's natural environment including, where opportunities arise, taking water bodies out of culvert, or daylighting them if not possible, and physical barriers made passable to fish species.

5.19 Weir removal is preferred rather than installation of a fish easement or fish pass. The Biodiversity Metric uses physical habitat as a proxy for biodiversity and so construction of a fish pass is unlikely to yield watercourse Units within the Metric in most instances; it does not alter or improve the physical habitat of a river.Fish passage construction is not necessarily discouraged where it is the only feasible option or best option for a site given wider environmental or other considerations. There may be situations where a fish pass intervention, such as a bypass channel (rather than a technical fish pass like a Larinier) could yield units. For example, if space existed for a natural bypass channel (with natural features) to be constructed around a weir, then it may yield Watercourse Units.

Monitoring, Reporting and Enforcement

5.20 A Habitat Management and Monitoring Plan (HMMP) will be required for Significant on-site net gains and all off-site net gains for a minimum of 30 years. In some circumstances they will be required for a longer period of time such as :

- Where Significant on-site gains are also being managed as Public Open Space (POS) they must be manged for the lifespan of the development (further information is provided within Section 6: Long-term implementation)
- Where the habitats to be created/enhanced will take in excess of 30 years to reach the target habitat or condition. Sufficient evidence and professional ecological judgement will need to be supplied to determine the appropriate length of the HMMP.

5.21 For the LPA to audit the delivery of Biodiversity Units approved within the Biodiversity Gain Plan and check that the management plan is being complied with, Monitoring Reports will be required for all on-site significant net gain and all off-site net gain. The schedule and methodology for monitoring should be included within the HMMP.

5.22 The HMMP will be secured either via a planning condition, Section 106 Agreement or Conservation Covenant, which is separate to the General Biodiversity Condition.

5.23 Monitoring reports will need to be submitted to the LPA at the required intervals and will need to include whether the target number of Biodiversity Units is being achieved over the agreed length of the HMMP whether the HMMP has been implemented effectively and if adaptive management or remedial action is required.

5.24 The frequency of monitoring will depend on the complexity of habitats in the HMMP. Monitoring schedules will be set according to the highest distinctiveness habitat to be created or enhanced on the site. See the table below to determine the appropriate monitoring schedule to be used.

Table 5.1 The monitoring schedules required for habitats with different distinctiveness values

Habitat distinctiveness	Yearly intervals required for monitoring reports to be submitted to the LPA
Low	1, 3, 5, 10, 20, 30
Medium	1, 2, 3, 4, 5, 10, 20, 30
High/Very High	1, 2, 3, 4, 5, 10, 15, 20, 25, 30 (+ every 5 years for longer agreements)

5.25 The first monitoring report will need to be submitted immediately after the initial habitat creation or enhancement works to confirm these have been completed. This "completion of the development" will mark the start of Year 1 of the legally secured management and monitoring time period and should be clearly defined within

30 https://www.legislation.gov.uk/ukpga/1991/59/contents

the HMMP. For the purposes of defining 'completion' for the purposes of biodiversity net gain, traditional indicators may not be appropriate, for example for on-site habitats this might be the completion of any soft landscaping works or for off-site habitats this might be the planting of new trees. If there are delays to habitat creation or enhancement this may result in a new Biodiversity Metric Calculation and submission of a new Biodiversity Gain Plan.

5.26 Any remedial measures or adaptive management required at any of the fixed monitoring intervals should be included within the monitoring report and an updated Habitat Management and Monitoring Plan submitted to the LPA. If significant changes to the plan are required as result of the monitoring outcomes, for example those which would result in alternative habitat outcomes to be delivered, then the condition or Section 106 Agreement may require varying which will require approval from the LPA. The Council would encourage early discussions with the LPA to take place in these circumstances, this may be charged as pre-application advice.

5.27 The Environment Act 2021 requires the LPA to carry out enforcement where the Biodiversity Units are not being delivered to the satisfaction of the local planning authority. Where the HMMP is not being implemented satisfactorily or monitoring reports are not submitted, enforcement action will be taken.

Background

6.1 Any delivery of on-site Biodiversity Units is equally important as delivery of off-site Biodiversity Units and on-site delivery is preferred in the first instance in accordance with the BNG Hierarchy. Therefore good design, assurance of long-term implementation, monitoring and reporting - all carried out to a high standard - will be required.

6.2 On-site areas managed for BNG can also provide wider societal benefits such as better health and wellbeing for new residents, employees and the local community when such areas have some degree of public access. Provision of on-site greenspace that also fulfils BNG is encouraged where appropriate.

6.3 Where size allows, there should be areas set aside as natural greenspace. Sites with 2 ha or more of informal greenspace will more easily fulfil this function, but even areas down to 0.5 ha could include specific areas intended for wildlife. Labelling these areas with the correct typology makes it clear which parts of the site will be managed with biodiversity as the priority to deliver BNG. Although public access to on-site natural greenspace is encouraged, it may be necessary to restrict access to certain areas or habitats (particularly during certain times of the year) and this should be indicated on planning submission plans and management plans.

6.4 BNG will also be more successful where the Biodiversity Units are delivered as part of a coherent management unit, i.e. instead of disparate small (less than 0.25 ha) parcels across a site, these should be physically joined and easy to recognise on the ground through good design.

Defining the Red Line Boundary

6.5 All habitats within a development site are required to be included in the Biodiversity Metric calculation whether or not they will be directly affected and are subject to the same 10% Net Gain requirement.

6.6 Only habitats within the red-line boundary may be classed as on-site. If habitat creation or enhancement is to be delivered anywhere outside of this, including within an adjacent blue-line boundary, this must be classed as off-site and will require an appropriate legal agreement to secure.

6.7 It is important that watercourses on the boundary of development sites are not excluded from BNG assessments. Where the red line boundary of the development falls within the riparian zone (within 10m of a watercourse), the watercourse must be included within the baseline and post-development BNG calculations.

