



# BIODIVERSITY NET GAIN + 10%: SUPPLEMENTARY PLANNING DOCUMENT

## Abstract

This Supplementary Planning Document sets out the agreed methodology that applicants shall follow to assess and calculate the Biodiversity Net Gain plus 10% arising from proposed new development in Rotherham Metropolitan Borough Council

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## Biodiversity Net Gain + 10% Supplementary Planning Document

### Purpose of the Biodiversity Net Gain Supplementary Planning Document: Preamble

Supplementary Planning Documents (“SPDs”) add further detail to policies contained within the development plan and are used to provide guidance on specific sites or particular issues. SPDs do not form part of the adopted development plan but they are a material planning consideration in decision-taking.

This SPD provides guidance on achieving Biodiversity Net-Gain (BNG) from new development. BNG is achieved when a development site creates an increase in biodiversity, compared to what was on the site prior to development.

This draft SPD on Biodiversity Net Gain sets out how this can be achieved in Rotherham and builds upon existing local plan policies found in Rotherham’s *Core Strategy* [adopted 2014] and *Sites and Policies Document* [adopted 2018]. The Council adopted a Natural Environment SPD in June 2021; and is pursuing preparation of further supplementary planning documents: Soil Resources Strategy, Trees and Over-Arching Developer Contributions SPDs. These documents and policies should be referred to in preparing BNG+10% proposals to meet national policy requirements.

In preparing development proposals to meet Biodiversity Net Gain +10%, applicants should also have regard to the Council’s Biodiversity Action Plan, and any other studies, such as Nature Recovery strategies, natural capital mapping, and including the priorities as set out in the inset maps of the Core Strategy and Sites and Policies Local Plan.

The Biodiversity Action Plan is available here:

<https://www.rotherham.gov.uk/downloads/download/79/evidence-base-downloads>

The core purpose of this SPD is to provide information about the provision of and/or contributions towards the delivery of biodiversity net gain in new development and sets out the circumstances where such provision, including financial contributions, shall be sought through planning obligations [i.e., S106 legal agreements].

Specifically, this SPD is designed to assist prospective developers and applicants by providing guidance on how proposals can demonstrate they have met the requirements of planning policy related to biodiversity net gain in Rotherham. By providing this information upfront Rotherham Local Planning Authority aims to minimise uncertainty in the development process and ensure decision-making and, where necessary, negotiating obligations are based on a clear and consistent approach.

The chapter of the SPD seeks to:

- Explain Biodiversity Net Gain;
- Identify national and local planning policies relevant to the delivery of Biodiversity Net Gain; and
- Sets out the process through which applicants can demonstrate they have met the requirements of the adopted Local Plan[s].

All sections of this SPD have been prepared in accordance with the Planning Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

## Objectives

Biodiversity Net Gain [BNG] is an approach to new development that leaves biodiversity in a better state locally than prior to development.

The NPPF [2019a] raises the prospect of mitigation measures that go beyond the extant nexus position of simple mitigation [i.e., on-site or off-site but nearby] and to embrace measures that seek to secure additional benefits as part of a wider climate emergency objective of reducing overall carbon emissions. Natural England and its partner organisations [e.g., DEFRA] have put in place mapping facilities and capacity which will enable local planning authorities and its partner organisation to develop and implement a consistent methodology to inform the level and extent of requirements new development shall be required to provide in delivering bio-diversity net gains directly in proportion to the scale of new development occurring [with an additional 10%].

The recently updated **BNG Metric 3.0** for both large and small sites [Natural England, July 2021] seeks to ensure that all habitats, from street trees to woodlands, green roofs to grasslands are recorded, scored and valued for their importance for wildlife. At the same time, it provides an evidence-based, transparent, consistent and easy-to-use way of ensuring that nature is considered as an integral aspect in the design of developments and in land management practice, leaving nature in a better place than it was before, benefitting wildlife, people and places.

As stated earlier, the expectation is that such net gains are delivered as a matter of course, on-site, but there may be circumstances where it might be more convenient to deliver these off-site, especially where pooling of contributions are required because of scale economies. It is likely, that cross-boundaries working, liaising and co-ordination shall occur; in these situations, a strategic plan and management setting priorities and impact analysis shall guide activity and provide accountability with regard to developer contributions, spending and impact for donors and partner organisations on an annual basis.

Rotherham Metropolitan Borough Council seeks to achieve a minimum of 10% biodiversity net gain as a requirement of planning permission for “major/large” new build development, demonstrated using the Biodiversity Metric 3.0. This accords with the Government's intention to introduce a 10% biodiversity net gain as a mandatory requirement in England through the Environment Act [2021].

**Importantly, “minor/small-scale development” is not exempt** from providing biodiversity net gains. So, **Metric 3.0 for Small Sites** shall be required to be used by applicants. In this regard, 'Minor development' consists of:

- **Residential development** of nine dwelling units or fewer, or on a site having an area of less than 1 hectare; and
- **Commercial development** of less than 1,000 m<sup>2</sup> of floor space or on a site of less than 1 hectare.

In proportion to the scale of the development, small-scale development can however deliver features that will be valuable to wildlife and enhance local biodiversity. The following is not an exhaustive list but is intended to provide applicants with suggestions as to the types of features that could be incorporated into applications. Of course, the most suitable and locally appropriate enhancement measures will vary depending on the location and type of new development. Importantly, for

enhancements incorporated into a building these should be shown on the appropriate drawings [e.g., elevation drawings] and will form part of the approved application.

#### Suggested Habitats:

- Incorporate native species planting or planting with demonstrable wildlife value;
- Create a pond ([Link to Frog-life Guidance](#) here);
- Retain and create deadwood habitats such as log piles;
- Plant trees including fruit trees such as cherry, apple and pear and those with early spring blossom such as hawthorn and blackthorn;
- Plant species given in the [Royal Horticultural Societies \(RHS\) “Perfect for Pollinators”](#) list with preference being given to native species;
- Create biodiverse roofs on new buildings where structurally viable or incorporate green walls with climbing plants such as honeysuckle;
- Incorporate native species rich hedgerows in preference to close board fencing where appropriate, species could include; blackthorn, beech, hawthorn, hornbeam, dog rose, field maple, holly, hazel and wild privet; and
- Create areas of native wildflower ‘meadow’ planting or incorporate wildflowers which grow well in lawns such as lady’s bedstraw, rough hawkbit, oxeye daisy, bird’s-foot-trefoil, cowslip, selfheal, meadow buttercup and red clover.
- Bird/bat boxes etc

### Planning Policy Framework

The Council’s approach to securing Biodiversity Net Gain is based on existing planning policy set out in the National Planning Policy Framework and policies held in the adopted Local Plan. The guidance in this SPD sets out how applicants can demonstrate compliance with existing policy requirements.

