

1

Greater Lincolnshire Nature Partnership 

**Who are we?**

- Partnership of 49 + organisations
- Hosted by Lincolnshire Wildlife Trust
- Long history
- Environmental Records Centre
- Local Sites



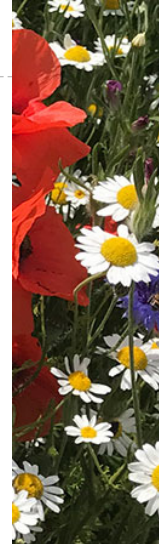
2

## Greater Lincolnshire Nature Partnership



### Policy and Strategy Priorities

- Farming with nature
- Being well with nature
- Planning with nature
- Enjoying nature
- Geodiversity
- Natural Capital
- Nature strategy



3

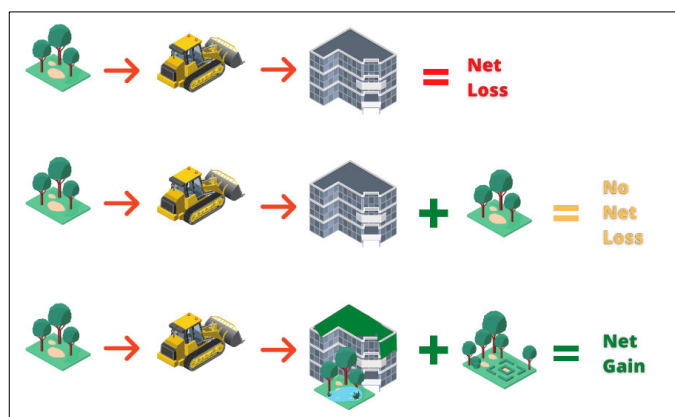
## Introducing BNG



### What is biodiversity net gain

“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*



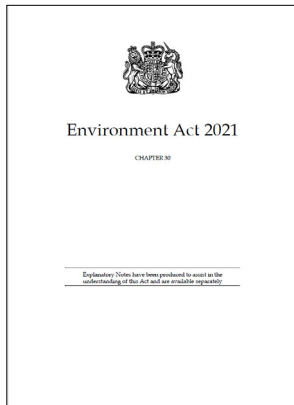
[https://naturalengland.blog.gov.uk/wp-content/uploads/sites/183/2022/04/BNG-Brochure\\_Final\\_Compacted-002.pdf](https://naturalengland.blog.gov.uk/wp-content/uploads/sites/183/2022/04/BNG-Brochure_Final_Compacted-002.pdf)

4

## Introducing BNG



### Overview of mandatory biodiversity net gain



- 10% Biodiversity Net Gain
- Offsite managed for 30 years
- Significant onsite enhancements managed for 30 years
- Applies to terrestrial habitat in England up to and including intertidal habitats
- 12<sup>th</sup> February 2024 most Town and Country Planning Act development
  - Small sites 2<sup>nd</sup> April 2024
  - 2025 Nationally Significant Infrastructure Projects
- Does not override the mitigation hierarchy

5

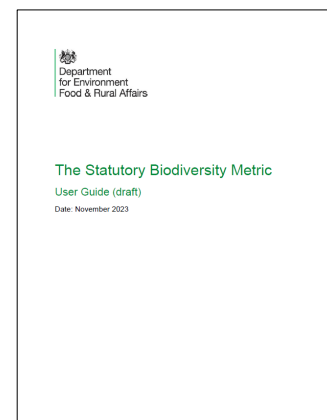
## Introducing BNG



### What are we calling BNG

It's important to know how BNG is measured and calculated:

- Statutory metric
- What type of habitat – a proxy for biodiversity
- Area or length of habitat (not interchangeable)
- Distinctiveness (Very low to very high)
- Condition (Poor to good)
- Strategic significance (Low, medium, high)
- Time to condition – enhancement and creation only
- Spatial risk – enhancement and creation only
- Difficulty – enhancement and creation only



6

## Introducing BNG



### Delivering BNG

#### ON-SITE (UNITS)



Delivered through habitat creation/enhancement via landscaping/green infrastructure

#### OFF-SITE (UNITS)



Delivered off-site through habitat creation/enhancement, including via habitat banks, with public and private landowners

#### STATUTORY CREDITS\*



- National landscape scale NBS
- Priced to encourage onsite and offsite BNG
- Metric weighted to require 2 units for every one when using credits
- Could result in a local biodiversity drain