6.8 It is recognised that scheme designs may change throughout determination. However, with any iteration of the design a revised metric must be provided with corresponding dates and issue numbers. Submitted layout and landscaping plans must correspond with the BNG calculations. This will ensure that the correct calculations for pre- and post-development can be identified with the appropriate scheme design.

Significant On-Site Gains

6.9 Significant on-site gains are areas of habitat enhancement which contribute significantly to the proposed development's overall BNG and therefore must be legally secured, managed and monitored for a minimum of 30 years (see long term implementation for further guidance) in order to ensure long-term benefits for wildlife and communities.

6.10 In Calderdale the following guidance for significant on-site gains has been set

Major applications:

- Any habitats that will be created or enhanced with a minimum size of 0.25 ha/25m or which contribute to a minimum score of 1 Biodiversity Unit (when all habitat types are combined) excluding the following:
    - Any habitats within private ownership which must be entered as vegetated garden.
    - Ground level planters
    - Introduced shrub
    - Actively worked sand pit quarries
    - Artificial unvegetated surfaces

- Non- native and ornamental hedgerows

- Any habitat of Medium Distinctiveness or higher
- Any habitats provided as mitigation for Protected or Calderdale/UK Priority Species
- Any habitats within the Calderdale Wildlife Habitat Network or Local Wildlife Site (LWS)

Small sites:

- Any Calderdale/UK Priority Habitats
- Any habitat of High Distinctiveness or higher
- Any new woodland creation
- Any habitats provided as mitigation for Protected or Calderdale/UK Priority Species
- Any habitats within the Calderdale Wildlife Habitat Network or Local Wildlife Site

6.11 Habitats may be determined to be significant or not outside of the above criteria at the discretion of the LPA, where circumstances dictate this is appropriate.

6.12 All Significant on-site habitats will need to be included in the Habitat Management & Monitoring Plan (HMMP) detailing their initial enhancement/creation, on-going management and monitoring schedule. Where units consist of retained habitats, these will require construction protection measures set out in the HMMP and should correspond with any other plans for the site (such as the Construction and Ecological Management Plan or Arboricultural Method Statement). In addition, management and monitoring to ensure retained habitats maintain their existing value post-development will be required.

6.13 Where the habitats on-site are determined to be not significant, a condition for a standard Landscaping Management Plan will be sufficient where one would normally be employed.

Demonstrating On-Site Delivery of BNG

The retention and delivery of biodiversity units on-site is preferred in the first instance, and this is supported both by the National Biodiversity Gain Hierarchy and Calderdale's local approach. The overall balance of the expected on-site gains, the significance of these and how these interact with other nature-based policies within Calderdale will need be considered during determination. In accordance with the NPPF (para 186), developments will need to demonstrate how opportunities to improve biodiversity have been integrated into their design and in particular developments of over 0.5 ha should aim to include:

- On-site public greenspace where biodiversity is the main reason for management
- High distinctiveness or good condition habitats where there is no public or limited access,
- Green walls or green/living roof spaces on communally owned buildings or industrial units
- Natural play areas where features specifically providing biodiversity and being managed by a company with experience of such features
- SUDS features where water quality and biodiversity features are both delivered
- Connected green infrastructure, which contributes to Local Plan Policy GN1 and/or GN2
- Habitats to support Calderdale/UK Priority species where appropriate
- Habitats which buffer, expand or connect the Calderdale Wildlife Habitat Network.

Long-term Implementation

6.14 As well as ensuring good design for the establishment phase, it is essential to consider the subsequent on-site implementation of the Habitat Management and Monitoring Plan (HMMP). Before approving a Biodiversity Gain Plan, the LPA will need to have security that the HMMP can be funded and delivered for a minimum of 30 years or the lifetime of the development where it is being delivered alongside Public Open Space POS. In a residential situation it will be the new residents (or possibly a management company appointed by the developer) who are expected to pay for the ongoing on-site greenspace management, rather than the developer, applicant, or landowner (who may be responsible for the establishment phase only).

6.15 The HMMP should be written in a way that can be easily understood by the general public and by new residents. Any New Resident Pack (or similar equivalent) should include a summary of the Plan, showing a clear map of where and when different on-site management actions need to take place each year. It is important that

residents understand the content and potential costs associated with the Plan because they could be responsible for funding its implementation and it being delivered successfully each year.

Information Required for Land Parcels Delivering Biodiversity Units

- The Habitat Management and Monitoring Plan should have indicative costs for the Establishment Phase and also for the Annual Management. It should be made clear who is responsible for paying these separate costs.
- A commitment to appointing a specialist ecological contractor with a proven track record in wildlife management on nature reserves or similar types of land. The LPA may request evidence.
- Confirmation of how a summary of Significant on-site gains and their required management actions will be communicated to every resident
- On parcels of land over 0.5 ha delivering Biodiversity Units, interpretation panels will be required which include information on the key biodiversity features present and confirmation that a BNG Management Plan has been approved and where to get a copy from.
- Details of how on-going management and monitoring of any Significant on-site gains will be secured

Deculverting

6.16 River habitat enhancement proposals that include deculverting of watercourses will be viewed especially favourably due to the benefits to the river ecosystem. This is a requirement of Local Plan Policy GN3 Part I(m) which states that the Council will seek to achieve better management of Calderdale's natural environment including, where opportunities arise, taking water bodies out of culvert, or daylighting them if not possible, and physical barriers made passable to fish species. Given this objective de-culverting will be afforded a higher strategic significance in the Council's application of the Metric.

6.17 Installation of new sections of culverted watercourse will not be viewed favourably due to their impacts on connectivity within the river ecosystem. If a new culvert is deemed absolutely necessary, then bespoke mitigation will be required to mitigate and/or offset the biodiversity losses.