### National Policy Context

The Government’s National Planning Policy Framework (NPPF) July 2021 has at its heart the core principle of sustainable development and sets out a number of requirements related to the securing of biodiversity net gain through the planning system. The key sections of the NPPF that are relevant to biodiversity are:

- a) [Section 8](#): Promoting Healthy and Safe Communities;
- b) [Section 15](#): Conserving and Enhancing the Natural Environment.

These sections contain important policy requirements; the following paragraphs are notable:

- a) [Paragraph 8c](#) sets out that sustainable development has an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- b) [Paragraph 137](#) provides advice on how Green Belts may be used to enhance landscapes, visual amenity, and biodiversity; or to improve damaged and derelict land.
- c) [Paragraph 174](#) states that through planning policy and planning decisions, the natural environment should be enhanced by ‘minimising impacts on and providing net gains for biodiversity’ (criterion d).

- d) Paragraph 175 advises that development plans should ‘plan for the enhancement of natural capital’.
- e) Paragraph 179 provides specific advice on habitats and biodiversity. In particular criterion b states that development plans should ‘identify and pursue opportunities for securing measurable net gains for biodiversity’.
- f) Paragraph 180 establishes the principles that Local Authorities should use to determine planning applications where biodiversity and geodiversity are material considerations. This policy establishes the mitigation hierarchy and, at criterion d, encourages securing measurable net gains for biodiversity in development proposals.

### National Planning Practice Guidance

The Government’s National Planning Policy Guidance also provides guidance on the natural environment. On Biodiversity, geodiversity and ecosystems the PPG provides advice on how development should not only protect but also enhance biodiversity (paragraph 009 Reference ID: 8-009-20190721) and how biodiversity and geodiversity should be considered. The guidance also sets out the mitigation hierarchy and provides advice on how to achieve Biodiversity Net Gain (paragraph: 022 Reference ID: 8-022- 20190721)

### Local Plan Policy Context

Rotherham’s strategic local spatial planning framework comprises: **Core Strategy [2013-2028]**, Adopted September 2014 and **Sites and Policies Document**, Adopted June 2018.

### Core Strategy Local Plan 2014

The first part of the Local Plan, The Core Strategy sets out a number of key strategic policies that align to the NPPF and seek to ensure that impact of development on the natural environment is taken into account through the planning application process:

- a) Policy CS19 Green Infrastructure identifies strategic Green Infrastructure assets and seeks their retention, protection and enhancement [see also see pp.114-121 of the Core Strategy, Adopted 2014].
- b) Policy CS20 Biodiversity and Geodiversity requires all development to positively contribute to the conservation and enhancement of biodiversity and establishes a requirement to protect biodiversity and geodiversity assets and seeks their enhancement through supporting and improving ecological networks [see also see pp.121-128 of the Core Strategy, Adopted 2014].
- c) Policy CS21 Landscape, recognises the importance of habitats that may have a landscape importance and seeks to protect or conserve the ecological qualities of an area [see also see pp.128-131 of the Core Strategy, Adopted 2014].
- d) Policy CS22 Green Space recognises the importance played by providing and enhancing the availability of a variety of green space relating to new development, both on-site and off-site, for active and passive recreational and sporting enjoyment of residents and visitors to Rotherham [see also see pp.131-135 of the Core Strategy, Adopted 2014].
- e) Policy CS23 Valuing the Historic Environment seeks to ensure that only development proposals are supported which conserve and enhance the heritage significance and setting of the borough's heritage assets, especially listed buildings, conservation areas, historic parks and gardens and archaeological remains [see also see pp.135-139 of the Core Strategy, Adopted 2014].
- f) Policy CS24 Conserving and Enhancing the Water Environment seeks to ensure that development proposals are supported that conserve and enhance Rotherham's watercourses,

particularly making contributions to achieving 'good status' under the Water Framework Directive, and the natural geomorphology of watercourses and the ecological value of the water environment [see also see pp.139-141 of the Core Strategy, Adopted 2014].

- g) Policy CS27 Community Health and Safety seeks, amongst other things, to promote safe, active and healthy lifestyles through delivery of several measures including open and recreational space, green infrastructure and local food growing space [see also see pp.156-159 of the Core Strategy, Adopted 2014].

### **Sites and Policies Document Local Plan 2018**

Part two of the Local Plan, the Sites and Policies Document sets out further detail on a range of focused policies and the related site development guidelines regarding new development and how and by what means ecological networks and green [and blue] infrastructure assets are retained, protected and enhanced. Specifically, these set out the extent and value of these assets and their networks in the borough in the following policies:

- a) Policy SP31 Canals [see also p.82 of the Sites & Policies Document, Adopted 2018].
- b) Policy SP32 Green Infrastructure and Landscape [see also pp.83-92 of the Sites & Policies Document, Adopted 2018].
- c) Policy SP33 Conserving and Enhancing the Natural Environment [see also p.93-96 of the Sites & Policies Document, Adopted 2018].
- d) Policy SP34 Sites Protected for Nature Conservation [see also p.97 of the Sites & Policies Document, Adopted 2018].
- e) Policy SP35 Protected and Priority Spaces [see also p.98 of the Sites & Policies Document, Adopted 2018].
- f) Policy SP36 Soil Resources [see also p.99 of the Sites & Policies Document, Adopted 2018].
- g) Policy SP37 New and Improvements to Existing Green Spaces [see also pp.101-104 of the Sites & Policies Document, Adopted 2018].
- h) Policy SP38 Protecting Green Space [see also pp.105-108 of the Sites & Policies Document, Adopted 2018].
- i) Policy SP39 Design and Location of Green Space, Sport and Recreation [see also pp.109-110 of the Sites & Policies Document, Adopted 2018].
- j) Policy SP40 Listed Buildings [see also p.111 of the Sites & Policies Document, Adopted 2018].
- k) Policy SP41 Conservation Areas [see also pp.113-115 of the Sites & Policies Document, Adopted 2018].
- l) Policy SP42 Archaeology and Scheduled Monuments [see also p.116 of the Sites & Policies Document, Adopted 2018].
- m) Policy SP43 Conserving and Recording the Historic Environment [see also pp.117-119 of the Sites & Policies Document, Adopted 2018].
- n) Policy SP44 Historic Parks, Gardens and Landscape [see also p.120 of the Sites & Policies Document, Adopted 2018].
- o) Policy SP45 Locally Listed Buildings [see also pp.121-122 of the Sites & Policies Document, Adopted 2018].
- p) Policy SP46 War Memorials [see also p.123 of the Sites & Policies Document, Adopted 2018].

The overall role and purpose of the above SP policies reinforces the extent and value of the ecological and green/blue infrastructure networks and assets in the borough. Applicants shall be, *inter alia*,

required to deliver Biodiversity Net Gain through the implementation of the SP policies that are set out above in summary form and in detail in the Council's Local Plan[s].

Though planning conditions are the preferred route through which the LPA shall seek and secure BNG, S106 legal agreements shall augment and be used in appropriate cases, for example, in order that off-site requirements and measures, including land transfers and commuted sums are secured satisfactorily to not only deliver the BNG but ensure that these are maintained in the long term for the benefit of residents and visitors to Rotherham.

### **Neighbourhood Plans**

There is only one adopted Neighbourhood Plan in Rotherham [though there are 3 others at various stages of preparation]. Such plans include locally specific requirements in regard to the natural environment and biodiversity, including detailed habitat maps that identify biodiversity assets and wildlife corridors. Applicants shall need to consult and, where relevant, work within the Development Plan Framework establishing an acceptable approach to achieving BNG.

Relevant neighbourhood plan policies shall be mapped and as these become available, they can be viewed on the Council's GIS network. Presently, all neighbourhood plans can be accessed here <https://www.rotherham.gov.uk/planning-development/neighbourhood-planning/1> Neighbourhood Planning – Rotherham Metropolitan Borough Council

### **General Principles**

The council has a statutory duty as the local Planning Authority to consider the conservation of biodiversity when making decisions on planning applications and the safeguarding of species protected by law:

- the Conservation of Habitats and Species Regulations 2017
- the Wildlife and Countryside Act 1981
- the Protection of Badgers Act 1992
- priority species for biodiversity set out under the Natural Environment and Rural Communities Act 2006

Whilst the guidance in this SPD focuses on how applicants can demonstrate they have achieved Biodiversity Net Gain on larger development sites, all development in Rotherham should positively contribute to the conservation and enhancement of biodiversity and geodiversity. Accordingly, this SPD also provides guidance on how smaller-scale developments can make a big difference to improving biodiversity in Rotherham, and the measures that applicants shall take to demonstrate compliance with the local plan in this regard.

If in preparing a Preliminary Ecological Assessment Report (PEAR), it concludes that the development project will have negligible ecological impacts, no mitigation is required and no further surveys are necessary. The PEAR shall be submitted with all applicable planning applications for consideration by the LPA in Rotherham.

The PEAR must:

- include a data search from Rotherham Biological Records
- meet the guidelines for carrying out a Preliminary Ecological Appraisal



Subsequently applications involving at least one new dwelling shall require an Ecological Impact Assessment (EclA) that demonstrates the Baseline and Post Development Biodiversity Unit scores and delivery of Net Gain. The EclA shall:

- meet the guidelines for carrying out an Ecological Impact Assessment
- include the Defra Biodiversity Metric calculations; and
- demonstrate a Net Gain

With specific regard to BNG, a **Checklist Form** has been designed which shall be completed by all applicants [see appendix A] involving new build development. Along with other relevant documents, a completed checklist form shall be an integral aspect in preparing and making a planning application to the Local Planning Authority in Rotherham. Appendix A provides further details, advice and contact points while Appendix B provides detailed Guidelines for Survey Timetable.

**Additionally**, Rotherham shall develop its planning application documents in relation to BNG based on the templates contained in Appendices E and F. Presently, these are working documents sourced from DEFRA consultation [which was being conducted in the 1<sup>st</sup> Quarter of 2022].

The basic principle that underpins the delivery of Biodiversity Net Gain is to ensure that development secures more and better-quality biodiversity than would exist without development taking place. To achieve this, applicants are expected to demonstrate how their proposals meet the policy requirements of the local plan, submitting information that sets out how biodiversity will be improved [see a Summary of the Guiding Principles in Table 1 [below]

To achieve this, applicants should:

- a) Use the Biodiversity Metric 3.0 to assess the biodiversity value of the site, then;
- b) Determine the impact of development options on the biodiversity value of the site; and
- c) Establish a design solution that delivers the greatest Biodiversity Net Gain [BNG].

To deliver the greatest BNG, applicants shall carry out the following steps:

- a) Identify relevant assets;
- b) Establish the value and extent of those assets using the Biodiversity Metric 3.0;
- c) Apply the Mitigation Hierarchy to assess the impact of development on the asset[s];
- d) Identify design solutions that avoid, mitigate or compensate for the impact, and enhance the Ecological Network and their assets.;
- e) Submit detailed solutions that deliver Biodiversity Net Gain.

