

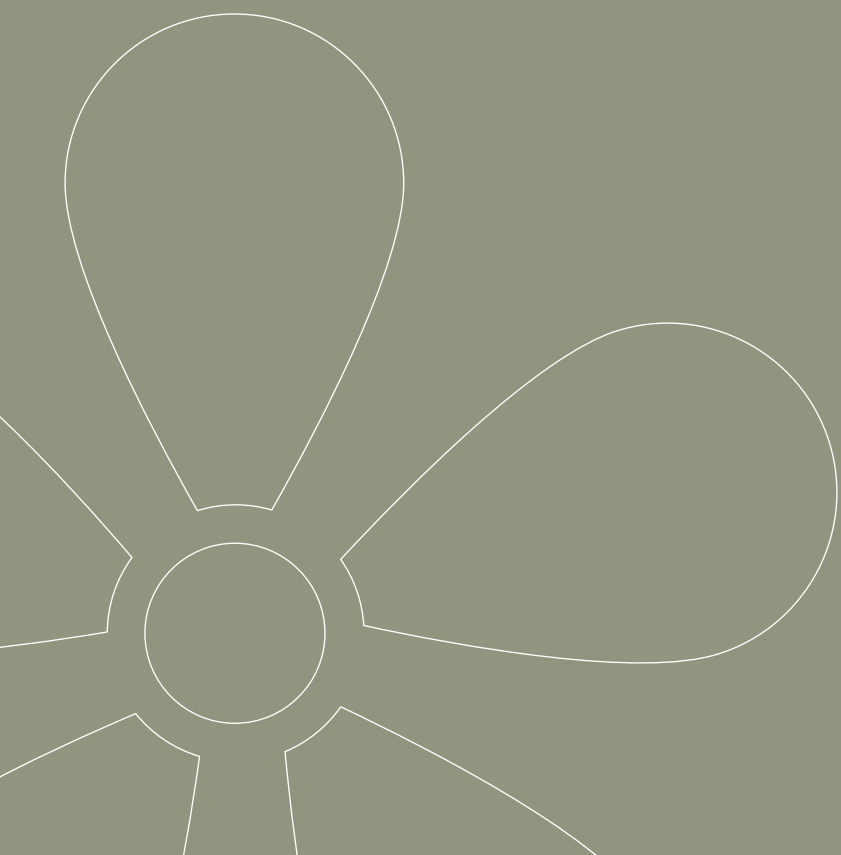


# **Biodiversity Net Gain**

## **Technical Advice Note**

**Sheffield City Council**

**September 2023**



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## 1 Foreword

### National Context

- 1.1. The natural environment provides vital benefits for our health, society, and economy, known as 'ecosystem services'. The quality of these beneficial services is determined by the health of the natural world and the biodiversity of the ecosystems within it. The UK has suffered a considerable decline in biodiversity over recent years, in turn causing a reduction in ecosystem service provision.
- 1.2. To conserve our remaining biodiversity and reverse the recorded decline, the Government intends to mandate a requirement for all new development to deliver Biodiversity Net Gain through the Environment Act (2021). 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 measurable net gain.

### Sheffield Context

- 1.3. The natural history of Sheffield is very special, a unique confluence of geography, geology, climate and ecology. The city and its wider region sit in a fairly central location in the British Isles, nestled in the 'foothills' of the eastern Peak District with a hugely varied landform that ranges from very low level (Don Valley <30m) to the moorland line (western moors >500m). The city has very varied habitats, from neutral and acidic grasslands, elevated heather moorlands and blanket bog and lower-level dry heaths and extensive woodland coverage. Many of Sheffield's woodlands are known 'Ancient' woods, some with documented histories stretching back to the early Middle Ages and beyond. Five major rivers (and many lesser watercourses) flow through Sheffield, influencing and shaping patterns of settlement, commerce and industry.
- 1.4. In terms of the flora and fauna, the city sits at the northern extent of the range of many southern species and at the southern extent for many northern species. Some species that are considered 'red data' conservation priorities nationally are relatively common in Sheffield due to the quality and extent of habitat available, whilst others – perhaps at the limits of their natural range – are considered rare, hence the requirement for sometimes very specific and targeted conservation measures.
- 1.5. Given the precarious state of some of our local flora and fauna and impending introduction of mandatory Biodiversity Net Gain, Sheffield City Council has taken the decision to produce this technical advice note in advance, so as to help guide developers through the process before the mandatory requirement commences.
- 1.6. By enabling a smoother process, it will hopefully help achieve the successful and speedier delivery of biodiversity gains upon the ground, and in doing so bring wider benefits to our city, the natural environment, its wildlife and the people within it.

## 2 Introduction

### What is Biodiversity Net Gain?

- 2.1. Biodiversity Net Gain (BNG) is a requirement for new development projects, in which biodiversity losses are outweighed by measures taken to avoid, minimise or compensate the impacts of the project.
- 2.2. The Government will make BNG a mandatory requirement for all development via the Environment Act 2021 (the Act). The Act includes a requirement for all future schemes including the development of land to deliver a mandatory minimum 10% biodiversity net gain. This will include a requirement for the net gain to be maintained for a period of at least 30 years.

