

Enfield Council

**Biodiversity Net Gain
25th March 2024**

DRAFT Guidance Note

How to use this document

The **first section** provides an overview and Enfield's objectives in applying Biodiversity Net Gain.

The **second section** sets out the legal and policy framework of Biodiversity Net Gain.

The **third section** details the methodology for calculating Biodiversity Net Gain, including metrics, in addition to Enfield's approach when assessing and monitoring that measurable gains are achieved.

The **fourth section** sets out how Biodiversity Net Gain will be integrated into Enfield's Development Management process. This section will also specify the validation requirements and conditions that applicants must follow to in order to achieve Biodiversity Net Gain.

- **Section One** - Introduction to Biodiversity Net Gain
- **Section Two** - Biodiversity Net Gain Legal and Policy Framework
- **Section Three** - The Biodiversity Net Gain Approach
- **Section Four** - Integration of Biodiversity Net Gain into Development Management
- **Glossary**

Purpose of this Guidance Note

The purpose of this document is to provide interim guidance on Biodiversity Net Gain (BNG) and how new housing, industrial or commercial developments will deliver a mandatory minimum 10% gain.

This document outlines the requirements of the Environment Act, National Planning Policy Framework (NPPF) and guidance from Natural England and the Chartered Institute of Ecology & Environmental Management (CIEEM). It also sets out how Biodiversity Net Gain is expected to make a meaningful contribution to nature recovery.

The guidance note is primarily aimed at the development industry (in relation to housing and non-residential) as well as anyone considering promoting land for habitat creation and enhancement in Enfield. As such, the primary audience for the document is planning applicants, developers, planning agents, ecologists, landowners, land managers, land agents and site promoters. It may also be of interest to a wide range of conservation bodies and other technical stakeholders and the general public to better prepare for planning submissions.

It should be noted that this guidance note is not a formal planning policy. It does not establish a new planning policy, nor does it supersede any existing formally made planning policy. Instead, it sets out how Enfield Local Planning Authority intends to apply Biodiversity Net Gain.

The intention is that this Guidance Note will be updated as necessary to respond to changes in national guidance and emerging local policy development.

SECTION ONE

An Introduction to Biodiversity Net Gain

Biodiversity Net Gain is an approach to development and associated land management that aims to leave biodiversity in a measurably better state than before.

Given the continuing decline in Biodiversity in the UK and globally, it is no longer enough to identify protected species and aim to conserve designated sites through the development process.

In seeking to drive Nature Recovery, the Government has introduced several measures including the mandating of measurable Biodiversity Net Gain in new 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 at least 30 years.

Biodiversity Net Gain will be mandatory for major developments from 12th February 2024. BNG will become mandatory for minor developments on 2nd April 2024 and is expected to extend to Nationally Significant Infrastructure Projects, from late November 2025, subject to the exemptions summarised below.

The objective is that biodiversity will be in a measurably better state after new development has happened than before the development has taken place. So, if a developer wants to build some new homes on a parcel of land, the developer will have to calculate what level of biodiversity exists before development takes place, and then demonstrate how habitats will be created to increase biodiversity after the development has finished. This does not necessarily mean the same type of biodiversity or habitats are created as currently exists or created in the same place. It's about an overall increase in habitats and biodiversity, once a proposal has been adjusted for what will be lost and what will be gained. Hence the term 'net gain'.

Successful implementation of Biodiversity Net Gain has the potential to restore and create new habitats that can provide a home for a diverse range of species thereby positively contributing to biodiversity recovery.

Objectives of Enfield's Biodiversity Net Gain approach

Biodiversity is the variety of life and its processes; including the variety of living organisms, the genetic differences amongst them, and the communities and ecosystems in which they occur. An ecosystem is a community of plants, animals and microorganisms, along with their environment, that function together as a unit (an ecosystem can be as large as a rainforest or as small as a rotting log). The UK has suffered a considerable decline in biodiversity over recent years as a result of human activity.

Biodiversity is important in its own right and is an indicator of the wider health of the environment. Biodiversity is good for people's quality of life. A diverse and healthy environment improves the quality of life and provides recreational and educational resources for all sectors of the community. Biodiversity provides natural services (sometimes referred to as ecosystem services). These are components of nature, directly enjoyed, consumed, or used to yield human well-being, and are key to our survival, providing amongst other things, food, clean air and water. Biodiversity will help us adapt to climate change; as the climate changes healthy ecosystems and the services they provide will be increasingly valuable (but at the same time biodiversity will be threatened by an increasingly unpredictable climate).

To conserve our remaining biodiversity and reverse the recorded decline, the UK as a whole is moving towards measurable Biodiversity Net Gain throughout the planning process. The requirements of the Environment Act (2021) 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 demonstratable measurable net gains.

The Enfield Local Planning Authority is considering how it can help to reverse the decline in biodiversity while continuing to provide the housing and commercial development necessary for our thriving communities' economic and social prosperity.

The Emerging Local Plan, Climate Action Plan, Blue and Green Strategy and Biodiversity Action Plan have made a clear commitment to prioritising biodiversity and delivering a green Local Plan. As a result, biodiversity will be a priority in development as a general principle, and open spaces, new buildings and development design should deliver biodiversity benefits throughout.

SECTION TWO

National and Local Regulatory Framework

This section sets out the legal and policy framework of Biodiversity Net Gain.

The Environment Act

The [Environment Act 2021](#) (the Act) mandates Biodiversity Net Gain for development in England to ensure that the delivery of much-needed infrastructure and housing is not at the expense of vital biodiversity.

The Act sets out that most developments will be legally required to demonstrate a mandatory minimum net gain of 10% and secure those gains for a minimum of 30 years.

The Act sets out the following key components of mandatory biodiversity gain:

- Amendment of Town & Country Planning Act (TCPA)
- Requirement for a minimum 10% gain calculated using the Biodiversity Metric & approval of a biodiversity gain plan
- Habitat is required to be secured for at least 30 years via planning obligations or conservation covenants
- Delivered on-site, off-site or via a new government statutory biodiversity credits scheme (although this would be a last resort option)
- The setting up of a national register for net gain delivery sites.

It does not change existing legal protections for important habitats and wildlife species. It maintains the Mitigation Hierarchy of avoid impacts first, then mitigating and only compensating as a last resort. It will apply to Nationally Significant Infrastructure Projects (NSIPs) but not marine development.

From 12th February 2024, under the Environment Act 2021, all planning permissions for major developments granted in England, with a few exemptions, will have to deliver a minimum 10% Biodiversity Net Gain.

From 2nd April 2024 there must be a 10% mandatory net gain for small sites. For residential developments, small sites are defined as developments between 1 - 9 dwellings, on a site of less than one hectare, or any site less than 0.5 hectares.

National Planning Policy

The National Planning Policy Framework (NPPF) December 2023 sets out the Government's planning policies for England, providing the framework for local development plans that guide development, and as a material consideration in the determination of planning applications. The NPPF has at its heart the core principle of sustainable development and sets out several requirements related to the securing of Biodiversity Net Gain through the planning system.