Table 1: Guiding Principles - A Summary	
Have the right support – Accessing ecological expertise	<p>Assessing the likely ecological impacts of a development is often complex so employing a suitably qualified ecological consultant is usually cost effective and valuable. Appropriately qualified ecological consultants can be found by looking on the Chartered Institute Ecological and Environmental Management (CIEEM) website <a href="http://www.cieem.net/members-directory">http://www.cieem.net/members-directory</a> or by calling CIEEM on 01962 868626.</p> <p>Pre-application discussion with the Local Planning Authority will ensure all issues are considered before an application is submitted and help prevent delays. Natural England also offers a Discretionary Advice Service for prospective developers</p>

<p>Ensure adequate and robust baseline information is gathered</p>	<p>Adequate survey information must be gathered before preparing detailed site layouts or Master-plans and submitting a planning application. This information should then be used to inform the design of the development from the earliest stage. You should allow time and budget for the initial survey and any further protected species or habitats surveys. Ecological surveys are seasonally constrained and can only be undertaken at certain times of year, this should be factored into the development programme [See Appendix B for further guidance].</p> <p>It is important that planning decisions are based on up-to-date ecological reports and survey data. Therefore, reference should be made to CIEEM’s <b>Advice Note on the lifespan of ecological reports and surveys</b> [most up-to-date version]. Part of your pre-application discussion shall include confirmation of the surveys needed to support your application.</p> <p>CIEEM have produced templates to accompany ecological impact assessment reports (and post completion audit report)  <a href="https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf">CIEEM-BNG-Report-and-Audit-templates2.pdf</a>  <a href="https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf">https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf</a></p>
<p>Apply and demonstrate use of the mitigation hierarchy</p>	<p>Do everything possible to first avoid and then minimise impacts on biodiversity. It will be necessary to demonstrate that the mitigation hierarchy has been followed. Only as a last resort, will compensation for losses that cannot be avoided be considered. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere. Remember, biodiversity net gain is additional to any requirement for mitigation/compensation measures which may be necessary – for example to mitigate impacts on internationally important nature conservation sites.</p>
<p>Avoid losing biodiversity that cannot be offset elsewhere</p>	<p>Irreplaceable habitat is a habitat that, once lost, cannot be recreated elsewhere within a reasonable timeframe. Ancient woodland is an example of an irreplaceable habitat. Where irreplaceable habitat is at risk of loss or deterioration after applying the mitigation hierarchy, any losses of this habitat cannot be offset to achieve biodiversity net gain. Thus, planning permission cannot be granted in such circumstances.</p>

The guidance below provides essential advice on how applicants can follow the process outlined above and demonstrate compliance with policies in Rotherham’s Local Plan[s].

### Identifying Relevant Assets

Rotherham’s adopted Core Strategy and its Sites and Policies Document provides the statutory framework within which new development is to be guided and permitted. In accordance with the National Planning Policy Framework, Rotherham has prepared a number of relevant Policies Maps showing a variety of land use designations and the location of allocated development sites for housing, employment and other uses. In particular, these maps must be consulted by all applicants as these reveal a number of land use designations and areas, including Green Belt, Green Space, residential, industrial and business use, special policy areas, retail centres, mixed use areas, community services and facilities, and sites for travelling show people and known environmental designations including:

- Sites of Special Scientific Interest and their associated Risk Zones.
- Local Nature Reserves.
- Local Wildlife Sites, Regionally Important Geological Sites.
- Sites of Historic Heritage Importance, including:
  - Scheduled Ancient Monuments;

- Conservation Areas; and
- Registered Parks and Gardens.
- Natural Capital Mapping.
- Emerging Nature Recovery Strategies.
- Priorities set out in policies of the Local Plan.

Such maps shall assist in ascertaining the extent of known ecological assets and green and blue infrastructure which incorporates existing protected sites and priority habitats, and the extent they identify areas to restore and buffer these assets and networks. Such assets and networks will assist in the provision of nature conservation and ecosystem services that are essential for sustainable development, including water management, carbon capture and access to nature with associated recreational and health benefits.

Statutorily Protected Sites and Non-Statutorily Protected Sites are shown as two layers on the Policies Map; a number of statutory and non-statutory interests are amalgamated to aid clarity in reading the hard copy Policies Map, whilst alerting developers to the presence of environmental designations.

- **Statutorily Protected Sites** are shown on the Policies Map to alert developers to areas which have identified interest of at least national value and are protected by statute; these include: Sites of Special Scientific Interest [SSSI] and Scheduled Ancient Monuments [SAM].
- **Non-Statutorily Protected Sites** are shown on the Policies Map to alert developers to areas which have identified interest of at least local value and include: Local Wildlife Sites [LWS]; Regionally Important Geological Sites [RIGS]; Local Nature Reserves; Ancient Woodlands; Register of Historic Parks and Gardens of Special Historic Interest.

Maps of the Non-Statutorily Protected Sites and the Statutorily Protected Sites are available on the Rotherham Local Plan Policies Map.

<https://maps.rotherham.gov.uk/mapping/Map.aspx?MapName=LocalPlan>

Updates to the mapping series of Local Wildlife Sites can be found here:

<https://www.rotherham.gov.uk/planning-development/heritage-natural-environment/2>

#### **Additional Information Available to Applicants**

The LPA maintains and makes available an electronic version of the Policies Map. This will enable the individual spatial constraints and opportunities to be viewed independently or collectively. The electronic Policies Map can be accessed and viewed through our Local Plan web page. Alternatively, enquiries should be directed to the Council's Planning Policy Team who will advise on the availability of data and where this may be obtained.

When demonstrating compliance with the relevant policies of the development plan, applicants shall consider the location of their site against the plan's designation and include measures that would best enhance biodiversity within and close to their site. The policies' maps identify and categorise the location of ecological assets and green and blue infrastructure across the borough. The following Policies' Maps should be consulted and carefully studied:

- Core Strategy Policies Map 9: Rotherham’s Strategic and Local Green Infrastructure Corridors [pp.116-117] – CS19.
- Core Strategy Policies Map 10: South Yorkshire Green Infrastructure Strategy [p.122] – CS19.
- Core Strategy Policies Map 11: Yorkshire & Humberside Regional Biodiversity Opportunities (August 2009) [p.129] – CS20.
- Sites and Policies Document Policies Map 4: Landscape Character Area Sensitivity [p.90] and accompanying Table 13: Rotherham’s Landscape Character Areas [p.91]; and Landscape Sensitivity Matrix [p.94].
- Emerging Nature Recovery Strategies.
- Opportunities arising from Natural Capital Mapping.
- Opportunities identified within the Rotherham Biodiversity Action Plan.
- Sites located in an area of deficiency as set out in Natural England’s “Nature Nearby” Accessible Natural Greenspace Standards or is within or immediately adjacent (and physically connected) to any defined Habitat Network (including any Habitat Network Extensions mapped in Neighbourhood Plans).