### Biodiversity Net Gain: Good Practice Principles for Development

- 2.3. The guidance document 'Biodiversity Net Gain: Good Practice Principles for Development' (CIRIA, CIEEM, IEMA), sets out the following ten good practice key principles, which provide a framework for achieving Biodiversity Net Gain. The principles should be applied all together as a unified approach:
  1. Apply the mitigation hierarchy
  2. Avoid losing biodiversity that cannot be offset by gains elsewhere
  3. Be inclusive and equitable
  4. Address risks
  5. Make a measurable Net Gain contribution
  6. Achieve the best outcomes for biodiversity
  7. Be additional
  8. Create a Net Gain legacy
  9. Optimise sustainability
  10. Be transparent
- 2.4. Further detail on the ten good practice principles can be viewed via the following link:

[Biodiversity Net Gain: Good Practice Principles for Development \(CIEEM\)](#)

### Purpose of this Technical Advice Note

- 2.5. The purpose of this Technical Advice Note (TAN) is to provide interim guidance for applicants and decision makers on how BNG should be achieved as part of planning submissions in Sheffield in advance of it becoming mandatory. The need for a TAN reflects the growing expectations that BNG will be delivered earlier than the mandatory deadlines, in particular for Major applications. This TAN also allows applicants to better prepare for planning submissions as the statutory implementation dates approach.
- 2.6. This TAN builds on the requirements of the National Planning Policy Framework (NPPF) and draws on guidance from Natural England, the Chartered Institute of Ecology & Environmental Management (CIEEM) and principles in the Environment Act. It also provides guidance on how BNG is expected to make a meaningful contribution to nature recovery. This interim



TAN has been published ahead of the full suite of requirements for legally mandatory BNG, which is expected to be a requirement following a two-year transition period ending in winter 2023 for larger sites and early in 2024 for smaller sites.

- 2.7. In the interim, Sheffield City Council (the Council) will be seeking a minimum 10% net gain using the latest version of the Defra approved biodiversity metric (currently 4.0).

### 3 Policy Background

#### National Planning Policy

- 3.1. The requirement for planning applications to deliver a net gain in biodiversity is set out in the National Planning Policy Framework (NPPF). Paragraph 174 (d) requires that planning decisions enhance the natural and local environment by “minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.
- 3.2. Paragraph 180 (d) advises that “development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

#### The Environment Act

- 3.3. The Environment Act 2021 (the Act) amends the Town and Country Planning Act 1990. The Act sets out that most developments will be legally required to demonstrate a minimum net gain of 10% and secure those gains for a minimum of 30 years. A two-year transition period for this requirement is included in the Act, with provision for secondary legislation to set a date for the requirement to come into force. The requirements of the Act are expected to be mandatory by winter 2023 for larger sites and in early 2024 for smaller sites (see table on page 17 for definitions).

#### Local Policy

- 3.4. The current adopted Sheffield Local Plan comprises the Sheffield Core Strategy (CS) (adopted March 2009) (formerly called the Sheffield Development Framework Core Strategy) and ‘saved’ policies from the Sheffield Unitary Development Plan (UDP) (1998). Many of the policies in the UDP were superseded when the Core Strategy was adopted.
- 3.5. The UDP and CS include a range of policies to help protect and enhance the city’s blue and green infrastructure for the benefit of nature, the environment and our health and well-being. Relevant policies are listed below in ‘**Table 1 - Existing Blue and Green Infrastructure Planning Policies**’:
- 3.6. The adopted UDP and CS policies can be viewed via the following link:

Document	Policy
UDP	GE10 - Green Network GE11 - Nature Conservation and Development GE12 - SSSI’s and Local Nature Reserves GE13 - Areas of Natural History and Local Nature Sites GE15 - Trees and Woodland GE16 - Lakes, Ponds and Dams GE17 - Rivers and Streams GE18 - Sheffield and Tinsley Canal GE19 - Water Resources GE21 - Protection of Washlands GE26 - Water Quality of Waterways
Core Strategy	CS73 - The Strategic Green Network CS74 - Design Principles

<https://www.sheffield.gov.uk/planning-development/sheffield-plan>

- 3.7. The Council is currently in the process of producing a new Local Plan, the Sheffield Plan. The draft Sheffield Plan is expected to be submitted to Government for examination in Summer 2023 with a target for adoption in winter 2024. The draft Sheffield Plan includes up to date policies on blue and green infrastructure and associated strategies, including Biodiversity Net Gain. The draft policy ‘GS6 Biodiversity Net Gain’ is included below in **Table 2**:

#### DRAFT Policy GS6: Biodiversity Net Gain

After evidencing no overall biodiversity loss (including through lost connectivity and increased human disturbance), an overall BNG is required for all developments where the Biodiversity Metric or Small Sites Metric are applicable. This will be a minimum of 10% gain from pre to post development and must be achieved for all habitat types evident on site.

BNG in excess of 10% may be required where:

- there is a particular ecological need in that location based on evidence in a biodiversity/nature recovery action plan or as part of the Local Nature Recovery Network mapping, or
- there is evidence of rare/protected species within, or close to, the development site; or
- the site starts with very low or nil existing biodiversity value.



To ensure BNG is achieved new developers will be required to:

- a) demonstrate how the mitigation hierarchy of avoid, minimise and compensate has been applied; and
- b) deliver BNG on-site through habitat retention, enhancement and creation but, where it is clearly justified that this is not possible, deliver BNG offsite on sites identified in the Local Nature Recovery Strategy as having particular potential for habitat creation or enhancement (with priority given to areas closest to the site); and
- c) ensure BNG is additional to any habitat creation and/or enhancement required to mitigate or compensate for impacts of development on biodiversity; and
- d) provide BNG even when no losses have occurred through development; and
- e) use the latest version of either the Biodiversity Metric tool (applying the UK Habitat Classification) or the Small Sites Metric to calculate a baseline figure and predict potential biodiversity losses and gains that would result from development proposals or land management changes; and
- f) apply the Strategic Significance Value of the Biodiversity Metric where site habitats are located in areas of strategic importance to the local area; and
- g) provide a fully funded management plan, which covers a minimum period of at least 30 years that clearly sets out the legal requirements for how BNG proposals will be delivered, managed, and monitored.