The requirement for planning applications to deliver a net gain in biodiversity is set out in the NPPF.

Paragraph 180 (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”.

Paragraph 185 (b) requires plans to “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”.

Paragraph 186 (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 Government's guidance also sets out the biodiversity Mitigation Hierarchy and provides advice on how to achieve Biodiversity Net Gain.

Regional Policy

Under the legislation establishing the Greater London Authority (GLA), the Mayor is required to publish a Spatial Development Strategy (SDS) and keep it under review. The SDS is known as the London Plan. As the overall strategic plan for London, it sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

Policy G6 (Biodiversity and access to nature) of the London Plan (2021) advises that for development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Enfield's Policy Alignment with Biodiversity Net Gain

The current Enfield development plan comprises:

- The London Borough of Enfield Local Development Framework Core Strategy (CS): The Enfield Plan (10th November 2010)
- The London Borough of Enfield Development Management Document (DMD) (on 19th November 2014)

The Council's policy position in respect of biodiversity builds upon existing national guidance and policy within the NPPF which makes biodiversity a material consideration. The newly proposed Biodiversity Net Gain metric and minimum target is welcome, especially to assess on a wider scale the increase in green infrastructure. Enfield's CS and DMD already include a range of policies to help protect and enhance blue green space in the borough that are beneficial for health by providing opportunities for physical activity and through known benefits of blue green space on mental health and wellbeing. Relevant policies are listed below:

Document	Policy
London Plan – Greater London Authority	G1 – Green infrastructure G2 – London's Green Belt G5 – Urban greening G6 – Biodiversity and access to Nature G7 – Trees and Woodland
The London Borough of Enfield Local Development Framework Core Strategy	CP36 – Biodiversity
The London Borough of Enfield Development Management Document	DMD78 – Nature Conservation DMD79 – Ecological Enhancements

It is widely acknowledged that climate change and biodiversity are interconnected. Climate change has negative impacts on biodiversity and is likely to become one of the most significant drivers of biodiversity loss, and loss of biodiversity will have significant direct and indirect impacts on human life and human well-being. However, biodiversity also makes an important contribution to climate change mitigation and adaptation, which means that conserving and promoting biodiversity is critical in the fight against climate change.

In recognising the wider issue of climate change and biodiversity are interconnected, Enfield Local Planning Authority has published the following strategies and guidance notes:

- Enfield Climate Action Plan (July 2020)
- Enfield's Blue and Green Strategy 2021-2031 (June 2021)
- Enfield Biodiversity Action Plan (September 2011)

The Council is currently in the process of producing a new Local Plan, the Enfield Local Plan (ELP). Consultation under Regulation 19 of the 2012 Regulations is due to commence towards the end of March 2024 for a minimum period of six weeks. The ELP is expected to be submitted to the Government for examination in summer 2024 with a target for adoption in 2025/26.

The ELP sets out the ambition for **20% Biodiversity Net Gain across Enfield** to address the strategic opportunities for nature recovery in the borough.

Of relevance in the emerging ELP is Policy 'BG4: Biodiversity Net Gain, Landscape Restoration and Offsetting' and is included below.

This policy sets out how development proposals will be expected to enhance and increase biodiversity and mitigate or offset the harm arising from the loss of natural habitats (e.g., trees and river corridors) and ecological features, in response to the plan's objective to create a distinct and leading part of London. Net gain is used as a proxy to measure the potential harmful effects arising from a development and calculate biodiversity net gain (e.g., habitat creation or enhancement).

The Environment Act has introduced a 10% mandatory requirement for biodiversity net gain within development, operational from February 2024. **The ELP sets out a higher requirement of 20% net gain to support the authority's ambitious nature recovery plans** which have been recognised by the Department for Environment, Food and Rural Affairs (DEFRA), This requirement has been tested for viability impacts. Net gain measurements should be calculated using Defra's biodiversity metric (an online tool) to establish the nature of the harm to biodiversity and the quality of the new green benefits arising from development as well as the anticipated costs of achieving a 10% level of net gain. In line with best practice, the provision of compensation to address residual biodiversity impacts will not be permitted unless the steps of the mitigation hierarchy (enhance, avoid or minimise, restore, compensate and offset habitat loss) set out in London Plan have been followed and all opportunities to avoid and then minimise negative impacts have been pursued.

BG4: Biodiversity Net Gain, Landscape Restoration and offsetting

1. All development proposals shall be considered in light of the mitigation hierarchy (avoid, mitigate and compensate) to protect most valuable ecological features of the site and minimise harm to nature. Measures will also be sought to increase or improve biodiversity through the restoration and re-creation of priority habitats and ecological networks and the protection and recovery of protected wildlife populations, especially where there are gaps across existing corridors.
2. Applicants must submit an action plan setting out how biodiversity will be improved as a result of the development to offset the loss or degradation of natural habitat on site (using the latest DEFRA metric model). The action plan will need to provide evidence of how the development will achieve a minimum of 20% net gain, including habitat creation, preferably on site. DEFRA has now confirmed a draft list of eight irreplaceable priority habitats which cannot form part of the net gain calculations and where bespoke mitigation must be agreed where harm is identified. BG4: Biodiversity Net Gain, Landscape Restoration and offsetting strategic policy
3. Where the 20% minimum requirement cannot be met on site, or would be better served elsewhere, adequate off-site compensation provision must be provided to an equivalent of better standard to offset the loss of habitats arising from the proposed development.
4. All proposals for biodiversity net gain in Enfield will be required to have regard to emerging Enfield Chase Landscape Recovery Strategy and subsequent London Local Nature Recovery Strategy. The Blue and Green Infrastructure Strategy sets out the evidence demonstrating that there are clear ecological benefits to investing in biodiversity net gain within Enfield. For the purposes of the Biodiversity Metric Calculation, the Enfield Chase Landscape Recovery Area is defined as having High Strategic Significance. Proposals which could lead to losses of biodiversity within the Enfield Chase Landscape Recovery Area will be resisted, even where compensatory credits can be provided elsewhere as this could compromise the area's strategic significance. Particular priority will be given towards contributions to native tree planting, river naturalisation and other habitat creation schemes in this area which compliment public accessibility.

Developers will be expected to submit a detailed action plan to ensure that biodiversity measures can be properly considered at the planning application stage, including details of the predevelopment biodiversity value of the site and the steps taken to avoid any adverse effects from development.

As a general rule, biodiversity gain should be provided on site. Where this is not practicable or viable (e.g., due to its size or location), off-site mitigation measures will be sought from developers to achieve net gain of at least an equivalent standard in line with the provisions set out in the biodiversity metric. Any contributions will be calculated on a site-by-site basis, based on the cost of mitigation.