7 Off-Site Delivery of BNG

Background

7.1 Where a planning proposal is predicted not to deliver sufficient on-site BNG within the red line boundary, then the applicant will be required to make provision for off-site BNG. There may be instances when it is appropriate to deliver a proportion of the requirement on-site and the remainder off-site.

7.2 Offsetting sites, or areas of compensation, should not be created at the expense of other high value habitats or at the expense of priority species which may be present at the BNG off-site.

7.3 Offsetting should deliver genuine benefits and should be additional to any enhancement work that is already ongoing or planned to be undertaken at the BNG off-site.

Criteria

The location for off-site provision must have the agreement of the LPA, which will take into account the following criteria (unless otherwise agreed):

- The suitability of the land for provision of the broad habitat types required for the BNG scheme
- Proximity to the proposal site
- Ecological significance of the additional site, in particular, whether or not it falls within, or makes a positive contribution to, the Wildlife Habitat Network, taking account of the principles bigger, better, more joined up
- Within land mapped in the West Yorkshire Local Nature Recovery Strategy or adjacent strategy
- Local Wildlife Sites and Local Nature Reserves
- Benefit to notable species considered to be of national or West Yorkshire importance, within their natural range
- Within the LPA boundary or same National Character Area (NCA)
- Any potential licences, permissions, consents or management/uses which could conflict with the delivery of BNG
- Potential for impacts to irreplaceable habitats, historic environment or protected sites/species
- Potential to deliver Accessible Natural Green Space, other Green Infrastructure benefits or Natural Flood Management (NFM) benefits
- Off-site locations will normally need to have a minimum size of 0.25 ha

7.4 Developers will be required to demonstrate that the land can be secured for BNG for a minimum of 30 years.

Steps Which Need to be Taken for Off-Site BNG Provision

- Identify sites for off-site BNG provision which have potential for agreement with the landowners for the next 30 years
- Have opening discussions about the sites' locations with the Council's BNG officer
- Undertake a baseline habitat survey and condition assessment following the Statutory Biodiversity Metric
- Consider options for BNG with ecological consultants and discuss these with the Council's BNG officer
- Agree the off-site BNG contribution to the development and input this into the Statutory Biodiversity Metric Calculation
- Legally secure land with landowner for a minimum of 30 years
- Prior to discharging the General Biodiversity Condition, register the site on the National Biodiversity Gain Site Register and allocate the agreed units to the development.
- Include off-site provision within the Habitat Management and Monitoring Plan (HMMP) to be submitted with the Biodiversity Gain Plan. This should include commencement dates for initial habitat creation/enhancement actions, long-term management, monitoring and biodiversity unit targets with time scales. It should also include details of who will be responsible for achieving these targets.
- Land manager to implement the HMMP and submit monitoring reports at agreed intervals

Options for Off-Site BNG provision

7.5 Applicants are to consider the following sources for off-site BNG provision:

Land which they own outside of the red line boundary of the development, which will need to provide the following:

- 30-year HMMP to deliver minimum 10% net gain on offset site
- Legal agreement to secure long term implementation of HMMP and timing of monitoring reports to be submitted to the Council according to the schedule as indicated within Table 5.1, to achieve uplift in Biodiversity Units
- Section 106 agreement for payment of a monitoring fee per unit to the Council up front (fees may be reviewed)
- Registration on the National Biodiversity Gain Site Register prior to approval of the Biodiversity Gain Plan

Local Authority land which is included in Calderdale / West Yorkshire habitat bank

7.6 There are opportunities to purchase biodiversity units for off-site BNG on Council land. The five West Yorkshire councils have agreed to work together to deliver an aligned approach to Biodiversity Net Gain across the sub-region which may, in the future, include a West Yorkshire Habitat Bank. The following criteria must be met:

- Sum paid by developer prior to commencement of development to cover cost of planning assessment, BNG Report and management plan, habitat works and long term monitoring
- Land will be identified at the time of approval of the Biodiversity Gain Plan and allocated to the developer on the National Biodiversity Gain Site Register. Any delay in commencement of habitat enhancement will need to be accounted for in the metric which results in a reduction in unit value.

Private land put forward within a habitat bank which will need to provide the following:

- 30 Year HMMP to deliver minimum 10% net gain on offset site
- Confirmation that site has been registered on the National Gain Site Register and allocated to the development
- Section 106 agreement for payment of monitoring fee per unit to the Council up-front

National BNG Credit Scheme which will need to provide the following:

- Evidence to demonstrate that there is no other local solution
- Evidence to demonstrate that appropriate national credits have been purchased prior approval of the Biodiversity Gain Plan

BNG may be delivered through a combination of the above.

Calderdale Council Habitat Bank

7.7 Fees for the cost per unit to cover administration, management plans, monitoring, enforcement, condition monitoring, reporting, etc. are published on the Council's website.[31]

7.8 Fees are to be indexed, linked and reviewed every six months.

7.9 The Council will not accept Biodiversity Offsetting contributions for the loss of any sort of Watercourse Units or habitats that it cannot provide on its land holding. In cases where Watercourse Units are likely to be required as part of a development, it is recommended linking in with the Environment Agency planning advice service as early as possible when planning a development for advice on Watercourse Habitats and BNG. If habitats of high distinctiveness or above are likely to be impacted by the development then seeking pre-application advice with the Biodiversity Net Gain Officer is highly recommended.