Applicants should submit an Ecological Assessment that identifies the relevant assets on-site and include a separate Biodiversity Net Gain Report which uses the Biodiversity Metric 3.0 to demonstrate how they have increased the size of the core area, increased the quality and quantity of priority habitat and/or created new priority habitat that can act as stepping stones or corridors.

Where contributions are required to deliver off-site projects the above networks of green and blue infrastructure will be used to prioritise projects that are deliverable and can secure the greatest benefit for biodiversity for Rotherham and its immediate neighbours.

### **Establishing the Value of Assets Using the Biodiversity Metric 3.0**

To determine whether a proposal is compliant with policy requirements applicants will be expected to submit detailed worked-up proposals that clearly set out how Biodiversity Net Gain will be achieved.

For all major developments, including transport schemes and all other developments affecting natural or semi-natural habitats, a net gain in biodiversity must be demonstrated using a Biodiversity net gain calculation undertaken using the **most up-to-date** Biodiversity Metric, (currently **Metric 3.0**.)

Appointing an approved [ecological] consultant at an early stage of the project is advised to ensure the best possible outcomes for achieving Biodiversity Net Gain on site, using an iterative approach through the design process. If different layout options are considered each should have a corresponding biodiversity calculation completed.

All supporting evidence including calculations, justifications, distinctiveness, and condition assessments must be submitted as part of a Biodiversity Net Gain report.

### **Biodiversity Net Gain Calculations**

Biodiversity Net Gain Calculations are to be undertaken in accordance with the most up-to-date Natural England/DEFRA Metric Version 3.0 (July 2021) and subsequent revisions.

The calculation must consider both the direct impacts of a proposed development, both permanent and temporary, also the indirect effects of development, such as lighting on a woodland edge, or pollution resulting from the operation of a scheme.

The net gain calculation and achieving biodiversity net gain must be undertaken in accordance with the following documents and their subsequent [updated] publications:

- a) *The Biodiversity Metric 3.0 auditing and accounting for biodiversity*, Natural England User guide 2021;
- b) *Biodiversity net gain, Good Practice Principles for Development – A practical guide* [2019]) CIEEM, IEMA, CIRIA.

Applicants are advised to seek assistance from RMBC Planning Policy Officer and/or Ecologist, the Environment Bank or an ecological consultant when completing the calculation.

### Survey Work

To inform the net gain calculations vegetation surveys must be undertaken at the appropriate time of year [see also the **Guideline Survey Timetable in Appendix B**]. The following survey information and assessment is required to complete the calculation:

- a) Area of each habitat and length of each linear feature present within the red line of the application;
- b) Habitat type in UK Habitats Classification, or translated into UK Habitats Classification from another survey type, including indicator species [with reference to the guidance provided in South Yorkshire & Humberside regional biodiversity opportunities and criteria];
- c) Habitat condition;
- d) Root Protection Areas of any trees on site that do not form part of another habitat on-site;
- e) Impact from development based upon current planning layout, both directly on-site, and indirectly off-site; and
- f) On-site biodiversity mitigation and compensation measures.

The survey and calculation shall include the whole of the development boundary [red line] and adjacent land where direct or indirect impacts upon adjacent habitats are anticipated.

The evaluation of habitats recorded on-site shall be undertaken with reference to the relevant Rotherham and South Yorkshire Local Wildlife Site selection criteria. Habitats that meet the selection criteria thresholds shall normally be of “High or Very High distinctiveness”.

Habitat Condition should be assessed in accordance with the guidance provided with Metric 3.0 or subsequent guidelines. When assessing any habitats not covered by this guidance, developers and their advisors will be expected to apply evidence-based professional judgement.

Importantly, it is stressed that low distinctiveness habitats created as part of development proposals shall only ever be expected to achieve “Poor Condition”.

If a development site has been cleared with the resulting loss of habitats in advance of a biodiversity metric calculation being undertaken the baseline for the metric is to be taken as the habitats present

prior to site clearance. The biodiversity value of the habitats lost is to be estimated based upon a desk-based assessment and professional judgement. In this regard, the precautionary principle shall be applied where the distinctiveness or condition of the habitats lost is uncertain. It is important to note that the Council is mindful of and shall apply all legislation affecting protected species and habitats.

### **Applying the Mitigation Hierarchy**

The approach to achieving net gain shall start by assessing and understanding the type and value of biodiversity being affected by the proposed development. This is dependent on the location of the site within the overall network of ecological and green and blue infrastructure assets; and the type, area and quality of such assets that are present, as determined by using the Metric 3.0.

Once this is understood, it is essential that applicants apply the Mitigation Hierarchy to demonstrate how ecological issues have been considered and how an optimal Biodiversity Net Gain solution has been reached in the proposal.

In applying the mitigation hierarchy applicants shall demonstrate how they have:

- a) Sought to avoid loss of existing biodiversity on-site (either through loss of scale or quality of habitat);
- b) Where this is not possible, applicants shall demonstrate how they have mitigated the impact of development on biodiversity on-site/off-site nearby;
- c) Where mitigation on site or nearby is not possible applicants shall set out the options they have considered, and the reasons why a) and b) above were not possible. In this regard, applicants are also required to set out how they will compensate for any loss or impact on biodiversity through on-site and off-site improvements or contributions.

Avoiding harm to biodiversity assets will always be the preferred approach, and it is expected that applicants demonstrate they have explored options to retain habitats on-site before seeking to mitigate their loss or, where necessary, propose compensatory measures to be delivered off-site.

In providing information on how the mitigation hierarchy has been applied applicants are advised to explicitly address the following questions:

- a) What is the impact of the proposed design on identified assets?
- b) If there is an impact can the scheme be redesigned to remove or reduce that impact?
- c) If the impact cannot be avoided, can the impacted be mitigated for? If so, what are the measures proposed and will they be sufficient to:
  1. Mitigate the impact; and
  2. Secure BNG?
- d) If the impact cannot be avoided or mitigated, can it be compensated?
- e) If compensatory measures are proposed, will they be on-site, off-site but nearby or off-site entirely?
- f) What are the suggested/offered compensatory measures?
- g) How will they be applied?
- h) Does Metric 3.0 demonstrate the measures that shall deliver a Biodiversity Net Gain?