Contributions will be sought towards enhancements to Enfield's emerging nature recovery network and the DEFRA funded Enfield Chase Landscape Recovery Programme as well as to the creation of buffer zones, removal of invasive species, planting of native species and river restoration projects (as set out in Enfield's Blue and Green Strategy and Biodiversity Action Plan). Applicants should also consider opportunities to upgrade and enhance existing sites of nature conservation importance (as shown on the Policies Map) and habitat corridors within non-designated areas. In line with DEFRA guidelines these measures will need to be maintained over a minimum of 30 years.

Once Biodiversity Net Gain becomes mandatory, Enfield Local Planning Authority reserves the right in a future update of the ELP, policies to instruct a higher percentage Biodiversity Net Gain target(s) which if adopted would, under current law, take precedence over the nationally mandated 10% Biodiversity Net Gain.

Enfield's Emerging Local Plan sets out the ambition for 20% Biodiversity Net Gain across Enfield to address the strategic opportunities for nature recovery in the borough. Once the plan is adopted this will be a requirement. Until that time, the NPPF states that local planning authorities may give weight to relevant policies in emerging plans, and therefore the requirement is a material consideration.

SECTION THREE

The Biodiversity Net Gain Approach

This section details the methodology for calculating Biodiversity Net Gain, including the Biodiversity Gain Hierarchy and the metrics, in addition to Enfield's approach when assessing and monitoring that measurable gains are achieved.

In advance of Biodiversity Net Gain becoming mandate, Enfield continues to support development proposals that incorporate other principles to measure biodiversity such as the Mitigation Hierarchy and Biodiversity Net Gain Principles in accordance with the NPPF, also outlined in this section.

Applicable Development

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 have to deliver a minimum 10% Biodiversity Net Gain (see table below).

Mandatory Biodiversity Net Gain will only apply to new applications for planning permission for major development made after 12th February 2024, minor development from 2nd April 2024 and nationally significant infrastructure projects from November 2025

	Residential development	Non-residential development	When BNG becomes Mandatory
Major development	<p>Where the number of dwellings to be provided is ten or more</p> <p>OR</p> <p>where the number of dwellings to be provided is not known, on a site area 0.5 hectares or more.</p>	<p>The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more</p> <p>OR</p> <p>development carried out on a site having an area of one hectare or more.</p> <p>OR</p> <p>all full applications for minerals and waste developments</p>	<p>A minimum 10% Biodiversity Net Gain as measured with the most up to date version of the Defra Biodiversity Metric.</p>
Minor development	<p>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</p> <p>OR</p> <p>where the number of dwellings is unknown on a site area of less than 0.5 hectares</p>	<p>Where the floor space to be created is less than 1,000 square metres</p> <p>OR</p> <p>where the site area is less than one hectare.</p>	<p>A minimum 10% Biodiversity Net Gain as measured with the most up to date version of the Defra Small Sites Biodiversity Metric</p>

Applications exempt from Biodiversity Net Gain

The exemptions from mandatory biodiversity net gain, as set out in [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the Biodiversity Gain Requirements (Exemptions) Regulations [2024] are:

- Section 73 planning permission where the original planning permission was exempt (e.g. original planning permission was submitted prior to 12th February 2024)
- Householder applications
- Development granted planning permission by a development order under section 59 (includes permitted development rights)
- Developments below the 'de minimis' threshold (less than 25m² of area habitat or 5m linear (hedgerow, line of trees, watercourse) habitat and no priority habitat).
- Self-build and custom build applications which meet the exemption criteria (no more than 9 dwellings, site no larger than 0.5ha, consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).
- Urgent Crown development granted under s293A TCPA 1990
- Development of a biodiversity gain site that is solely or mainly for the purpose of fulfilling the biodiversity gain condition for another development
- Development related to the High Speed Railway Transport Network.

For permission in principle applications (PIPs), Biodiversity Net Gain information will be required at the technical details application stage (unless this is amended by subsequent DEFRA guidance) rather than with the PIP application. Biodiversity Net Gain will also not apply to listed building consent applications, but please note that if these are made jointly with a full application which is not exempt from Biodiversity Net Gain, then Biodiversity Net Gain will be required for the full application.

Biodiversity Net Gain will not apply to Section 73 applications to vary the conditions imposed on an existing permission approved prior to 12th February 2024 for major development, 2nd April 2024 for minor development and November 2025 (expected) for nationally significant infrastructure projects. However, Biodiversity Net Gain will apply to Section 73 applications seeking to vary the conditions imposed on the existing permission and which will alter the post-development biodiversity value.

Biodiversity Net Gain will not apply to Outline consents for major applications approved prior to 12th February 2024, however the subsequent reserved matters application(s) will not need to incorporate Biodiversity Net Gain.

Although the above-mentioned developments are exempt from mandatory Biodiversity Net Gain, they still provide opportunities for biodiversity enhancements which could be secured through planning policy. In addition, being exempt from Biodiversity Net Gain does not mean the development is exempt from wider nature related policy requirements, such as protected species, trees or habitats.

Applicants are encouraged to make use of the Council's Pre-application Service to further understand the specific requirements in relation to their site.

Achieving Mandatory Biodiversity Net Gain

The biodiversity gain objective of at least a 10% gain is measured against the pre-development biodiversity value of the onsite habitat for the development. The objective is met if this value is exceeded by at least 10% through a combination of:

- onsite biodiversity gains measured as part of the post-development biodiversity value of the on-site habitat for the development
- registered offsite biodiversity gains which have been allocated to the development; and
- the purchase of biodiversity credits for the development

Biodiversity Gain Hierarchy

The Biodiversity Gain Hierarchy (which Local Planning Authorities such as Enfield must take account of when determining the Biodiversity Gain Plan) emphasises that on-site biodiversity gains should be considered first followed by registered offsite biodiversity gains and – as a last resort – biodiversity credits.

The Biodiversity Gain Hierarchy means the following actions in the following order of priority:

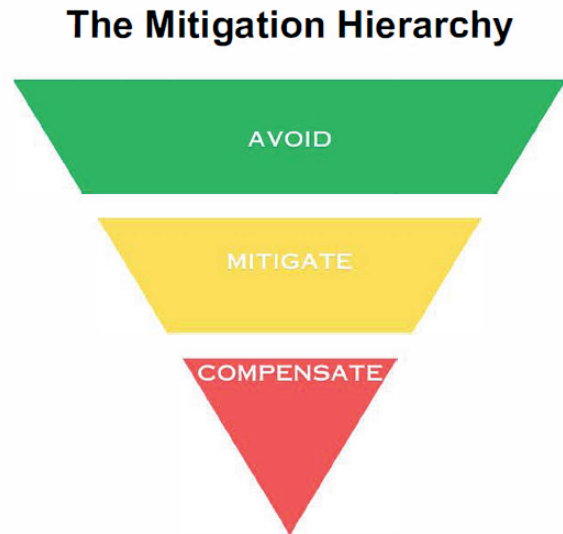
1. avoiding adverse effects of the development on onsite habitat with a habitat distinctiveness score, applied in the biodiversity metric, equal to or higher than six
2. so far as those adverse effects cannot be avoided, mitigating those effects
3. so far as those adverse effects cannot be mitigated, habitat enhancement of onsite habitat
4. so far as there cannot be that enhancement, creation of onsite habitat
5. so far as there cannot be that creation, the availability of registered offsite biodiversity gain
6. so far as that offsite habitat enhancement cannot be secured, purchasing biodiversity credits.