Irreplaceable habitats will be exempt from the mandatory BNG requirement in accordance with national policy.

## 4 Planning Considerations

### Introduction

- 4.1. This section of the TAN sets out the main points that developers should consider and account for before making a planning application.

### Objective: Minimum 10% Net Gain

- 4.2. Within Sheffield, development within the scope of this TAN will be encouraged to deliver a measurable biodiversity net gain of a minimum of 10%. A net gain of 10% is the proportion of increase proposed by central government, following the introduction of the Environment Act, and the agreed minimum percentage to follow amongst the South Yorkshire Local Authorities. The council will therefore encourage developments to deliver a biodiversity net gain of a minimum of 10%.
- 4.3. The change in biodiversity value must be calculated and demonstrated using the latest version of DEFRA's Biodiversity Metric (the Metric) or the Small Sites Metric, and be in accordance with the UK Habitat Classification

methodology, applied to both baseline habitat and on site linear feature units such as rivers, streams and hedgerows.

- 4.4. The Local Planning Authority (LPA) will encourage all applications that are in scope to conform to this TAN to ensure a consistency of information to inform decision-making.

### Location of BNG Provision

- 4.5. Provision of BNG habitat creation and enhancement is expected to be on site in the first instance. The BNG approach embeds a spatial hierarchy of habitat delivery, where there is a preference for onsite or local enhancements. The Biodiversity Metric incentivises habitat delivery on or close to the development site through a 'Spatial Risk Multiplier', which reduces the biodiversity value of habitats delivered further away from the development.
- 4.6. There may be some instances where a minimum of 10% BNG cannot be delivered on-site and may involve off site provision. In such instances this should be clearly demonstrated through submitted evidence to be agreed with the Local Planning Authority. Off-site delivery of BNG can be achieved in two ways:
  - Off-site land under control of the applicant located nearby to deliver the BNG works required.
  - Off-site land under control of a third party to take on responsibility to deliver the BNG works required.
- 4.7. In cases where BNG is delivered off-site, it will be prioritised in areas covered by Sheffield's Local Nature Recovery Strategy and located as close as possible to the development site.
- 4.8. Where offsite BNG provision is proposed a binding legal agreement between the landowner (whose land will accommodate the offsite provision) and the developer will be required to ensure the planned habitat enhancement is achievable. The landowner will then be legally obliged to deliver the required outcomes as per the agreement, so they will need to be sure the habitat enhancement is physically and financially achievable. This will be a pre-requisite to submitting the Biodiversity Gains to the Biodiversity Register.
- 4.9. The developer will then need to register these offsite gains to the operator (Natural England) of the Biodiversity Register. When submitting offsite BNG to the Biodiversity Register the developer will also need to include Habitat Management and Monitoring Plans (HMMP).
- 4.10. The legal agreement between landowner and developer and Biodiversity Registration will need to have been completed prior to submitting the Biodiversity Gain Statement (Core information) as part of a planning application.
- 4.11. It should be noted that the small sites metric is not appropriate for use where off-site habitat enhancement is proposed for development proposals of any size.



## Scope and Scale

4.11. All major development, and minor development that meets the following thresholds, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and Small Sites Metric will be encouraged to deliver BNG during this interim period.. See 'Table 3 - Development Type Thresholds' below:

Development type	Metric	Threshold
Major	Biodiversity Metric	<ul style="list-style-type: none"> <li>Residential development of 10 or more dwellings</li> <li>Residential development on a site of 0.5 hectares or more</li> <li>Non-Residential development on a site of at least 1 hectare</li> </ul>
Minor	Small Sites Metric	<p>Small Sites are defined as development sites where both of the following criteria are met:</p> <ol style="list-style-type: none"> <li>Development sites where;           <ul style="list-style-type: none"> <li>For residential developments the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare;</li> <li>Where the number of dwellings to be provided is not known the site area is less than 0.5 hectares;</li> <li>For all other development types where the floor space to be created is less than 1,000m<sup>2</sup> or where the site area is less than one hectare.</li> </ul> </li> <li>Where there is no priority habitat present within the development area (excluding hedgerows and arable margins)</li> </ol>

\*Note: It is not appropriate to use the Small Sites Metric to calculate offsite losses and gains.

4.12. Further clarifications for biodiversity net gains requirements on minor developments are provided within the Section 'How to Demonstrate Net Gain'.

### Exemptions

4.13. The following developments are exempt from mandatory Biodiversity Net Gain:

- Development impacting habitat of an area below a 'de minimis' threshold of 25 squared metres, or 5 metres for linear habitats such as hedgerows;

- Householder applications;
- Biodiversity gain sites (where habitats are being enhanced for wildlife);
- Small scale self-build and custom housebuilding,