### Delivering Biodiversity Net Gain

The Council requires applicants to increase biodiversity through their developments, and, through their planning applications, to demonstrate that the measures being put forward will achieve this. If applicants satisfy this requirement, they will ensure their schemes are compliant with the relevant policies of the adopted Local Plan. Appraisals of different options and their predicted or anticipated outcomes shall be presented, with clear reasoning and justification for supporting the option selected.

### General Principles of Biodiversity Net Gain

If an impact on an ecological asset is identified, applicants must propose how that impact will be avoided, mitigated, or compensated in accordance with the mitigation hierarchy.

Where mitigation or compensation is proposed, habitat creation proposals, both on-site and off-site, must avoid 'down-trading' of habitat value by proposing to create habitats of lower distinctiveness compared to those lost.

Habitat creation proposals must be additional to any existing obligations and not deliver something that would occur anyway including, for example, through an existing planning permission, Forestry Authority/Commission grant or Environmental Stewardship scheme.

All proposals to deliver Biodiversity Net Gain through on-site and off-site habitat creation must be:

- a) In compliance with British Standard BS 8683 (Process for designing and implementing Biodiversity Net Gain) [**See also Appendix D** for a summary of its use and implementation];
- b) Agreed in advance with the Local Planning Authority [LPA];
- c) Evaluated through the use of Metric 3.0;
- d) Located in a strategically important area as identified by the LPA [unless agreed in advance];
- e) Secured by an appropriate planning agreement to ensure long term management;
- f) Be supported by a monitoring and management plan ([i.e., adaptive management plan]);
- g) Included on an off-set Register; and
- h) Monitored and reviewed Provision of BNG.

Off-site schemes developed by an applicant or the Local Planning Authority may aim [or enable responsible partner organisations] to:

- a) Create new habitats;
- b) Enhance existing habitats;
- c) Purchase land for the purpose of habitat creation;
- d) Manage land for nature conservation purpose;
- e) Pay for infrastructure to enable management to take place;
- f) Monitor the habitat creation; and
- g) Pay professional fees associated with the above.

In order to establish that it is feasible for on-site and/or off-site habitat creation/enhancement proposals to deliver a net gain for biodiversity; developers shall be expected to submit detailed worked-up proposals.



Details of the design, location and extent of any habitat creation proposed will be required. Where off-site habitat creation is proposed it is particularly important that sufficient detail is submitted to reassure the Council that it is feasible that suitable provision can be delivered and maintained in the long term. Developers are encouraged to seek professional advice to ensure their proposals meet this requirement.

Where off-site habitat creation is proposed, the Local Planning Authority expects that sufficient detail is submitted at the application stage that demonstrates delivery is feasible and that suitable provision can be delivered and maintained in the long-term (minimum of 30 years). Developers are encouraged to seek professional advice to ensure their proposals meet this requirement.

Where compensation is targeted at a specific species, off-site compensation must be delivered in an area where this species is known to occur. Desk and field-based assessments may be required to establish this to the satisfaction of the Local Planning Authority.

Where off-site habitat provision is necessary, this should be directed to the following areas:

- a) Identified as Nature Improvement Areas.
- b) Areas identified in the adopted Local Plan as priority locations, landscape and green infrastructure networks and assets Maps recognised as delivering the most benefit for biodiversity [e.g., Priority areas and locations; corridors; stepping stones; and restoration areas].
- c) Any designated Wildlife Corridors shown in neighbourhood plans.
- d) Areas identified in Local Nature Recovery Strategies.
- e) Opportunities identified through Natural Capital Mapping activity.
- f) Opportunities identified in the Rotherham Biodiversity Action Plan.

Habitat creation in these strategically important sites will deliver a greater benefit for biodiversity and so potentially less habitat creation will be required to achieve the same biodiversity benefits.

Habitat creation and enhancement will only be possible where suitable opportunities arise. Consequently, off-site habitat creation and enhancement may be delivered at any suitable location within Rotherham [with preference given to those locations on Map 10 of the Core Strategy, see p.129] where suitable opportunity exists.

The LPA recognises that such locations may be some distance from the site of the related development proposals<sup>1</sup>. There is no requirement for compensatory habitats to be subject to public access. However public access is encouraged where this can occur without being detrimental to the value of the habitats created.

A Monitoring fee<sup>2</sup> is payable to the LPA where compensation takes place off-site. The LPA [or third-party Habitat Bank] will need to facilitate and monitor any Net Gain for Biodiversity and this will involve keeping an audit and mapping of where Biodiversity Units have been lost and projects delivered in different locations that demonstrate provision of Net Gains for Biodiversity

<sup>1</sup> It is expected that these shall be within the geographical boundary of Rotherham. But there may be circumstances where such payments maybe pooled with neighbouring planning authorities or the Councils designated partner organisations and agencies.

<sup>2</sup> The fee schedule is in preparation and shall be published at the same time as the publication of this SPD.



Where the LPA takes responsibility for ensuring delivery of Net Gain off-site, it will need to work with partners to ensure Biodiversity Delivery Agreements are in place before funding is passed to the relevant Delivery Partner. The Biodiversity Delivery Agreement will necessitate periodic reporting from the Delivery Partner to the LPA against the relevant works to be implemented in the Biodiversity Delivery Agreement.

On-site biodiversity net gain will also be monitored and a fee will be payable to facilitate such monitoring.

### **Habitat Banks**

If a developer wishes to rely on habitat created by a Habitat Bank, this habitat is expected to be in place in advance of a planning application being formally submitted as a planning application.

### **How to carry out Biodiversity Net Gain Calculations**

A net gain in biodiversity must be demonstrated using a Biodiversity Net Gain calculation for all 'Major' developments [i.e., Metric 3.0] as defined by the Town and Country Planning Act, transport schemes and all other developments affecting natural or semi-natural habitats.