Developers are encouraged to follow the Biodiversity Gain Hierarchy from the earliest stage possible when selecting a site and considering development proposals.

Before Biodiversity Net Gain becomes mandatory however, Enfield Local Planning Authority expects that other biodiversity principles such as The Mitigation Hierarchy and Good Practice Principles for Development are fully considered alongside Biodiversity Net Gain.

The Mitigation Hierarchy

The NPPF requires that applications satisfy the requirements of the Mitigation Hierarchy, of avoid, mitigate and compensate, and where a development cannot, planning permission should be refused. The Mitigation Hierarchy remains a critical element of national and local policy and is essential for delivering the most sustainable and appropriate solutions for the natural environment. The Mitigation Hierarchy requires that developments first seek to avoid impacts on biodiversity; minimise impacts where they cannot be avoided; mitigate any impacts that cannot be avoided or minimised; and as a last resort, compensate for losses which cannot be avoided, minimised or mitigated. Use of the mitigation hierarchy can help to minimise the gains required by a development.



AVOID

Site layouts should avoid impacts on existing biodiverse habitats through site selection, by designing buildings and infrastructure around them and retaining as much as possible. Biodiversity net gain is easier to achieve where habitat impacts are avoided due to the way that risks associated with habitat creation or enhancement are accounted for in the Biodiversity Metric.

MITIGATE

Where it is not possible to avoid impacts, the developer should explore ways of reducing or minimising the impact on the site layout, such as through good project design or sensitive timing.

COMPENSATE

This would see any lost habitat areas recreated. This approach sits at the bottom of the mitigation hierarchy and is the least favoured approach. It must also be recognised that not all habitats can be re-created, such as ancient woodland, which is considered to be irreplaceable.

The Mitigation Hierarchy is a separate consideration from Biodiversity Gain Hierarchy, and the introduction of the Biodiversity Gain Hierarchy does not weaken, undermine or replace the Mitigation Hierarchy as a consideration. Biodiversity Net gain is additional to the hierarchy and only applies once the impacts on biodiversity have been avoided, mitigated and compensated. However, the statutory provisions mandatory Biodiversity Net Gain are an important material consideration that in many cases will take precedence over local planning policy. The statutory framework represents the appropriate national approach towards, and benchmark for, biodiversity gains in planning and will therefore be given the appropriate weight.

The Government's guidance indicates that decision makers should generally not give weight to local policy which requires biodiversity gains for types of development which would now be exempt under the statutory framework. Other local biodiversity policies which require specific enhancements to support biodiversity would continue to apply to these applications where appropriate.

Good Practice Principles for Development

The guidance document '[Biodiversity Net Gain: Good Practice Principles for Development](#)', sets out ten good practice key principles, which provide a framework for achieving an overall benefit for biodiversity.

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

The 'Good Practice Principles for Development' and 'The Mitigation Hierarchy' 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.

Only as a last resort, and if compensating for losses on-site is not possible through careful design, then biodiversity losses should be offset by gains off-site.

Measuring Mandatory Biodiversity Net Gain

Biodiversity Net Gain will be measured using the latest version of DEFRA's 'Biodiversity Metric' (the Metric) or the Small Sites Metric (effectively a simplified metric with modifying condition values pre-populated) 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. This is a habitat-based approach used to assess an area's value to wildlife and uses habitat features to calculate a biodiversity value (no. of 'biodiversity units').

The DEFRA metric should be used to assign a unit score to the site before development. The information needed to populate the metric should be taken from habitat surveys of the site before development and any related habitat clearance or management. It should then be used to assign an estimated unit score to the site after the proposed development takes place, considering habitats proposed on-site and if necessary, additional habitat improvement off-site.

Some major sites may not be suitable for delivering Biodiversity Net Gain on-site, for example where site characteristics may mean there is not the opportunity to deliver on-site such as limited open space being provided on-site in urban settings. In this instance, Enfield Local Planning Authority would consider off-site Biodiversity Net Gain, provided a suitable project has been identified in agreement with the Enfield Local Planning Authority to deliver this.

The application of the Mitigation Hierarchy and the integration of Biodiversity Net Gain will require consideration from an early stage of development. Ideally, an ecological consultant should be engaged at the earliest opportunity, before the design phase of the development, to ensure sites selected are suitable for development, that a net gain on the site is feasible and will avoid the need to retrofit Biodiversity Net Gain measures at a late stage resulting in costly changes to design proposals.

The level of net gain is established by comparing the 'pre-development' unit score with the 'post development' unit score and must represent an increase of at least 10% as below.

The metric will show the amount of habitat to be created/restored in terms of biodiversity units. The process involves being able to recognise different habitat types down to a detailed level and an understanding of their current condition, therefore it is recommended that it is completed by a competent person who has the knowledge and skills to perform specified tasks to complete and review biodiversity metric calculations.

This can be obtained through training, qualifications, experience, or a combination of them. Competency aligned with the British Standard [‘Process for designing and implementing biodiversity net gain \(BS 8683:202\)’](#).

Enfield Local Planning Authority recommend the metric assessment be completed by a competent person as follows:

- Biodiversity Metric Assessment - A suitably qualified ecologist who has achieved Field Identification Skills Certificate (FISC) of Level 3 or above or holds a CIEEM accreditation. Evidence will need to be provided showing the required qualifications of the appointed Ecological consultant.
- Small Sites Metric Assessment – A person capable 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. The 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.

You must be a qualified assessor to undertake a river condition assessment.

Evidence for metric decisions should be provided and signposted within the ‘User comments’ column of the metric calculation tool.

Exempt applications will not be required to achieve Biodiversity Net Gain through use of Biodiversity Metric calculations at this stage. Applications for new single dwellings (or possibly other small applications where it has been agreed that Biodiversity Metric calculations will not be applied due to very low ecological baseline value) will still be expected to demonstrate general biodiversity enhancements by provision of integral bat roosting features and integral bird nesting features.

Deliberate Devaluing of the Baseline Habitat

The Council will not tolerate the deliberate clearing of valuable habitats before applying a biodiversity metric to a proposed development site. Schedule 12 of the Environment Act (2021) deters against site clearance ahead of a planning application by allowing planning authorities to recognise any habitat degradation since 30th January 2020 and to take the earlier habitat state as the baseline for Biodiversity Net Gain. Where there is evidence of pre-emptive clearance occurring on site before ecological surveys have been carried out (such as removal of vegetation, including trees, or loss of other habitat features such as hedgerows or ponds) their deteriorated condition before such changes occurred will not be taken into consideration and the ecological potential of the site will be used to decide the acceptability of any development proposals.