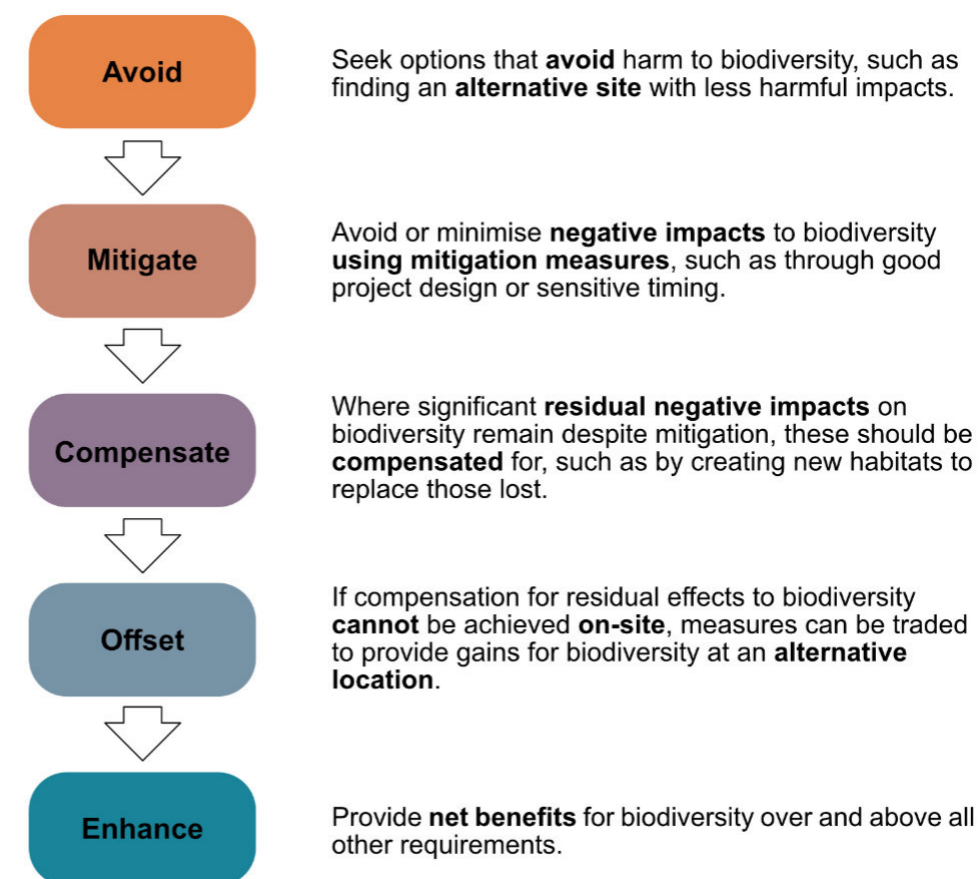
4.14. Although the above mentioned developments are exempt from mandatory net gain they still provide opportunities for biodiversity enhancements which could be secured through planning policy.

### The Mitigation Hierarchy

4.15. The application of the mitigation hierarchy and the integration of Biodiversity Net Gain will require consideration from an early stage of the development. Ideally an ecological consultant should be engaged at the earliest opportunity, prior to the design phase of the development, to ensure sites selected are suitable for development and that a net gain on the site is feasible.

4.16. The use of the Metric does not remove the requirement to follow the mitigation hierarchy. The NPPF and the 'ten good practice principles' both require development proposals to apply the ecological mitigation hierarchy in order to result in no significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for only as a last resort. The mitigation hierarchy is outlined below in Figure 1.

**Figure 1.** Applying the Mitigation Hierarchy (based on diagram within Kirklees Council's Biodiversity Net Gain Technical Advice Note)



## Ecological Consultant Qualifications

### Biodiversity Metric

- 4.17. A suitably qualified ecologist who has achieved Field Identification Skills Certificate (FISC) of Level 3 or above, will need to be appointed to carry out the Biodiversity Metric Assessment. Evidence will need to be provided showing the required qualifications of the appointed Ecological consultant.

### Small Sites Metric

- 4.18. The Small Sites Metric (SSM) can be completed by a competent person who has acquired through training, qualifications or experience, or a combination of these, the knowledge and skills enabling them to carry out the SSM. The competent person is defined as someone who is confident in identifying habitats present on the site before the development AND identifying the management requirements for habitats which will be created or enhanced within the landscape design. A competent person must carry out the habitat survey and assessment and be able to confidently identify the habitats likely to occur in a given geographic location at the time of year the survey is undertaken.

### **Types of Ecological Report Required for a Planning Application**

- 4.19. As part of your planning application, it is important to be able to evidence and baseline the ecology and biodiversity of the site. There are different types of ecological report, and it is vital that the correct report is provided, and surveys carried out at the right time.

### Preliminary Ecological Appraisal & Ecological Impact Assessment

- 4.20. Preliminary Ecological Appraisals (PEA's) and subsequent Ecological Impact Assessments (EclA's) are already submitted with many planning applications. The exceptions being most householder applications and sites with no natural habitats present.
- 4.21. PEA's are an initial survey designed to identify all the ecological features on the site and then clearly state if further, more detailed surveys, are required such as those for protected species. The PEA will need to be completed using the UK Habitat Classification system. Once any additional surveys are completed, the results are compiled to form an EclA. Protected species survey work must be completed prior to submission of an application. In most cases, an EclA will be required.
- 4.22. An Ecological Survey Calendar can be viewed in **Appendix F**, which shows when the required surveys should be carried out.
- 4.23. For advice on whether a site is simple enough to only require a PEA, the Council's Ecology Team should be contacted. To ensure a consistent standard of information the content and structure set out in the Chartered Institute of Ecology and Environmental Management's report template guidance should be followed when producing reports.

- 4.24. The Council's Ecology Team can be contacted via the following email address and telephone number:

Email: parksandcountryside@sheffield.gov.uk

Telephone: 01142500500

### Biodiversity Gain Statement

- 4.25. In addition to the PEA and any subsequent EclA (if required), a Biodiversity Gain Statement (BGS) will need to be submitted as part of any planning application. The BGS should clearly set out the following, as listed in the Environment Act:
- How adverse impacts on habitats have been minimised;
  - The pre-development biodiversity value of the onsite habitat;
  - The post-development biodiversity value of the onsite habitat;
  - The biodiversity value of any offsite habitat provided in relation to the development;
  - Any statutory biodiversity credits purchased; plus
  - Any further requirements as set out in secondary legislation.