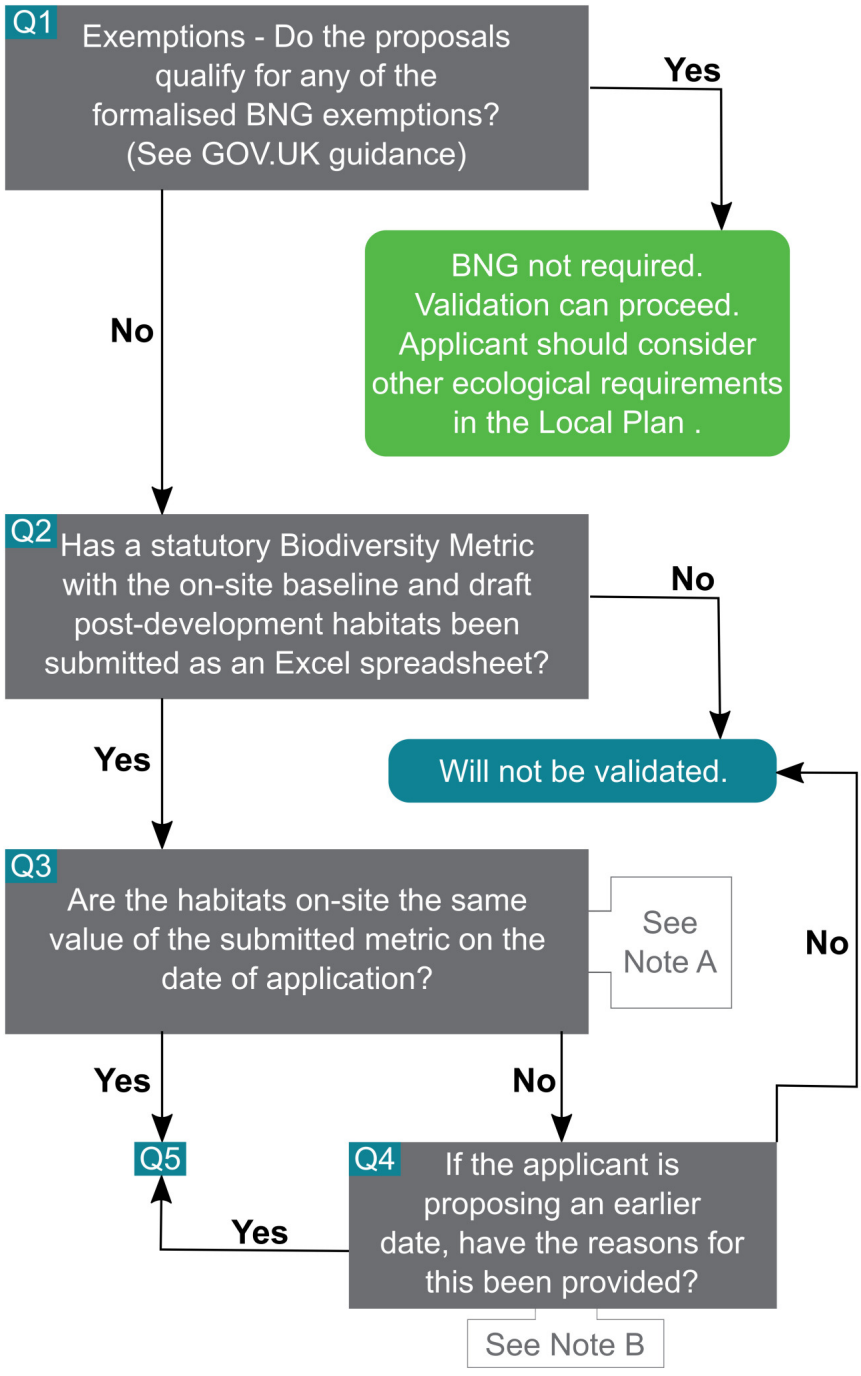
31 https://new.calderdale.gov.uk/planning-and-building-control/bng

Appendix 1: Biodiversity Net Gain Strategy

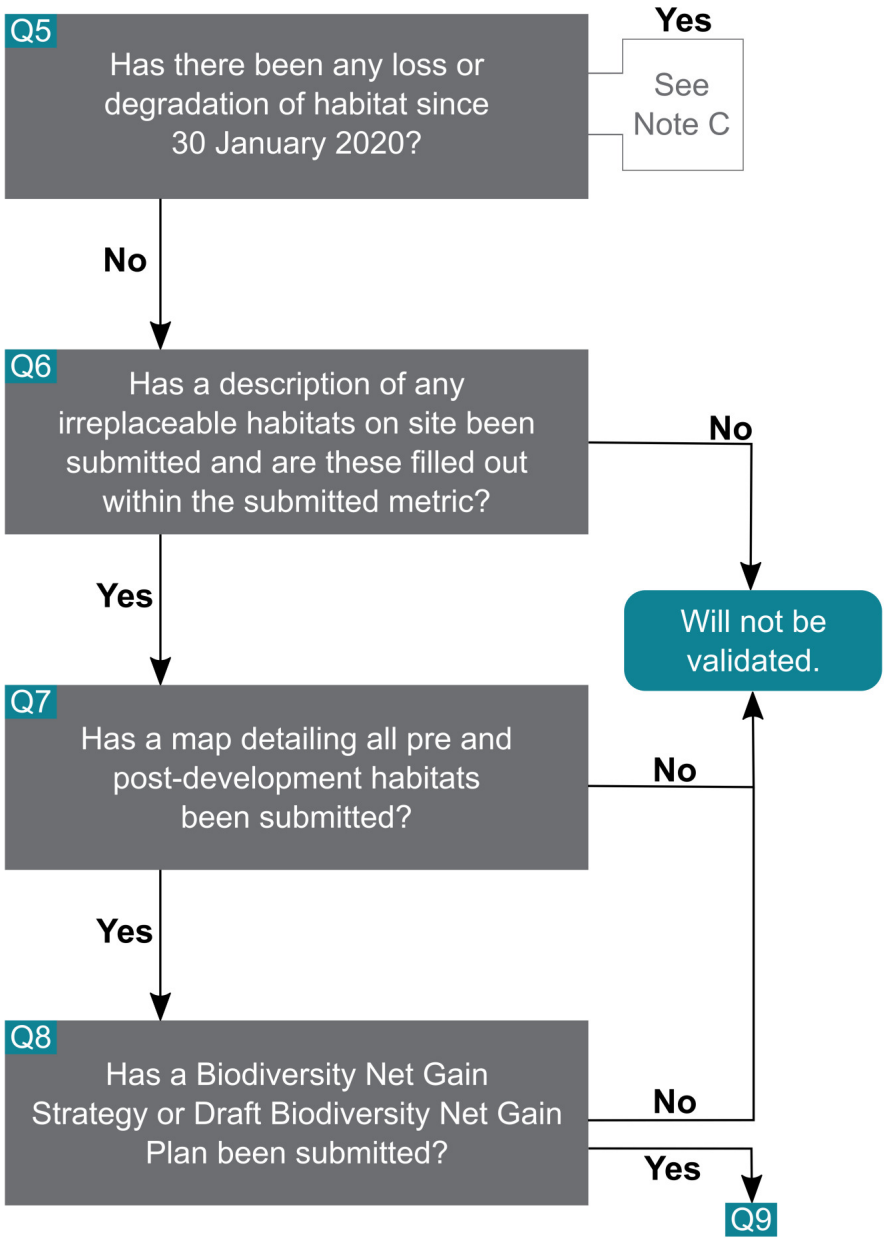
The Biodiversity Net Gain Strategy should present the following information:

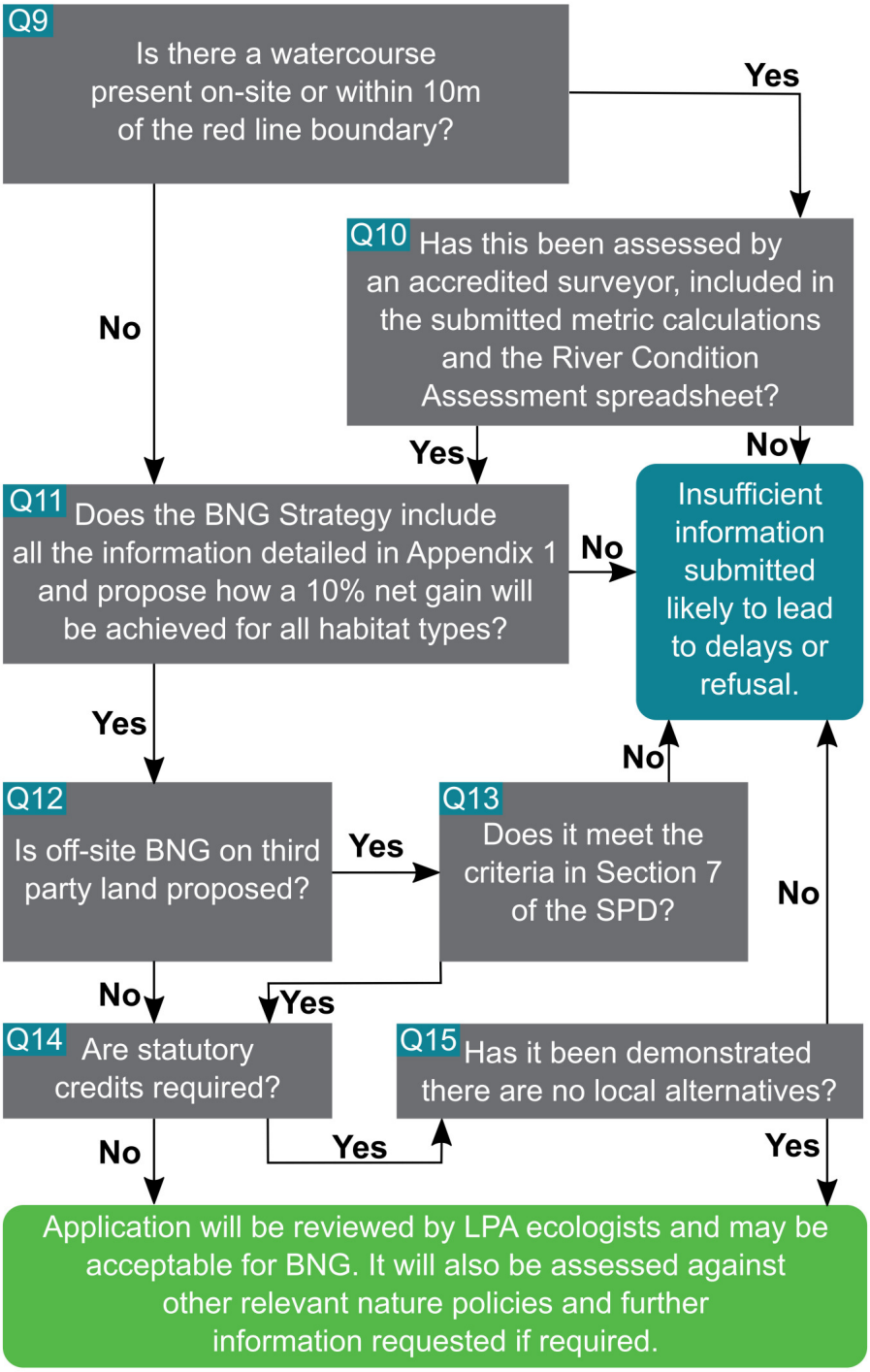
Details of habitat surveys and condition assessments (where required), explaining and justifying the reasons a particular habitat type has been assigned (this is of particular importance when discussing grassland habitats when Modified Grassland has been selected rather than high distinctiveness grassland types).
An accurate scaled habitat map of the pre- and post- development habitats as detailed in Section 4.
Demonstrate how the proposals have adhered to the Statutory Metric rules and principles and considered the ten Biodiversity Net Gain Good Practice Principles, including the Mitigation Hierarchy in particular. This will require explanation of how impacts have been avoided where possible and justification for lack of avoidance where it is not possible.
Demonstrate how the Biodiversity Gain Hierarchy has been applied and that delivery of enhanced or created habitats on-site has been maximised. Indicate whether any of the on-site habitats are considered Significant net gains according to the criteria set out in Section 6. Any losses of Medium (and higher) Distinctiveness habitats should be clearly stated with reasons for the lack of avoidance explained, such habitats should be retained in situ. The report should be clear that where High or Very High Distinctiveness habitats are to be lost this means the proposals will not be considered to achieve an overall Biodiversity Net Gain. Information detailing bespoke habitat creation to compensate for such losses should be detailed enough for the LPA to assess whether the approach is appropriate and likely to be successful.
Describe the approach to achieving the at least 10% BNG biodiversity gain objective. Where it is not possible to provide this on site, provide details on the proposed reliance of off-site biodiversity units including the number and location of these (if known). This may include habitat creation or enhancement off site, purchase of Biodiversity Units from the Local Authority or other habitat bank. Include a statement as to whether the purchase of Statutory Credits may be required.
Detail how stakeholders have been consulted during development of the approach to BNG. This is likely to include the LPA and may include other statutory agencies such as the Environment Agency and Natural England, other nature conservation bodies such as the Yorkshire Wildlife Trust and local organisations such as Rivers Trusts. If any consents or licences are required from third-parties to enable habitat creation or enhancement, demonstrate that these have been or are capable of being obtained.
Provide information about planned post-development habitats and their intended target Condition and how that will be achieved. The report should be clear about the challenges and risks of habitat enhancement and creation In some cases where difficult to create habitats are proposed it may be necessary to indicate how site preparation, habitat creation or enhancement methods and on-going management will result in the provision of habitats in the desired condition and an indication of how they will be managed and maintained for the required time frame.
Describe how the priorities of the Local Nature Recovery Strategy have been addressed and how the location and type of habitat creation interacts with existing nature conservation sites and networks. How does habitat enhancement or creation contribute to creating bigger, better and more joined up natural greenspace?
Detail how habitat function will be designed to support species including Priority Species where they have been identified. This may include core sustenance zones for bats, bird foraging areas for birds of prey or wader species or varied habitats for invertebrate species
Demonstrate how habitat enhancement and creation will contribute to natural capital and green infrastructure such as floodwater management, public health and well-being or carbon capture. Any conflicts with provision of other ecosystem services should be discussed.