It is advisable to appoint an approved [ecological] consultant at an early stage of the project to ensure the best possible outcomes for achieving Biodiversity Net Gain on-site using an iterative approach. If different layout options are considered each should have a corresponding biodiversity calculation completed.

All supporting evidence including calculations, justifications, distinctiveness and condition assessments must be submitted as part of a separate Biodiversity Net Gain report, provided in addition to an Ecological Impact Assessment or any other specific Ecological reports required.

Biodiversity Net Gain calculations are to be undertaken in accordance with the Natural England current Metric 3.0 [July 2021] or subsequent editions revised by Natural England and its partner agencies and consultancies.

The calculation must consider both the direct impacts of a proposed development, both permanent and temporary, also the indirect effects of development, such as lighting on a woodland edge, or pollution resulting from the operation of a scheme.

To reiterate, the net gain calculation and achieving Biodiversity Net Gain must be undertaken in accordance with the following documents and/or any subsequent publications:

- a) ***The Biodiversity Metric 3.0 auditing and accounting for biodiversity, User guide***, prepared by Natural England [July 2021] for both Large and Small Sites; and
- b) ***Biodiversity Net Gain, Good Practice Principles for development – A practical guide***, prepared by CIEEM, IEMA, CIRIA [2019].

### **How to complete the Metric 3.0 Calculation**

Applicants are advised to seek assistance from the Local Wildlife Trust, the Environment Bank or an approved [ecological] consultant when completing the calculation.

To inform the net gain calculations vegetation surveys must be undertaken at the appropriate time of year. The following survey information and assessment is required to complete the calculation:

- a) Area of each habitat and length of each linear feature present within the red line of the application.
- b) Habitat type in UK Habitats, or translated into UK Habitats from another survey type, including indicator species (with reference to any forthcoming local guidance criteria provided).
- c) Habitat condition:
  1. Root Protection Areas of any trees on-site that do not form part of another habitat on-site.
  2. Impact from development based upon current planning layout, both directly on-site, and indirectly off-site.

CIEEM have published Biodiversity Net Gain Report and Audit Templates that provide a framework for completing BNG reports. The templates set out a suggested structure and content:

1. BNG Feasibility Report; aimed at client / design teams to inform of the feasibility of delivering net gain. This report may be contained within, or be supplementary to, a Preliminary Ecological Appraisal (PEA) Report.
2. BNG Design Stage Report is prepared to support decision-makers and forms part of a planning application submitted alongside the Ecological Impact Assessment Report.
3. BNG Audit Report provides an audit checklist confirming the delivery of BNG at project completion.

[See: [CIEEM-BNG-Report-and-Audit-templates2.pdf](https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf)

<https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf>]

### Implementation of Net Gain: Major Schemes and those affecting natural/semi-natural habitats

If the biodiversity metric calculation shows that a proposed development would result in a failure to deliver the required net gain for biodiversity the applicant should:

- a) **Firstly**, review design solutions and re-apply the Mitigation Hierarchy, seeking to avoid any impacts;
- b) **Secondly**, identify potential impacts from an alternative design solution, and set out how on-site mitigation will deliver greater benefits for biodiversity on-site.
- c) **Thirdly**, where this is not possible the applicant should then look to offset these impacts through the delivery of benefits for biodiversity at an off-site location.

The LPA in Rotherham may, in some circumstances, consider a commuted sum for the delivery of habitat creation at an off-site location. Commuted sums shall include the cost of land acquisition, purchase or rental, for the purposes of habitat creation by either the Council or partner organisations.

Where the above process is followed, demonstrated, and concludes that off-site provision is necessary, off-site habitat creation for the purposes of delivering Biodiversity Net Gain and shall be secured by either:

- a) **Option 1**: Developers providing their own off-set on land within their control;
- b) **Option 2**: Purchase of off-sets from an independent provider;
- c) **Option 3**: Commuted sum to the LPA; or
- d) **Option 4**: A mixture of the above.

**Option 1: Developers providing their own off-set on land within their control**

This option may be used if there is land suitable for habitat creation within Rotherham which is owned or in the control of the applicant. Habitat creation measures, management and monitoring would be secured by a S106 legal agreement or planning condition to ensure they are delivered in accordance with good practice principles.

**Option 2 Purchase of off-sets from an independent provider and delivery body/habitat bank**

The provider/habitat bank must be agreed with the LPA and the principles set out below must be applied. Under this option a financial contribution from the developer will be paid directly into the independent provider/habitat bank. The provider/habitat bank shall then be required to provide suitable and documented assurances of habitat delivery to the LPA. Alternatively, and through the use of a S106 legal agreement, with third parties being a signatory to the agreement, with the LPA acting as the recipient of the funding and transferring such funds to third parties in accordance with such a legal agreement.

**Option 3 Commuted sum payable to the Local Planning Authority [LPA]**

In some circumstances, particularly involving lower impact schemes or where the Local Planning Authority is aware of suitable opportunities for compensatory habitat creation at an off-site location, the LPA may consider a commuted sum secured through a S106 legal agreement, that would be used to deliver suitable compensatory habitat creation.

The LPA shall charge a fee to cover its and partners costs of developing and implementing habitat creation and management measures using the commuted funds. The fee is set at a level that shall cover:

- Officer time to liaise with landowners and partners, undertake site visits to appraise the opportunities for habitat creation;
- Draw up habitat creation measures and management plans;
- Legal fees for land acquisition;
- Associated administration costs, including a site visit to monitor delivery and to maintain a register of the specified/agreed off-sets.

Currently, such fees are anticipated to be £1,200 per biodiversity unit required. Rotherham's fees shall be reviewed annually.

The LPA [where appropriate working with partner organisations] shall ensure that any commuted sum is used appropriately to ensure sufficient habitat creation is delivered in a quantifiable way to address the loss of biodiversity resulting from the consented development. The LPA shall utilise the funding to create habitat that delivers best value for biodiversity. In some circumstances this may involve the creation of smaller areas of habitat subject to more costly long-term management or alternatively funding may be utilised to deliver larger areas of habitat with relatively limited management input.

The figures in Table 2 provide a guide to the likely levels of commuted sums per biodiversity unit required to address the deficit of biodiversity units required to deliver net gain. The costings include habitat creation, 30 years management, land costs and monitoring of the success of management.