### **Strategic Significance Value**

- 4.26. The Strategic Significance Value (SSV) will need to be applied to each habitat parcel as part of the baseline and post intervention biodiversity metric assessment.
- 4.27. While the South Yorkshire Local Nature Recovery Strategy (SYLNRS) will provide a main evidence base in helping to assign the SSV of 'High' to habitats, it is not due to be completed until Spring 2025. However, there has been significant work carried out to date on the SYLNRS including baseline mapping and the identification of habitat opportunity areas, to potentially help determine the SSV of 'High' for habitats.
- 4.28. As part of the Draft Sheffield Plan site allocation process conditions have been attached to sites located within or adjacent to the evolving SYLNRS. Where applicable, 'Annex A: Site Allocations', could also potentially help inform assessors as to whether a habitat is of 'High' SSV at this stage. 'Annex A – Site Allocations' can be viewed via the following link:
- <https://haveyoursay.sheffield.gov.uk/draft-local-plan>
- 4.27. Until the SYLNRS is complete, Sheffield's Ecology Team will use the available information to advise if a habitat is likely to be located within the future SYLNRS and be of 'High' SSV.
- 4.28. While work on the SYLNRS and Local Plan are still in progress, there are a number of other plans and strategies that can be used to help assessors evidence the SSV of 'High' for habitats. These include:
- Sheffield Unitary Development Plan (1998) – 'Green Environment' chapter including 'Map 4: The Green Network'



- Sheffield Core Strategy (2009) – Policy CS73 ‘The Strategic Green Network’
- Sheffield Biodiversity Action Plans/Habitat Action Plans
- Designated Sites
- Humber River Basin Management Plan

### Exceptions

- 4.29. The application of the net gain approach does not replace existing protection for habitats and species that exists within planning policy and legislation. This includes the legal protections afforded to species and statutory sites, which are separate from the planning process, and the policy requirements that relate to priority habitats and species, irreplaceable habitats and protected sites, whether these be through direct or indirect impacts. If present within or near to a development, 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.
- 4.30. Any biodiversity units resulting from mitigation and compensation sites for protected species and protected sites can only be used to achieve no net loss. Therefore the requirement for a minimum 10% Biodiversity Net Gain would still need to be achieved elsewhere onsite or through offsite provision.
- 4.31. The losses to irreplaceable habitats, including habitats within Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites or Local Wildlife Sites (LWS, Ancient Semi-natural woodland, Plantations on Ancient Woodland sites and other habitats considered to be of high distinctiveness (such as blanket bogs, upland hay meadows, etc.) cannot be accounted for within the metric and in all such cases the requirement for bespoke compensation will need to be discussed with all relevant bodies, including the Local Planning Authority.

### Deliberate Devaluing of the Baseline Habitat

- 4.32. Environment Act 2021, Schedule 7A Biodiversity Gain in England (part 1) paragraph 6
- If—*
- a person carries on activities on land on or after 30 January 2020 otherwise than in accordance with —*
    - planning permission, or*
    - any other permission of a kind specified by the Secretary of State by regulations, and*
  - as a result of the activities the biodiversity value of the onsite habitat referred to in paragraph 5(1) is lower on the relevant date than it would otherwise have been, the pre-development biodiversity value of the onsite habitat is to be taken to be its biodiversity value immediately before the carrying on of the activities.*
- 4.33. Developers or site owners should not deliberately ‘run down’ the biodiversity value of a site by clearing vegetation or removing biodiversity assets before baseline ecological surveys have been carried out, in an attempt to manipulate

the level of potential net gain that can be achieved on a site. Such activities also carry a risk of criminal offence if previously unrecorded protected species are disturbed /injured /killed, or their resting places disturbed or destroyed.

- 4.34. If a site has been deliberately devalued, through clearance of habitats or removal of biodiversity assets to lower the baseline value then Council officers will use historic aerial and satellite imagery, to establish the extent of any biodiversity assets.
- 4.35. The potential applicant is also reminded that protected species are a material consideration and that [their] presence or otherwise and the extent to which they might be impacted by the proposed development is established before planning permission is granted, in respect of ODPM Government Circular 06/2005.

### Summary

- 4.36. Before the submission of a planning application, it is important to consider the following points:
- The objective of delivering a minimum of 10% biodiversity net gain on site or as close to site as possible;
  - The location of the net gain provision;
  - The scope and size of the development; and
  - The type of ecological report required to evidence and baseline the habitat.

## 5 Making a Valid Planning Application

### Introduction

- 5.1. This section of the TAN sets out how to evidence BNG in your planning application, including what supporting information you will be required to submit and in what format.

### Site Boundary

- 5.2. Firstly, ensure the full extent of all habitats within the applicant’s ownership are included within the red line site boundary. In instances where a site is adjacent to a watercourse that is in full/part ownership of the applicant, the watercourse needs to be included within the red line site boundary and considered as part of BNG. Where a watercourse is in part ownership then the red line boundary should run to the centre of the watercourse.
- 5.3. Where an applicant’s red line boundary covers or falls within the riparian zone (defined as 10 metres from the bank top of any river, stream or canal), but excludes the channel of the watercourse, then the river metric (including the condition assessment) will need to be applied. In instances where this may occur then any adjacent lengths of watercourse must be included within a metric assessment.





## How to Demonstrate Net Gain

5.4. To demonstrate a BNG, planning applications within the scope of this TAN will require the following supporting information as shown in **Table 4** below:

Supporting Information	Major Application	Minor Application
Preliminary Ecological Appraisal (PEA)	Y	Y
Ecological Impact Assessment (EclA) (subject to findings in PEA)	Y	Y
Biodiversity Gain Statement (following Core Information)	Y	Y
Details of Mitigation Hierarchy outcomes	Y	Y
Biodiversity Metric: Pre development Biodiversity Value	Y	
Biodiversity Metric: Post development Biodiversity Value	Y	
Small Sites Metric: Pre development Biodiversity Value		Y
Small Sites Metric: Post development Biodiversity Value		Y
Details of proposed approach to enhancing biodiversity on-site	Y	Y
Details of any offsite provision (if provided)	Y	Y
Details of any statutory credits (if purchased)	Y	Y
Proportionate information on habitat management/monitoring	Y	Y
Details of any further requirements as set out in secondary legislation	Y	Y

## Stages in the Planning Process

5.5. While table 4 sets out the supporting information required for a planning application to demonstrate a BNG, the following stages in **Table 5** set out the approach as to how this should be achieved and evidenced within the required supporting information.