Location of Biodiversity Net Gain Provision

The Biodiversity Net Gain approach embeds a spatial hierarchy of habitat delivery, where there is a preference for on-site habitat creation and enhancement in the first instance. 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. An expectation for Biodiversity Net Gains should be borne in mind in decisions to acquire sites. Biodiversity Net Gain should then be designed into the scheme at the earliest point and should be suitable to the locality.

On-site delivery

On-site is land where the application site boundaries and all land necessary to carry out the proposed development (i.e., land required for access to the site from the road), typically outlined in red on submitted plans.

On-site does not include any other land owned by the applicant that is close to or adjacent to the property, typically outlined in blue on submitted plans.

In securing the on-site Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

- a) a condition subject to which the planning permission is granted,
- b) a planning obligation, or
- c) a conservation covenant

There may be some instances where a minimum of 10% Biodiversity Net Gain cannot be delivered on-site and may involve off-site provision. In such instances, this should be demonstrated through submitted evidence to be agreed with Enfield Local Planning Authority.

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 Biodiversity Net Gain. Where a watercourse is in part ownership then the red line boundary should run to the centre of the watercourse.

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.

Off-site delivery

Off-site delivery of Biodiversity Net Gain can be achieved in two ways:

- Off-site land under the control of the applicant located nearby to deliver the Biodiversity Net Gain works required.
- Off-site land under the control of a third party to take on the responsibility to deliver the Biodiversity Net Gain works required. (Statutory Credits)

All off-site Biodiversity Net Gain, in the Environment Act called a 'biodiversity gain site,' has to be on the national Biodiversity Net Gain register that will be run by Natural England.

In securing the off-site Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

- a) a planning obligation, or
- b) a conservation covenant

In cases where Biodiversity Net Gain is delivered off-site, it will be prioritised in areas covered by Enfield's Local Nature Recovery Strategy (LNRS) and located as close as possible to the development site.

Where off-site Biodiversity Net Gain provision is proposed a binding legal agreement between the landowner (whose land will accommodate the off-site 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.

When submitting off-site Biodiversity Net Gain to the Biodiversity Register the developer will also need to include Habitat Management and Monitoring Plans (HMMP). Templates will be made available by Natural England before Biodiversity Net Gain becomes mandatory.

The legal agreement between the landowner and developer and Biodiversity Registration will need to have been completed before submitting the Biodiversity Gain Statement (Core information) as part of a planning application.

The small sites metric is not appropriate for use where off-site habitat enhancement is proposed for development proposals of any size.

Enfield Local Planning Authority is not registered as a Responsible Body for the purposes of signing conservation covenants. As such, at this stage conservation covenants cannot be used to secure claimed biodiversity gains. Enfield Local Planning Authority may review its position with regards to conservation covenants and potential status as a Responsible Body in due course, but from day one of implementation, this route will not be available to applicants in Enfield.

Off-site delivery - Beyond Enfield Local Planning Authority boundary

There may be instances where it is acceptable for an applicant / developer to rely on off-site gains beyond the boundaries of Enfield Local Planning Authority. Off-site delivery mechanisms outside of Enfield Local Planning Authority must be secured in the same way (i.e. via planning obligation or conservation covenant). However, Enfield Local Planning Authority will not be party to any legal agreements beyond the boundaries of Enfield. Instead, a planning obligation would need to be signed with the relevant local planning authority within which the off-site solution is located, or a conservation covenant with a suitable Responsible Body.

Exceptions

The application of the Biodiversity 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 Enfield Local Planning Authority.

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.

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 Seminatural 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 Enfield Local Planning Authority.

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SECTION FOUR

Integration of Biodiversity Net Gain into Development Management

There are 7 key stages in Enfield's Development Management process:

- Development site selection
- Pre-application
- Submission and Validation
- Consideration and Determination
- Pre-commencement
- Commencement and Monitoring
- Enforcement

This section sets out how Biodiversity Net Gain will be integrated at each stage. This section will also specify the requirements and conditions that applicants must follow to in order to achieve mandatory Biodiversity Net Gain.

Development site selection

The prospective applicant should consider the location, context and appropriateness of developing their site from an ecological perspective. This can help to understand the broad potential feasibility of developing the site and to scope out the range of constraints, opportunities and impacts. Ecological advice should be incorporated into site selection from the outset.

This should include locating and designing development to have minimum impact on existing site habitats and focusing development on areas of low distinctiveness. The mitigation hierarchy should always be applied and impacts upon protected, irreplaceable and priority habitats avoided. If wildlife impacts are likely, the applicant should appoint qualified ecologist to produce an Ecological Impact Assessment, the scale of which will be proportionate to the scale of potential impacts. Baseline ecological surveys should be undertaken, and the statutory Biodiversity Metric used as early as possible to identify options with the least impact. Identify which option will be of greatest benefit to wildlife and reduce the need and cost for additional Biodiversity Net Gain compensation.

Pre-application Stage

You can engage in [pre-application discussions](#) with Enfield Local Planning Authority to identify whether or not your proposal is likely to be acceptable, what can be done to make your application acceptable, how we will apply our policies to your proposal and which type of application form you will need and the related or supporting information you will need to submit.

We encourage all applicants to seek advice before submitting an application. Getting early advice on biodiversity matters is essential, given the climate and ecological crisis, the need for better access to nature for Enfield's residents and the Local Planning Authorities' commitment to delivering Biodiversity Net Gain through the planning system.

For larger and more complex sites, Enfield Local Planning Authority may request that the applicant signs up to a Planning Performance Agreement (PPA) which can provide improved certainty for both parties and ensure enhanced bespoke levels of service from the Council in exchange for proportionate and reasonable costs being covered by the applicant. PPAs can cover all or just part of a development process but work best when covering the full period from pre-application through to delivery. Where a PPA is agreed, appropriate and costed, Enfield Local Planning Authority and Ecology Service resourcing will be identified within it.

Also for larger and more complex sites, Enfield Local Planning Authority may request that the development proposal is referred to the [Enfield's Design Review Panel](#). This provides prospective applicants with a chance to understand how their site can respond to its context and opportunities to deliver high quality development. Engagement with this process at the pre-application stage is the most productive, economic and advantageous way to approach things, as this can assist in designing in appropriate responses from the outset rather than trying to retrofit responses into recommendations around elements of a fixed design. This can be particularly helpful in terms of designing in a site's approach to Biodiversity Net Gain. Further information can be found at

Considering Biodiversity Net Gain at the initial stages of the development management process will help to achieve better outcomes for biodiversity and will avoid the need to retrofit Biodiversity Net Gain measures at a late stage resulting in costly changes to design proposals.

Submission and Validation Stage

An applicant should have established a proposed approach to delivering at least 10% BNG by the time a planning application is submitted.