Flowchart: Validation & Determination for a Major Application



Appendix 2: Validation Process




Q9
Is there a watercourse present on-site or within 10m of the red line boundary?
Yes
No
Q10 Has this been assessed by an accredited surveyor, included in the submitted metric calculations and the River Condition Assessment spreadsheet?
Yes
No
Q11 Does the BNG Strategy include all the information detailed in Appendix 1 and propose how a 10% net gain will be achieved for all habitat types?
No
Insufficient information submitted likely to lead to delays or refusal.
Yes
No
Q12
Is off-site BNG on third party land proposed?
Yes
Q13
Does it meet the criteria in Section 7 of the SPD?
No
No
Yes
Q14 Are statutory credits required?
Q15 Has it been demonstrated there are no local alternatives?
No
Yes
Yes
Application will be reviewed by LPA ecologists and may be acceptable for BNG. It will also be assessed against other relevant nature policies and further information requested if required.

Notes for Validation & Determination

Note A

Surveys of the development site to calculate the pre development biodiversity value of the onsite habitat should ideally be done shortly before the subission of the planning application to ensure, if the relevant date is the date of the application, the pre-development biodiversity value is accurate. Older surveys can be used where there has been no material change to the onsite habitat when the planning application is submitted. If there has been a material change since a survey, it should not be used.

Note B

Applicants are encouraged to engage with the local planning authority via pre-application advice to discuss the use of or need for an earlier date, to avoid potential disputes later.

Note C

If a habitat has been cleared, destroyed or degraded previously, and an earlier baseline should be used. Further guidance is provided in Section 3.16 of this SPD.