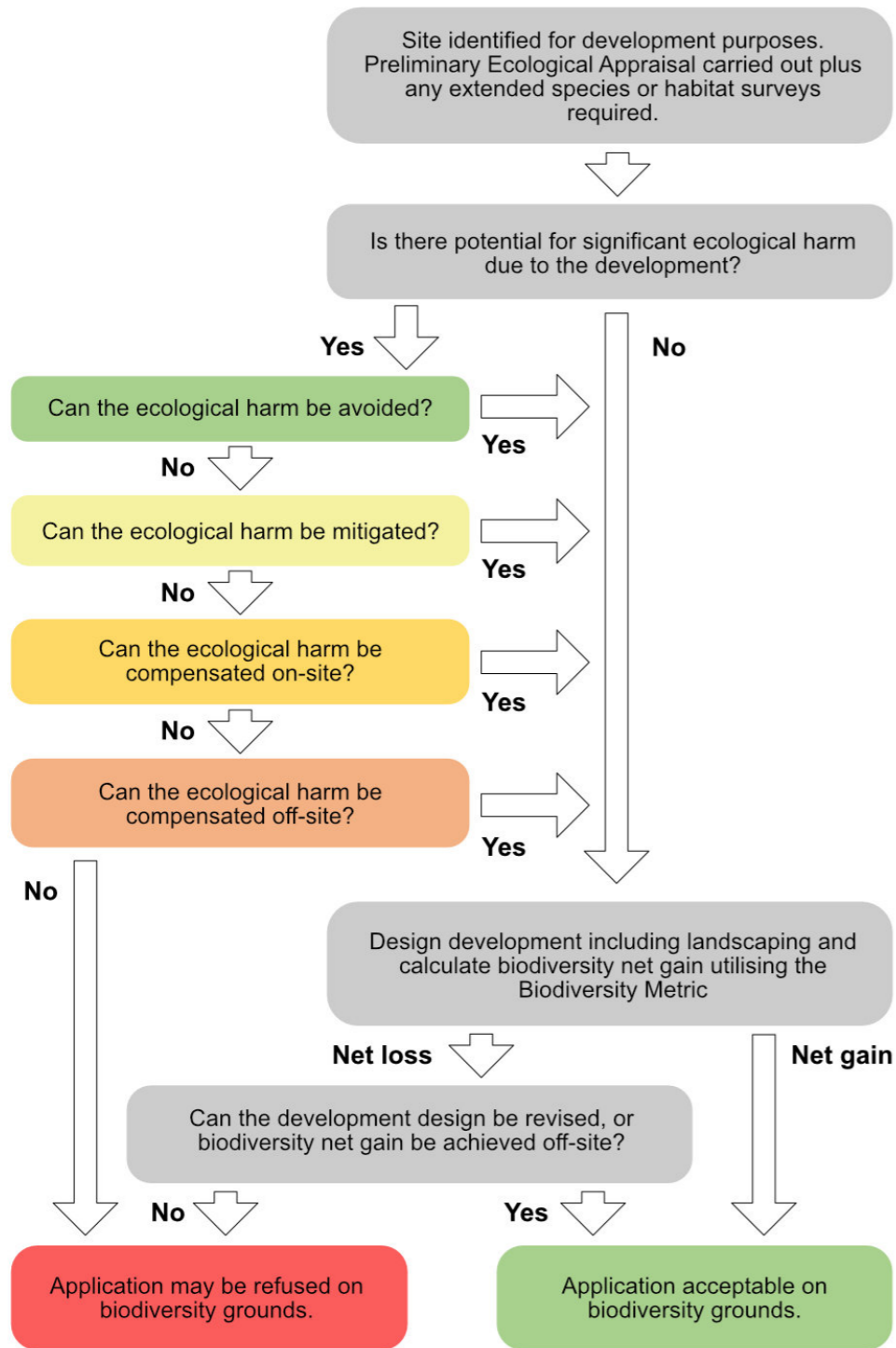
**Table 5:** Stages of submitting major development applications within Sheffield.

Stage 1: Site Baseline Pre-development
<ul style="list-style-type: none"> <li>Assess the selected site for the level of potential ecological harm.</li> <li>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. <b>See Appendix F</b></li> <li>Establish the site's baseline biodiversity value utilising the Metric.</li> </ul>
Stage 2: Development Design
<ul style="list-style-type: none"> <li>Use the information collected during baseline surveys to design the site layout, applying the mitigation hierarchy, see <b>Section 'The Mitigation Hierarchy' and Figure 1</b>.</li> <li>Use the Metric to explore a variety of options considering how these impact upon biodiversity on the site.</li> <li>Design the development, including a landscaping plan, based on the opportunities for habitat retention, enhancement and creation.</li> </ul>
Stage 3: Masterplan and Ecological Impact Assessment
<ul style="list-style-type: none"> <li>Produce a masterplan and calculate results of the Metric.</li> <li>Undertake Ecological Impact Assessment (EclA) based on results of previous surveys and include an accurate summary of the biodiversity net gain calculation to demonstrate how the policy requirements are met.</li> <li>If sufficient measurable Biodiversity Net Gain cannot be achieved on-site, provide evidence, and determine best option to achieve Biodiversity Net Gain off-site (See <b>Section 'Location of BNG Provision'</b>).</li> </ul>
Stage 4: Supporting Information for a Planning Application
<ul style="list-style-type: none"> <li>Biodiversity Gain Statement, see <b>Section 'Biodiversity Gain Statement'</b> below and <b>Appendix E</b>.</li> <li>Ecological survey data, ecological impact assessment and stand-alone Metric calculation in excel spreadsheet and GIS format, see <b>Appendix B and D</b>.</li> <li>The biodiversity baseline/ecological study.</li> <li>Maps, in the specified format, see <b>Appendix B and D</b>, showing habitat lost, enhanced, and created. Showing clearly where the habitat units occur for both pre-development (baseline) and post-development (habitat retained, enhanced, and created) values.</li> <li>Copy of legal agreement between the landowner (whose land will accommodate the offsite provision) and the developer (where offsite BNG provision is proposed).</li> </ul>