National Requirements

- A.** a statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;
- B.** where the applicant believes that planning permission, if granted, would not be subject to the biodiversity gain condition, the reasons for that belief;
- C.** in cases where the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition -
 - i. the completed biodiversity metric calculation tool or tools (as the case may be) showing the calculation of the biodiversity value of the onsite habitat, for the purpose of the biodiversity gain plan required to be submitted under paragraph 13 of Schedule 7A to the 1990 Act if permission is granted, on –
 - a. the date of the application, or
 - b. an earlier date proposed by the applicant, and
 - c. in either case, the date immediately before any activities of the type mentioned in paragraph 6 or 6A of Schedule 7A to the 1990 Act have been carried out on the land;
 - ii. the biodiversity value or values (as the case may be) referred to in paragraph (i);
 - iii. the publication date of the biodiversity metric calculation tool or tools (as the case may be) used to calculate the values referred to in paragraph (i),
 - iv. if an earlier date is proposed by the applicant under paragraph (i)(b), the reasons why that earlier date is proposed;
 - v. if any activities of the type mentioned in paragraph 6 or 6A of Schedule 7A to the 1990 Act have been carried out on the land -
 - a. a statement that such activities have been carried out;
 - b. confirmation of the date immediately before those activities were so carried out, and

-
- c. any available supporting evidence for the date referred to in sub-paragraph (b) and for the value referred to in paragraph (i)(c).
 - vi. a description of any irreplaceable habitat, corresponding to the descriptions in Table 1 or in column 1 of Table 2 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, that -
 - a. is on the land to which the application relates; and
 - b. exists on the date referred to in paragraph (i)(a) or (b) (as applicable);
 - vii. a plan showing the location, on the date referred to in paragraph (i)(a) or (b) (as applicable), of –
 - a. the onsite habitat included in the calculations referred to in paragraph (i), and
 - b. any irreplaceable habitat.

Note, the above requirements do not apply to an application for permission to develop land without compliance with conditions previously attached made under Section 73 of the 1990 Act.

In accordance with regulations and national guidance, if this information has not been provided, the Enfield Local Planning Authority will likely refuse to validate the application.

This means that for applications where the applicant believes their application, if approved, would be subject to the biodiversity gain condition, they must submit the information set out under clauses (A) and (C) (i-viii) to comply with the national minimum information requirements.

For applications where the applicant believes their application, if approved would not be subject to the biodiversity gain condition, they must submit the information set out under clauses (A) and (B).

Further guidance on the above is provided within the Government's Planning Practice Guidance.

Local Requirements

Justification for requiring further information at validation locally

The Planning Practice Guidance sets out that Local Planning Authorities may seek further information (beyond the national minimum information requirements) about the proposed approach to meeting the biodiversity gain objective for the development. In particular, this may be the case where a Local Planning Authority believes BNG would be a material consideration of the application, and the PPG states that BNG will often be a material consideration.

Local Planning Authorities should take a proportionate approach and set out requirements on their local validation checklist, focused on only necessary additional information. Smaller developments should generally be subject to fewer information requirements than major development unless the development would have an adverse impact on valuable onsite habitats.

It recognises that there is often a strong link between on-site interventions (including the retention of distinctive on-site habitats and significant on-site enhancements) to support BNG and wider planning policies which conserve and enhance biodiversity and protect the environment.

The PPG states that, where relevant, Local Planning Authorities will want to consider whether the biodiversity gain condition is capable of being discharged successfully, particularly where significant on-site biodiversity enhancements or off-site biodiversity gains are proposed. It states that if planning obligations are going to be used, it is good practice to submit information about any potential planning obligations which may need to be entered into connected to the application, and that Local Planning Authorities may seek this via their own local validation checklists.

Information in local validation checklists could include information requirements around:

- any particular BNG matters which will be relevant when determining the planning application, or
- responding to local policies which could influence how the BNG objective is to be met.

The biodiversity gain condition applies to any relevant planning permission and requires pre-commencement determination of the Biodiversity Gain Plan. As such, the Planning Practice Guidance sets out that “it would generally be inappropriate for decision makers, when determining a planning application for a development subject to biodiversity net gain, to refuse an application on the grounds that the biodiversity gain objective will not be met. However, decision makers may need to consider more broadly whether the biodiversity gain condition is capable of being successfully discharged.”

It sets out that a number of matters may reasonably be considered in determining the application in this regard including (though not limited to):

- the appropriate balance between on-site, off-site gains and credits, taking account of the biodiversity gain hierarchy;
- the appropriateness of the type and location of any significant on-site enhancements and associated gains, taking account other policies to support biodiversity (including local nature recovery strategies) and other wider objectives (for example policies for design, open space and recreation, and retention of trees); and
- any planning conditions or S106 planning obligations which may be needed to secure significant on-site or off-site gains for at least 30 years (including any conditions relating to any subsequent reserved matters in relation to phased developments).

If establishing the strategy for delivering BNG requirements is left too late in the site development process, this can lead to increased costs and in the worst cases may lead to an unnecessary reliance upon Statutory Credits. Failing to embed BNG into site selection and design from the start can therefore increase the viability impacts of complying with the requirement. As BNG is a legal requirement, this may unreasonably impact upon a site's ability to respond to / meet other policy objectives.

If such considerations are left to be dealt with entirely at the point of pre-commencement condition discharge, then the relationship with and implications on wider policy objectives and the ability of the application to deliver sustainable development (in the round) cannot be considered.

This runs the risk of approving Biodiversity Gain Plans which in turn trigger S73 applications to vary applicability of other planning conditions.

Given the above, it is essential that sufficient information about the proposed strategy for delivering at least 10% BNG (including the expected balance between on-site, off-site and credits) is submitted as part of a planning application.

This does not mean that the applicant has to have a fully developed Biodiversity Gain Plan or Habitat Management and Monitoring Plan by the point of validation or even determination, but the applicant does need to demonstrate that it has sufficient understanding of how it will approach compliance with the statutory requirement, and justifications associated. There should be a particular focus on the on-site provision, and at least an understanding of the quantum and type of off-site units that may be required and why this is justified as well as proposals for how any such off-site units will be legally secured in relation to the development (see chapter 8 for more information). Ideally, applicants will have an idea of where they plan on sourcing any off-site units, but this cannot be insisted upon at validation.