Submission requirements

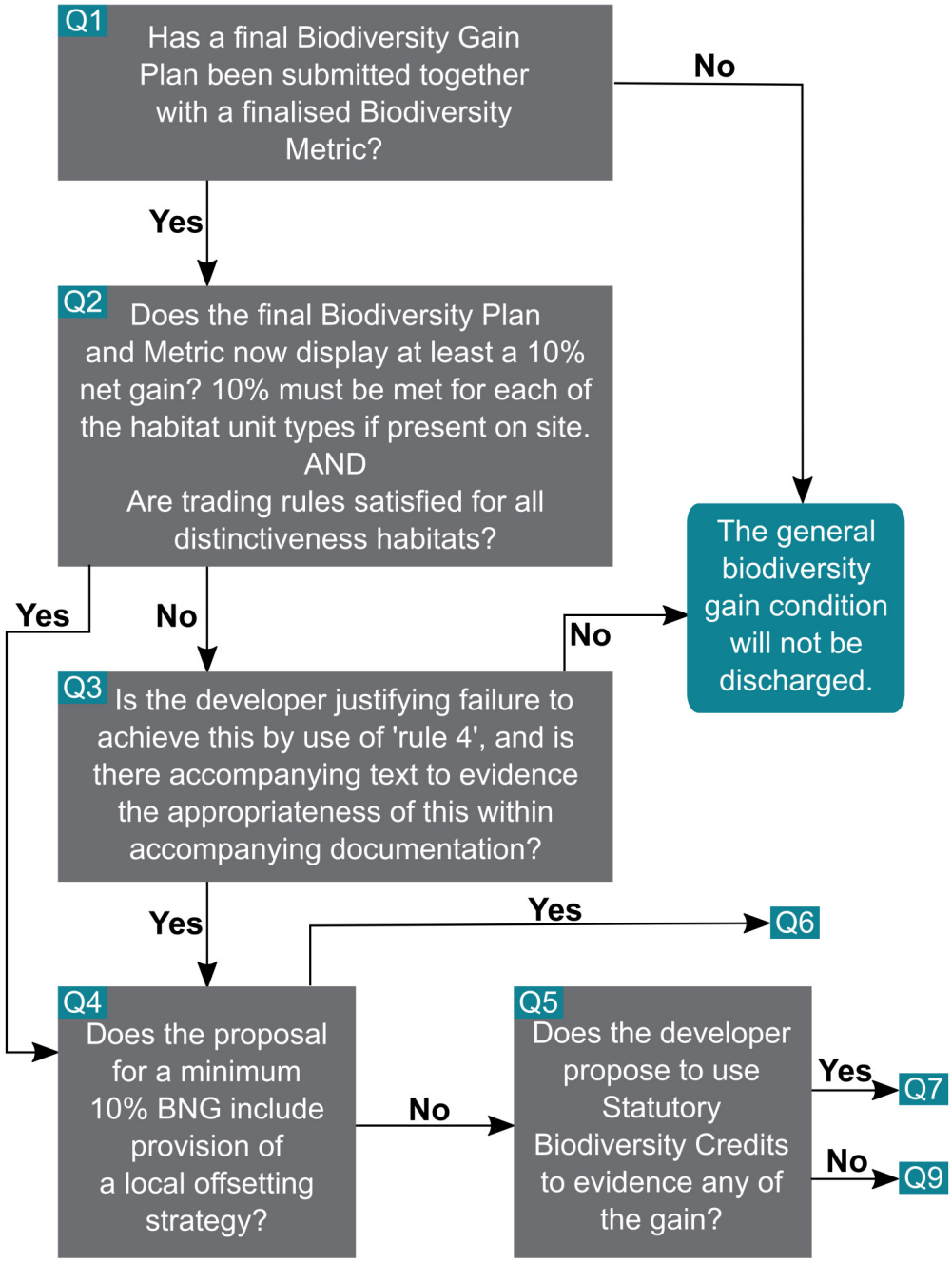
National criteria

- A statement regarding whether BNG is applicable or the development is exempt
- Pre-development biodiversity value of the site in a completed Statutory Biodiversity Metric as a spreadsheet (*this should reflect the value of the site on the date of application or an agreed earlier date if applicable*)
- A statement on whether any habitat degradation has occurred
- A description of any irreplaceable habitat, if present
- A habitat plan of pre-development habitats

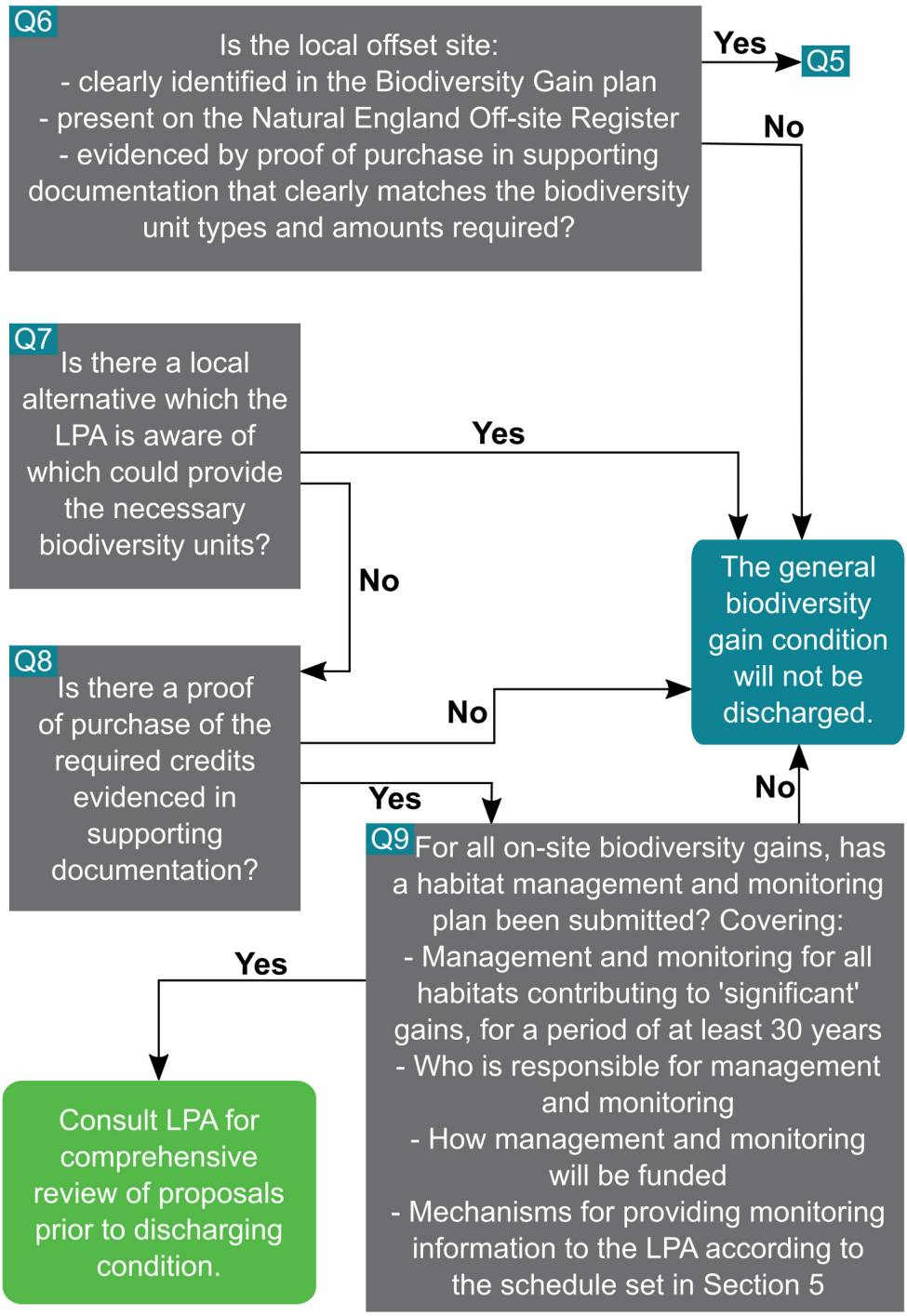
Local criteria

- If claiming exemption via *de minimis* exemption - high-resolution photographs of the site
- A BNG strategy report or draft Biodiversity Gain Plan
- A completed Statutory Biodiversity Metric including draft post-development habitats
- Habitat condition criteria sheets for baseline habitats
- A habitat plan of post-development habitats