**Assessment Process**

5.6. Once you have submitted a valid planning application, the process followed by the Local Planning Authority to determine applications will be based on the submitted ecological evidence, as illustrated below in **Figure 2**. Validation process diagram based on example within Kirklees Council's Biodiversity Net Gain Technical Advice Note.



**Decision**

- 5.7. Where an application successfully receives planning approval and on-site BNG is agreed, the applicant will be required to submit further information on BNG through planning conditions. Such conditions will require the following to be submitted for approval prior to the commencement of development:
- Full Biodiversity Gain Plan
  - A Construction Environmental Management Plan (CEMP)
  - A Landscape & Ecology Management Plan (LEMP)
  - Habitat /Biodiversity Monitoring Plans
- 5.8. Further information on the above Management and Monitoring Plans is provided in Appendix C and the full Biodiversity Gain Plan in Appendix E
- 5.9. Where it has been agreed that BNG is to be provided offsite, planning permission would be granted subject to the completion of a legal agreement.



## Appendix A: Definitions

<b>Metric</b>	The most recent Natural England national biodiversity metric. This is used to quantify impacts on biodiversity (unit value) and calculate compensation and net gain requirements.
<b>Biodiversity Gain Statement</b>	To be submitted as part of a planning application setting out the core information as to how a scheme will deliver Biodiversity Net Gains
<b>Biodiversity Gain Plan</b>	To be conditioned as part of a planning application, setting out the full strategy for achieving BNG, including information not captured in the biodiversity metric such as species factors, habitat management plans and how the net gains will be managed and maintained.
<b>Biodiversity Unit</b>	The value given to a habitat by the Metric based on factors such as area, distinctiveness, condition and strategic location.
<b>Mitigation Hierarchy</b>	This is a stepwise approach first seeking to avoid impacts, then to minimise them, then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.
<b>Biodiversity Metric</b>	A tool developed by Natural England/DEFRA to be used for measuring biodiversity on development sites or changes in land use, which fall within the major planning application threshold.
<b>Small Sites Metric</b>	The Small Sites Metric is a simplified version of the Biodiversity Metric and has specifically been designed for use on small development sites. The Small Sites Metric is expected to become mandatory from April 2024.

## Appendix B: BNG Checklist

This can be used for all applications within scope of BNG as set out in Table 3 of this TAN.

Please note this checklist is for use as an aide-mémoire and is not exhaustive.

BNG documents required:

Have the correct supporting documents been submitted as required by this TAN?

### Biodiversity Gain Statement

- Map(s) of the site, and maps showing any BNG which is to be provided offsite.
- Excel and .pdf copy of the completed relevant Metric or other measurement of BNG?
- Habitat/ecology survey
- Has it been clearly set out how harm has been avoided following the mitigation hierarchy?
- Is there a pre-development biodiversity value score?
- Is there a post-development biodiversity value score given?
- If offsite BNG is going to be provided, is the nature of this, including its value given?

### Measuring BNG

- Has a measurement of BNG been provided?
- If the Biodiversity Metrics have been used, is it the correct type and version?
- Is a % BNG proposed?
- Are all habitats in the red line boundary accounted for?
- Have the reasons for the condition scores been set out, in accordance with the DEFRA guidance?
- Are there high distinctiveness habitats proposed for creation/enhancement? If so, is there sufficient evidence to support this?
- Is a high level or more than one-step change in condition proposed? If so, is there sufficient evidence to support this?
- Is the strategic significance consistent with the relevant strategy/guidance document?
- Has trading downs been avoided?

### Habitat Survey / Ecology Assessment

Is the appropriate type of survey/assessment submitted for the right type of Metric?

Has the assessment been completed by an appropriately qualified ecologist (Biodiversity Metric) or 'competent person' (Small Sites Metric)



Maps

- Is a baseline habitat map, showing the parcels of land corresponding to the Metric, provided?
- Is a proposed BNG habitat map, showing the parcels of land corresponding to the Metric, provided?

Management

Has information been provided to clearly show how the proposed BNG habitats will be implemented, managed, and monitored for a minimum of 30-years?

**Appendix C: Management and Monitoring Requirements**Management and Monitoring Plans

Management and Monitoring Plans will need to be submitted as part of a detailed Biodiversity Net Gain Plan. Separate plans will be needed for onsite and offsite delivery of biodiversity units and should include the following pieces of information:

- The baseline biodiversity assessment against which an uplift in biodiversity value will be monitored.
- The project's biodiversity targets.
- A detailed adaptive management plan setting out how habitats will be created or enhanced and describing the proposed ongoing management for a minimum of 30 years.
- The details of when target condition will be achieved and how they will be maintained.
- A detailed monitoring plan that will be used to inform ongoing management and assess the progress towards achieving target condition. This should outline the surveys that will be used to inform condition monitoring reports.
- Monitoring reports will be provided to the Local Planning Authority in years 1, 2, 3, 5, 10, 15, 20, 25 and 30.
- The roles, responsibilities and professional competencies of the people involved in implementing and monitoring the biodiversity net gain delivery.
- Evidence that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management.
- GIS files showing the baseline biodiversity values and all proposed target biodiversity values for any created or enhanced habitats both on and off site. These GIS files shall be updated following monitoring surveys and with current condition values and submitted to the local planning authority as part of the monitoring report.