The full headline list of validation requirements below captures both the national requirements and the documents/content which Enfield Local Planning Authority considers necessary to be submitted in order to validate a BNG-liable planning application:

- Arboriculture Report
- BNG Statement
- BNG plans and drawings
- Completed Biodiversity Metric
- Declaration Form
- Wildlife / Ecology Survey

In detail the information required is as follows:

Item	Commentary
Arboriculture Report	Necessary to help inform accurate baseline, proposals and management plans.
Biodiversity Net Gain Statement	<ul style="list-style-type: none"> • Including all statutory information relevant to the application in relation to the biodiversity gain condition, as set out in Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). • In addition to this, the Statement should include the following information: <ul style="list-style-type: none"> ○ The steps taken to minimise adverse biodiversity impacts in line with the mitigation hierarchy and Biodiversity Gain Hierarchy; ○ The proposed strategy for meeting the biodiversity gain condition, including the anticipated balance between on-site, off-site gains and credits; ○ The proposed approach to enhancing, managing, maintaining and monitoring biodiversity on-site; ○ The proposed post-development biodiversity value of the on-site habitat to the extent known; ○ A clear definition of any on-site enhancements the applicant believes would be classified as 'significant' and as such need to be legally secured for at least 30 years;

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| | <ul style="list-style-type: none">○ The likely quantum of off-site biodiversity units anticipated to be required to discharge the biodiversity gain condition, together with any justification in relation to the Biodiversity Gain Hierarchy;○ Where available, any information about potential off-site biodiversity units being targeted;○ The likely quantum of statutory credits anticipated to be required to discharge the biodiversity gain condition, together with any justification in relation to the Biodiversity Gain Hierarchy
○ Where an application is for a phased development, the proposed strategy for how at least 10% gain is broadly expected to be achieved across the entire development site, including:<ul style="list-style-type: none">● the key principles that will be followed to ensure biodiversity gain commitments are achieved through subsequent detailed design;● how biodiversity net gain delivery will be tracked on a phase-to-phase basis, including the target percentage gains to be delivered at each stage (expectation for “frontloading” into earlier stages);● the approach to be taken in the event that subsequent phases do not proceed or fail to achieve their biodiversity net gain targets;● Taking a precautionary approach where the specific definitive number of units/floorspace and / or full site layout are not yet known;
○ Where irreplaceable habitat is present on-site:<ul style="list-style-type: none">● A description of any irreplaceable habitat, considerations and calculations relating to any irreplaceable habitat on-site,● Any details of pre-application discussion with the Enfield Local Planning Authority about bespoke compensation arrangements as appropriate, and |
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	<ul style="list-style-type: none"> ○ Where Habitat Regulations Assessment or other legislative requirement stipulates that an application is also required to deliver mitigation and/or compensation for likely significant effects upon a protected site/species: <ul style="list-style-type: none"> ● Transparency over which on-site and off-site enhancements are related to the habitat mitigations and compensations, and which are related to net gains and counted for BNG purposes. ● This should draw directly on information within any associated Ecological Impact Assessment and make direct links across to relevant information in any Nutrient Neutrality Assessment and Mitigation Strategy, Bat Mitigation Strategy or other appropriate documentation.
Biodiversity Net Gain plans and drawings	<ul style="list-style-type: none"> ● On-site baseline habitat plan; ● On-site post-intervention proposed habitat plan; ● Where significant on-site enhancements are proposed and as such need to be legally secured, these should be clearly defined on the post-intervention proposed habitat plan; ● Where anticipating a reliance upon off-site units and the applicant proposes to legally secure these on a bespoke off-site solution as part of the planning application: <ul style="list-style-type: none"> ○ an off-site baseline habitat plan ○ an off-site post-intervention proposed habitat plan ● Plans should be to scale and in line with other validation checklist conventions for site plans. ● Plans should identify all different habitats referred to within the Metric submission on the relevant date, including any irreplaceable habitat so the size and location of habitat parcels can be fully understood spatially as well as through the Metric. ● Where Habitat Regulations Assessment or other legislative requirement stipulates that an application is also required to deliver mitigation and/or compensation for likely significant effects upon a protected site/species: ● A plan clearly identifying mitigations and compensations and, where relevant, how these relate and count for BNG purposes.

Completed Biodiversity Metric	<ul style="list-style-type: none"> • Must be the latest published national statutory Metric appropriate for the size and type of development. • In addition to the statutory requirement to provide the biodiversity value of the onsite habitat on the relevant date asset out in Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), this should include: <ul style="list-style-type: none"> ○ the proposed post-development biodiversity value of the on-site habitat to the extent known; and ○ where available, any information about potential off-site biodiversity units being targeted; • Must be submitted as a Microsoft Excel Workbook (versions with macros disabled must be provided) and also as a PDF (note both must be provided). • Any red flag errors relating to non-compliance with trading rules or on-site elements will result in the Metric being returned and the application not being validated.
Declaration Form	<ul style="list-style-type: none"> • A signed declaration form (available here) confirming that: <ul style="list-style-type: none"> ○ to the best of the applicant's knowledge, the BNG Statement includes all of the information required; ○ the habitat information provided within the submitted Biodiversity Metric is consistent with the information shown on the submitted BNG plans and drawings. ○ the applicant has checked whether the baseline habitat has deteriorated significantly since 30 January 2020, and how the baseline date has been appropriately adjusted to reflect (such as to disregard) any deterioration; ○ the Metric and other Biodiversity Gain Information have been completed by a suitably competent person ○ (Enfield Local Planning Authority Council defines a competent person as being a member of CIEEM or other reputable membership body for ecology professionals (e.g. ALGE, MRSB)); ○ Where necessary, the watercourse part of the Metric and other associated Biodiversity Gain Information have been completed by a suitably competent person (requires specialist training to undertake).
Wildlife / Ecology Survey	All ecological reports should follow CIEEM guidance on the lifespan of ecological reports and surveys

Consideration and Determination Stage

Once satisfied that the information submitted is accurate, satisfactory and sufficient with reference to statutory requirements, adopted policy and in relation to the Guidance Note, Enfield Local Planning Authority can proceed towards determination.

Officers will consider whether sufficient information has been provided to answer the following questions:

- Has the Metric been completed properly?
- Has the mitigation hierarchy been followed?
- Has the proposal followed the sequential approach and provided appropriate justification?
- Does the development and associated Biodiversity Net Gain align with the Enfield's Biodiversity Net Gain Principles?
- Has the strategic significance multiplier been applied and justified appropriately?
- Have they got a clear strategy for securing any off-site gains?
- Have they been clear about how gains will be achieved across the whole site through future phases (where relevant)?
- Are their proposals for securing the gains, management, maintenance and monitoring appropriate?

Enfield Local Planning Authority intends to develop template planning conditions and planning obligations; however, these are not yet available.

When determining an application, Biodiversity Net Gain will often be a material consideration, and Enfield Local Planning Authority will want to consider, where relevant, whether the general Biodiversity Net Gain condition is capable of being discharged successfully through the imposition of conditions and agreement of planning obligations to secure significant on-site biodiversity gains and registered offsite gains.

In securing Biodiversity Net Gain, the biodiversity value should be maintained for at least 30 years after the development is completed and secured by:

- a) The national deemed condition subject to which the planning permission is granted,
- b) a planning obligation, or
- c) a conservation covenant

If significant on-site gains are planned or there is any reliance upon off-site gains or statutory credits, then the means of securing these gains must be identified in any emerging planning obligation.