Flowchart: Pre-commencement Planning Discharge



Appendix 3: Pre-commencement Planning Discharge



Area habitat	Habitats recorded in the biodiversity metric tool in area (hectares).
Assessor	The competent person completing the biodiversity metric tool.
Baseline Unit Value / Baseline Biodiversity Value	The biodiversity unit value of a site prior to development as calculated using the Biodiversity Metric.
Biodiversity Metric	The calculation tool created by DEFRA and used to assess biodiversity unit losses and gains resulting from development.
Biodiversity Net Gain	When the post-development biodiversity unit value (delivered on and/or off-site) exceeds the baseline biodiversity unit value of a development site.
Biodiversity unit	A relative unit of measure for habitats that takes into account factors such as the area (or length for linear habitats), distinctiveness and condition of a habitat parcel.
Competent person	A competent person has the knowledge and skills to perform specified tasks to complete and review biodiversity metric calculations. You obtain this through training, qualifications, experience, or a combination of them. Competency is aligned with the British Standard 'Process for designing and implementing biodiversity net gain (BS 8683:202)'.
Condition	A measure of the state of health and vigour of a particular habitat in comparison to other examples of the same habitat.
Condition assessment	The process of assigning habitat condition, to be undertaken by a competent person.
Difficulty	A measure which represents the uncertainty in the effectiveness of management techniques used to enhance or create habitat.
Distinctiveness	A score of how special a particular habitat is considered in comparison to habitats of different types. For example modified grassland is 'low distinctiveness' and Lowland Meadow is high distinctiveness'.
Habitat parcel	A linked area of habitat of the same distinctiveness, condition and strategic significance.
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
Irreplaceable Habitat (not exclusive):	• Ancient woodland • Ancient and veteran trees • Blanket bog • Limestone pavements • Coastal sand dunes • Spartina saltmarsh swards • Mediterranean saltmarsh scrub • Lowland fens

Appendix 4: Glossary

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 is taken as a centre line measurement.
Minimum 10% Net Gain	A minimum 10% biodiversity net gain is achieved when the post-development biodiversity unit value is at least 110% of the baseline biodiversity unit value.
Post-development biodiversity value	The biodiversity unit value attributed to a development once construction has been completed. This will include biodiversity units agreed to be delivered on site within the red line boundary of planning application and offsite biodiversity units delivered on land outside the red line boundary.
Priority habitat	Highly naturally functioning stretches which either: • are on the Priority River Habitat Map • meet the criteria for inclusion
Project timeframe	The timeframe over which the biodiversity metric calculates gains and losses for specific habitat interventions.
Reviewer	A person reviewing the biodiversity metric outputs to check the biodiversity metric rules, principles and guidance have been followed. A review is usually from a relevant planning authority.
Shapefiles	A shapefile is a data storage format for storing the location, shape, and attributes of geographic features. GIS mapping of Biodiversity Net Gain features allows the LPA and Natural England to monitor the cumulative contribution of BNG.
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 biodiversity metric tool accepts size measurements to any number of decimal places.
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.
Strategic significance	A component of habitat quality that describes the local significance of a habitat or its location. The term comes from DEFRA guidance and is used as part of the Biodiversity Metric calculation to determine the biodiversity unit value of a parcel of habitat.
Time to target condition	The average time taken between starting creation or enhancement of habitats and that habitat reaching its target condition or distinctiveness.

Appendix 5: List of References

Biodiversity Metric
Biodiversity Net Gain: Good Practice Principles for Development. | CIEEM
Biodiversity gain plan - GOV.UK (www.gov.uk)
Biodiversity Gain Plan template
Biodiversity Net Gain Planning Practice Guidance, DLUHC, February 2024 DLUHC BNG Planning Practice Guidance
Biodiversity net gain. Good practice principles for development. A practical guide (cieem.net)
BNG guidance collection page
Calderdale MBC Website
Environment Act
GOV.UK Biodiversity Net Gain
Guidelines for Preliminary Ecological Appraisal (GPEA) | CIEEM
HMMP Template
HMMP Checklist
HRA Process
Land Drainage Act 1991 (legislation.gov.uk)
Levelling-up and Regeneration Act 2023 (legislation.gov.uk)
Land Drainage Act 1991
LIDAR data
Local Plan Policy GN3
Meet your BNG requirements: steps to take for land managers - GOV.UK (www.gov.uk)
Meet the criteria for inclusion
National Planning Policy Framework (NPPF), DLUHC, December 2023
Natural England
Priority River Habitat Map
Process for designing and implementing biodiversity net gain (BS 8683:202)
River Condition Assessment for appraisals & Biodiversity Net Gain calculations – Modular River Survey
Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990
Section 100 of the Environment Act 2021
Submit a biodiversity gain plan - GOV.UK (www.gov.uk)
The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 (legislation.gov.uk)
The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024
The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 (legislation.gov.uk)

Appendix 5: List of References

The Biodiversity Gain Requirements (Exemptions) Regulations 2024
The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024
The Biodiversity Gain Site Register Regulations 2024
The Biodiversity Metric Supporting Documents - JP039 (naturalengland.org.uk)
The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 (legislation.gov.uk)
The_Small_Sites_Metric__Statutory_Biodiversity_Metric__-_User_Guide.pdf (publishing.service.gov.uk)
The_Statutory_Biodiversity_Metric_-_User_Guide_.pdf (publishing.service.gov.uk)
UKHab