## Appendix D: Data, Mapping and GIS Requirements

The following sets out the requirements for valid GIS and mapping files. These include:

- The completed relevant Biodiversity Metric in excel and .pdf format.
- Maps in a GIS format.
- GIS data must be supplied in ESRI Shape Files.
- Maps should use the latest UKHabs symbology
- Units should be metric e.g. m
- Use Britain National Grid coordinate system.
- Files should be 'flat', with no overlaps between polygons within the file.
- All data should be supplied as polygons, except for linear sites like hedges and rivers which can be mapped as lines/polylines.
- Point data can be included for isolated features.
- Where a boundary is shared between two (or more) polygons the boundaries should all share the same geometry. There should be no slivers or gaps between polygons with shared boundaries. Nodes must be snapped together.
- Polygons should not contain inappropriate "spikes".
- Polygons must not contain "bowties" (self-intersecting).
- Polygons must not intersect or cross themselves.
- Holes in polygons should be appropriately "punched". Where there is a hole in a polygon this should be digitised as a hole as shown below.

## Appendix E: Biodiversity Gain Plan

The Biodiversity Gain Statement submitted as part of a planning application will set out the core information on how a scheme will achieve a Biodiversity Net Gain. If a scheme receives planning permission then a full Biodiversity Gain Plan will be conditioned as part of that approval, and will need to be completed prior to the commencement of any development.

Applicants should demonstrate they have taken the following steps within the Biodiversity Gain Plan. Applicants should only proceed to the next step when they have demonstrated why the former one(s) cannot be achieved, either in part or fully

Step Points to be demonstrated for local BNG delivery:

### STEP 1

Demonstrate how negative impacts on site have been avoided wherever possible through good design.

### STEP 2

Explain mitigation measures taken to lessen any unavoidable harmful impacts.

### STEP 3

Show how delivery of new habitat/compensation has been maximised within the red line boundary of the planning application.

### STEP 4

Demonstrate a local first approach to offsite BNG delivery by seeking opportunities to secure offsite biodiversity as close to the proposed development as possible.

### STEP 5

If no offsite biodiversity net gain projects can be found within Sheffield Prior to Statutory Credits being available to buy from Central Government (anticipated Winter 2023), then the applicant will need to pay the Council a Biodiversity Net Gain Contribution of £25,000 per Biodiversity Unit. This unit cost will be index linked to inflation and updated annually, until the Statutory Credits become available.

### **Table 5** – Steps to demonstrate a local approach to Biodiversity Net Gain delivery

Maps showing habitat lost, enhanced, and created. Showing clearly where the habitat units occur for both pre-development (baseline) and post-development (habitat retained, enhanced, and created) values.

- Information about how the habitats will be implemented, managed, and monitored for a minimum of 30-years. This should be provided to demonstrate the BNG proposals are deliverable and achievable. For smaller applications this may be incorporated into the Biodiversity Gain Plan for example. For larger or more complex proposals a Landscape and Ecological Management Plan (LEMP) is likely to be required.
- Where appropriate, demonstrate how the mitigation hierarchy has been followed and how a local first approach to the delivery of biodiversity units has been applied as part of the design process.



- Evidence how unavoidable impacts should be compensated for as close to the point of impact as possible. This is important as it will help to deliver the greatest benefits for biodiversity and local communities impacted by a development proposal.

Biodiversity Gain Plan must use the UK Habitat Classification for identifying habitats on a site. When establishing the site unit baseline, clear maps, ideally accompanied by aerial photographs, should be used to identify each separate parcel of habitat. The habitat in each parcel should be described and condition assessment forms included to clearly indicate which criteria are passed and failed. Survey information to back up these condition assessments should also be provided where necessary. Parcels of the same habitat that are in different condition must be mapped separately so that the reader can easily identify which areas of the site provide the most valuable habitats.

A similarly clear plan is needed to display the post construction development proposals. A plan should differentiate between any habitats that are to be retained during construction and any that are to be created post construction. It is essential that a realistic judgement is made on the practicalities of retaining areas of habitat. Retained habitats will need to be protected through the construction process and a Construction Environmental Management Plan with detailed working methods will be a pre commencement condition where habitats are proposed for retention.

### Appendix F: Ecological Survey Calendar

Based on survey table in Hart District Council's Biodiversity Technical Advice Note.

Survey	January	February	March	April	May	June	July	August	September	October	November	December
Extended Phase 1 Habitat												
Preliminary Ecological Appraisal/ walkover survey												
Detailed Botanical Survey												
Badgers												
Bats: Preliminary Roost inspection (buildings & trees)												
Bats: Tree Assessment (ground)												
Bats: Climbing (trees)												
Bats: Emergence/re-entry												
Bats: Activity												
Bats: Hibernation												
Birds: Wintering												
Birds: Breeding												
Dormice: Nest tubes												
Dormice: Nut search												
Great Crested Newts: Habitat Suitability Assessment												
Great Crested Newts: Pond survey												
Great Crested Newts: eDNA												
Great Crested Newts: Pitfall trapping												
Invertebrates												
Otters												
Reptiles												
Water voles												

	Optimal		Sub-Optimal		No survey
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