[https://naturalengland.blog.gov.uk/wp-content/uploads/sites/183/2022/04/BNG-Brochure\\_Final\\_Compressed-002.pdf](https://naturalengland.blog.gov.uk/wp-content/uploads/sites/183/2022/04/BNG-Brochure_Final_Compressed-002.pdf)

7

## Introducing BNG



### The BNG Hierarchy

- Avoid adverse effects to onsite habitat with a habitat distinctiveness score of 6 or more (High or Very High)
- If the effects can't be avoided mitigate against them
- If they can't be mitigated against then enhance onsite habitat
- If onsite habitat can't be enhanced create onsite habitat
- If onsite creation isn't possible then offsite biodiversity units should be secured
- Where offsite biodiversity net gain isn't possible then statutory credits should be purchased as a last resort

8

## Are there opportunities for IDBs?



### Questions to ask

- Do we have landholdings suitable for offsetting area based biodiversity units?
  - *This would involve the creation or enhancement of habitats*
- Can we undertake creation or enhancement of watercourses and their riparian zones?
  - *Examples of creation include – installation of new ditch or canal where this doesn't impact baseline value.*
  - *Examples of enhancement include - removing culverts, restoring natural alignment, enhancing the riparian zone and removal of encroaching features (anything that impacts the natural process of riparian zone).*
  - *Note that established footpaths, towpaths and river crossings are exempt from being considered encroachment.*
  - *Riparian zones = 10m from top of bank for priority rivers, other rivers and streams and canals. 5m for Ditches. Not applicable for culverts*
- Can you plant new or enhance any hedgerow on your landholdings?

9

## Are there opportunities for IDBs?



### Things that should be considered

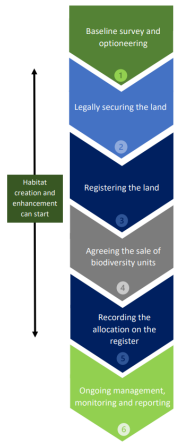
- Will BNG clash with the IDB's remit?
- BNG works need to be secured and managed for 30 years
  - *Can you make this commitment? (3<sup>rd</sup> party could be involved)*
  - *What will you do after 30 years? More protections may exist by then, but further BNG could be achieved*
- If land is only managed by the IDB, what agreements are in place or will be needed with landowner?
- What costs need to be covered in the price of units sold? Initial costs of work, management costs, loss of income.
- If the IDB only has small landholdings or can only undertake watercourse enhancement could BNG units be sold in conjunction with other landowners?
  - Would ELMs or other markets be better suited? Voluntary markets may allow for stacking.
  - Works need to be additional to work that would otherwise be undertaken.

10

## Are there opportunities for IDBs?



### BNG and land management



#### Habitat Banking:

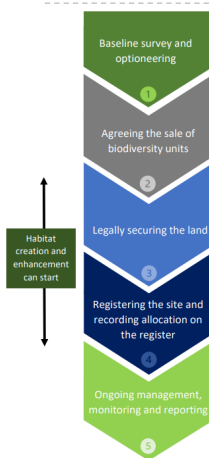
- Metric and what work you will undertake
- Section 106 or Conservation Covenant
- Statutory biodiversity gain register and local markets
  - Conservation covenants require land registry too
- Sale directly with buyer or through a market or habitat bank broker
- Statutory register again
- 30 years

11

## Are there opportunities for IDBs?



### BNG and land management



#### Bespoke habitat creation:

- Metric and what work you will undertake
- Through discussion with developers
- Section 106 or Conservation Covenant
- Statutory BNG register (Land Registry?)
- 30 years

12

## Could IDBs be required to achieve BNG?



### Major developments

IDBs may find themselves having to offset their own impacts

- Development which requires permission under the Town and Country Planning Act 1990, unless:
  - *Subject to Section 90 of the Act - Development with Government Authorisation*
  - *Granted through a Local Development Order*
  - *Permission sought prior to 12<sup>th</sup> February 2024*
  
- Exemptions also apply where:
  - *Less than 25m<sup>2</sup> of non-priority habitat is impacted*
  - *Less than 5m of linear non-priority habitat impacted*
  - *Developments undertaken for the purpose of fulfilling the BNG planning condition for another development*