If the information listed in the validation stage is not submitted, or is submitted but in inadequate form, and is found by the Local Planning Authority to be necessary to demonstrate relevant policies have been satisfied, then your application will usually be refused.

Pre-commencement Stage

Following determination, the applicant / developer works up the final detail of their Biodiversity Net Gain Statement / Report proposal and other approved plans of the application. The final Metric is completed in full.

Where reliant upon an off-site solution, the applicant / developer secures the necessary biodiversity units, and the off-site provider supplies a proof of purchase / allocation certificate.

A Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan are developed for all on-site and off-site gains using the [national templates](#). Any agreements or arrangements with third parties relied upon for management, maintenance or monitoring should be established. Once prepared, the applicant / developer submits these documents alongside any other necessary information to Enfield Local Planning Authority seeking discharge of necessary conditions and/or planning obligations.

Biodiversity Gain Plan

Before the development can begin, a [Biodiversity Gain Plan](#) shall be submitted by the developer to discharge the national deemed condition relating to the submission and approval of the Biodiversity Gain Plan. The purpose of the Biodiversity Gain Plan is to provide a clear and consistent document with which a developer sets out how the proposals meet the biodiversity net gain objective outlined in the Biodiversity Net Gain Statement / Report. The Biodiversity Gain Plan contains the relevant information for Enfield Local Planning Authority to determine whether the Biodiversity Net Gain objective has been met and shall satisfy the following:

- Pre-development biodiversity value of on-site habitat is correct.
- Post-development biodiversity value of on-site habitat is what the Biodiversity Gain Plan says or more.
- Any reliance upon off-site gain is allocated to the development and has the value in as specified in the Biodiversity Gain Plan.
- Any reliance upon statutory credits have been purchased.
- The development will deliver at least 10% Biodiversity Net Gain
- Any other matters to be specified in Regulations.

For all Outline planning applications, the information should follow the recommendations of the CIEEM Biodiversity Net Gain Feasibility Report Template

For full or reserved matters planning applications, the information should follow the recommendations of the CIEEM Biodiversity Net Gain Design Stage Report Template

Commencement and Monitoring Stage

Management and Monitoring Requirements

In securing Biodiversity Net Gain, the biodiversity value will be maintained for a minimum of 30 years and secured at the planning permission stage. During construction and for a 30-year period following this, monitoring will be implemented to ensure that all on and/or off-site Biodiversity Net Gain is delivered to the required condition. Reporting of findings to Enfield Local Planning Authority will be required.

Management and Monitoring Plans will need to be submitted as part of a detailed Biodiversity Net Gain Plan. Understanding an accurate date of commencement is important to monitoring compliance with any Biodiversity Gain Plan associated legal obligations and planning conditions.

Monitoring and reporting are the responsibility of the developer and should be set out in the Biodiversity Gain Plan. The monitoring reports should include a summary of habitat type, extent, and condition (with a comparison where applicable against the expected condition proposed in the biodiversity gain plan). It is expected as a minimum, that a 5-year aftercare report focusing on the establishment of the habitat in years 1-5 will be submitted alongside monitoring assessments submitted in years 2, 5, 10, 20 and 30. The monitoring reports should include:

- 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 Enfield 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.

A monitoring fee will be set during the negotiation of any relevant planning obligation to cover the Council's administrative and technical costs involved in monitoring the agreement and habitat creation or enhancement.

The same criteria as set out in relation to frequency of reporting and prioritisation of Council resources will be used in establishing the appropriate monitoring fee representative of the amount of officer time likely necessary in monitoring the Biodiversity Net Gain proposals:

- the size of the Biodiversity Net Gain habitat being enhanced or created,
- the distinctiveness of the habitat,
- the condition that the Biodiversity Net Gain is targeted to achieve,
- the strategic significance of the enhanced the created habitat, and
- consideration of the difficulty, temporal and spatial risks.

Enforcement

Monitoring is not just about quality control but also identifies the need for early intervention and enforcement. Through the above monitoring approach, Enfield Local Planning Authority expects the landowner / developer / off-site provider to be able to identify potential concerns and necessary mitigations at an early stage so as to avoid breaches and the need to engage enforcement.

Depending on the circumstances, if necessary and appropriate, Enfield Local Planning Authority may use enforcement powers as per its adopted Planning Enforcement Plan.

GLOSSARY

Avoidance

Measures taken to avoid creating impacts from the start. For example, changing the location of the development or development activities within the site to avoid the habitats present.

Biodiversity Gain Statement / Report

To be submitted as part of a planning application setting out the core information as to how a scheme will deliver Biodiversity Net Gains

Biodiversity Gain Plan

To be conditioned as part of a planning application, setting out the full strategy for achieving Biodiversity Net Gain, 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.

Biodiversity Metric

A tool developed by Natural England/DEFRA (Biodiversity Metric) to be used for measuring biodiversity on development sites or changes in land use, which fall within the major planning application threshold.

Biodiversity Net Gain

Biodiversity Net Gain is development that leaves biodiversity in a measurably better state than before.

Biodiversity Unit

The value given to a habitat by the Metric based on factors such as area, distinctiveness, condition and strategic location.

Condition

A measure of the habitat against its ecological optimum state. Condition is a way of measuring variation in the quality of patches of the same habitat type.

Condition assessment

The process of assigning habitat condition, to be undertaken by a competent person.

Compensation

Measures taken to provide a biodiversity contribution that is proportionate to the long-term loss of residual impacts that cannot be completely avoided or minimised.

Conservation covenants

An agreement between a landowner and a designated “responsible body” such as a conservation charity, public body or for-profit body which conserves (protects, restores or enhances) the natural or heritage features of the land. It is a private, voluntary agreement made for the public good, which can continue to be effective even after the land changes hands.

Habitat creation

The removal or the loss of the present habitat in the action of creating the new one or creating habitat where none was previously present (including bare ground). This includes, for example, removing scrub in order to create a wetland habitat or removing hardstanding to create new grassland habitat.

Habitat enhancement

The improvement of the condition of an existing habitat, thereby increasing the biodiversity value of a habitat type. Enhancement is achieved through measures that improve habitat biodiversity capacity and/or remove factors that detract from its value. This includes increasing the diversity of species that can be supported by a habitat, for example by managing improved grassland so that it becomes semi-improved grassland, which would seek to increase species diversity.

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

Habitat management and monitoring plan (HMMP)

A detailed plan that outlines how the land will be managed over at least 30 years to create and enhance habitats for Biodiversity Net Gain and manage and monitor the Biodiversity Net Gain.

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's taken as a centre line measurement along the length of the feature.

Metric

This is used to quantify impacts on biodiversity (unit value) and calculate compensation and net gain requirements. The most recent Natural England national biodiversity metric.

Mitigation Hierarchy

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.

Project timeframe

The timeframe over which the biodiversity metric calculates gains and losses for specific habitat interventions.

Small Sites Metric

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 2nd April 2024.