

## **Biodiversity Net Gain – Emerging Learning, May 2024**

The Council has published Guidance for Applicants Implementing Biodiversity Net Gain to support applicants as they integrate BNG into their development proposals. The guidance will be reviewed every quarter and updated as necessary. However, it is important to quickly pass on emerging learning points as we develop our understanding of BNG. The current emerging learning points below and should be read alongside the Guidance for Applicants.

### **Metric**

Applicants submitting the biodiversity metric must be able to demonstrate that it has been completed by a competent person. Please see the metric user guides for more details.

The statutory metric includes condition sheets (these are not included in the statutory Small Sites Metric). These provide a more detailed understanding of habitat condition. The condition sheets are part of the statutory metric and must be completed in full for the relevant habitat types. The condition sheet(s) **must** be submitted as part of the metric in Excel worksheet format. The Council will not accept a PDF copy or a summary. The submission of the statutory metric without the relevant condition sheet(s) will make the application invalid.

### **Exemptions**

Development that impacts on less than 25 sqm (5mx5m) is exempt from BNG. However, please note that:

- Simply because a site contains previously developed land does not automatically invoke the de minimis rule. PDL can and often does contain habitats.
- A minor development does not automatically invoke the de minimis rule. BNG applies to minor developments unless otherwise exempted e.g. if a householder development.
- Although a development may impact less than 25 sqm of area habitat, if the development proposed impacts 5 linear metres or more of watercourse and/or trees and hedgerow habitat, BNG applies (unless exempted for other reasons) and the appropriate part of the metric will need to be completed.
- Where the de minimis exemption is invoked, it is important that applicants provide detailed supporting evidence including photographs of the site in question. The Council may in some cases require the completion of the baseline metric to demonstrate limited or no impact on habitats. This includes where the applicant considers that the site in question has zero habitat value.

### **Other**

- Please note that barns may contain habitats, for instance roosts for bats (which are protected species). Where this is the case BNG may have to be provided.
- Where an applicant proposes to create habitat within the blue edge boundary (i.e. within land they own), this will need to be registered with Natural England and allocated to the development in question. A legal agreement with the

Council or Responsible Body will be required to secure the habitat for at least 30 years.

**Updated: 7 May 2024**