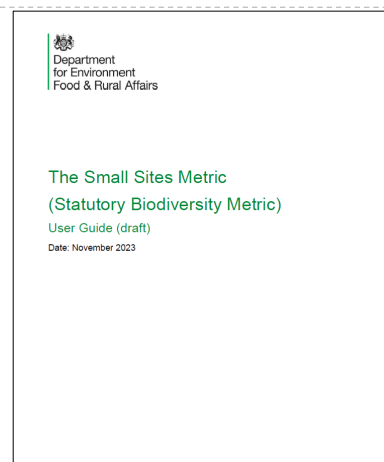
13

## Could IDBs be required to achieve BNG?



### Small sites

- Commercial developments where floorspace is under 1000m<sup>2</sup> or total site area is less than 1ha, will be required to achieve BNG from 2<sup>nd</sup> April 2024
  
- They will be required to use the Small Sites Metric to calculate biodiversity units



14

## Could IDBs be required to achieve BNG?



### Will BNG impact the work IDBs do?

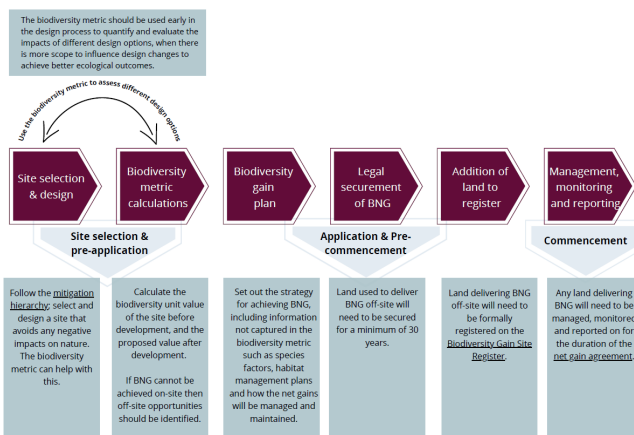
Nationally Significant Infrastructure Projects granted under Planning Act 2008 will be required to provide net gains for biodiversity from 2025.



## Could IDBs be required to achieve BNG?



### If works require BNG



#### Pre application

- Site selection and design
- Calculation of BNG units

#### Pre development

- BNG Plan (though preferred pre application)
- Secure BNG (Section 106 on conservation covenant)
- Register any offsite BNG

#### Commencement of development

- Manage, monitor and report



## Beyond Biodiversity Net Gain



### Local Nature Recovery Strategies

- Introduced by the Environment Act 2021
- Agree priorities and propose actions for nature recovery
- Will be the key indicator of whether biodiversity net gain is considered strategic or not
- Hopefully BNG will be a key contributor to LNRS priorities, especially as the planning system being identified as the key mechanism for ensuring identified priorities are met



17

## Biodiversity beyond BNG



### Public Authority Biodiversity Duty

BNG shouldn't overshadow the biodiversity duty in Section 40 of NERC Act 2006, strengthened by amendments laid out in the Environment Act 2021

1. Consider what you can do to conserve and enhance biodiversity.
2. Agree policies and specific objectives based on your consideration.
3. Act to deliver your policies and achieve your objectives.

Have regard for:

Local Nature Recovery Strategies – Responsible Authority

Species Conservation Strategies – Natural England

Protected Site Strategies – Natural England

18

## Biodiversity beyond BNG



### Developing opportunities

There are other opportunities to leverage funding through management of land:

- Other credit markets
  - *Voluntary biodiversity credits – potentially stackable, but unstandardized, likely to require large areas of land*
  - *Voluntary carbon credits – lack of standardization, payments considered to be too low by many*
  - *Water credits – relatively new, water quality and flood risk markets*
  
- Environmental Land Management schemes
  - *Countryside stewardship – targeted actions relating to specific locations, features and habitats*
  - *Landscape recovery – bespoke, longer-term, **larger scale** projects to enhance the natural environment*

19

## Useful information



### Some selected further reading

Understanding BNG <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>

Biodiversity net gain for land managers <https://www.gov.uk/guidance/meet-your-bng-requirements-steps-to-take-for-land-managers>

Biodiversity net gain for developers <https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers>

Biodiversity net gain for Local Planning Authorities <https://www.gov.uk/guidance/biodiversity-net-gain-what-local-planning-authorities-should-do>

Statutory metric <https://www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development>

Biodiversity duty <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty>

20