An offset provider/habitat bank may ask for lower or higher prices than the figures displayed in Table 2 [below].

The proposed commuted sum figures in Table 2 have been calculated to be compatible with the Metric 3.0. These costs may be subject to change as and when Metric 3.0 is revised by Natural England and its partners.

Very large-scale habitat creation schemes involving multiple habitat types on substantial areas of land may require substantial additional staff and infrastructure resources to deliver and maintain. In these circumstances, a bespoke commuted sum calculation shall be conducted for such schemes.

Further information and guidance on the approach to commuted sums is set out at Appendix C

<b>Table 2: A Guide to Developer Contributions [Off-setting]</b>						
<b>Target Broad Habitat</b>	<b>Habitat Type [according to Version 3.0 metric]</b>	<b>Management Period</b>	<b>Expected Condition [Target condition]</b>	<b>Price per Biodiversity unit*</b>	<b>Category [from version 3.0 metric]</b>	<b>Set-up Fee [per S106 agreement] including legal fees, administration of management plan</b>
<b>Woodland</b>	Lowland Mixed deciduous woodland	30 years+	Good	£20,000	Accelerated succession	£7,000
<b>Grassland</b>	Other neutral Grassland	30 years+	Good	£10,000	Creation/Enhancement	£7,000
<b>Wetland</b>	Priority ponds/ditches/reed beds	30 years+	Good	£9,500	Creation	£7,000
*To be validated at the time BNG becomes a formal requirement. All figures shall be annually reviewed and updated.						

**Long Term Management of Compensatory Habitats**

Securing the long-term future of newly created or enhanced habitats is vital to achieving a net gain for biodiversity. Therefore, any on-site or off-site measures contributing to Biodiversity Net Gain will be acceptable only if the developer has secured long-term management, for example through the transfer of funds to an LPA approved responsible body to manage, monitor and report back to the LPA.

Therefore, developers will be expected to secure the long-term monitoring and adaptive management of any on-site or off-site habitat creation or enhancement works to ensure created habitats are allowed sufficient time to both achieve their target value and to ensure they are maintained into the future. Therefore, development proposals must include a commitment to implement management for a minimum period of 30 years with regular reporting to the LPA, which would be secured through a condition or planning obligation. A longer time period may be necessary if this is a requirement of the Environment Act once enacted or where the newly created/enhanced habitats are of a type with

particularly long establishment periods or are of particularly high nature conservation significance. As habitats subject to longer management are likely to achieve higher target condition, the length of time proposed as part of a management plan will be considered in the net gain calculation.

Management plans must include proposals to control non-native invasive species when appropriate.

The LPA in Rotherham encourages developers to engage a recognised conservation body in the delivery of long-term habitat creation proposals. If high or very high distinctiveness habitats are to be delivered a specialist contractor or nature conservation body shall be appointed to assist with delivery.

The implementation of off-site habitat creation proposals will be secured by means of a S106 legal agreement.

### **Incorporation of additional features for biodiversity enhancement**

In addition to proposals for habitat creation and enhancement as assessed by the biodiversity metric calculation all development proposals must also include proposals for the incorporation of features to enhance the biodiversity of the resulting development. Such features can include:

- a) Features for nesting birds associated with the built environment such as swifts and house sparrows;
- b) Green walls and green/brown roofs;
- c) Features for roosting bats;
- d) Creation of new wildlife ponds and the re-creation of historically lost ponds;
- e) Log piles and compost heaps;
- f) Provision of gaps in boundary fences to allow access by hedgehogs and provision of hedgehog domes. Hedgehog Highways should be marked out on-site to ensure they are not blocked up by future landowners.

### **Implementation of Biodiversity Net Gain: Minor applications not affecting natural/semi-natural habitat.**

Developments which fall below the threshold requirement for the conducting of a full biodiversity metric calculation [i.e., 'Minor' applications not affecting natural/semi natural habitats] must be supported by proposals for the incorporation of features for biodiversity enhancement, in addition to what may be required to address any adverse impacts resulting from the development.

Appropriate features include:

- a) Features for nesting birds associated with the built environment such as swifts and house sparrows;
- b) Features for roosting bats;
- c) Green walls and green/brown roofs;
- d) Mixed native species hedgerows;
- e) Creation of new wildlife ponds and the re-creation of historically lost ponds;
- f) Native scrub and tree planting;
- g) Orchard/fruit trees;
- h) Creation of species rich grassland;
- i) Creation of rough grassland suitable for foraging barn owls and provision of barn owl nest boxes;

- j) Log piles and compost heaps;
- k) Provision of gaps in boundary fences to allow access by hedgehogs and provision of hedgehog domes. Hedgehog Highways should be marked out on-site to ensure they are not blocked up by future landowners.

The provision of these types of features is also required for those schemes subject to a metric calculation as detailed above [p.15].

Importantly, the '*Small sites Biodiversity Metric*' was published [July 2021]. This metric, and subsequent revisions, shall be used for all applicable minor planning applications involving new development In Rotherham.

## References

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<http://publications.naturalengland.org.uk/file/5985083561607168>
- RMBC [2018] *Sites and Policies Document*, Adopted June, Rotherham Metropolitan Borough Council
- RMBC [2014] *Core Strategy [2013- 2028]*, Adopted September, Rotherham Metropolitan Borough Council
- SYFP [2011] *Creating and Improving Our Green Network, The South Yorkshire Green Infrastructure Strategy*, South Yorkshire Forestry Partnership, March.
- The Conservation of Habitats and Species Regulations 2017
- The Environment Act 2021.
- The Protection of Badgers Act 1992
- The Wildlife and Countryside Act 1981
- Priority Species for biodiversity set out under the [Natural Environment and Rural Communities Act 2006](#)

## Glossary

### Authority Monitoring Report

An annual report prepared by Rotherham Metropolitan Borough Council to assess progress and effectiveness of a Local Plan.

### Community Infrastructure Levy

A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

### Development

Defined by the Town and Country Planning Act 1990 as “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change of use of any building or other land.” Most forms of development require planning permission, unless expressly granted planning permission via a development order or is permitted development as defined by legislation.

### Development Plan

This includes adopted Local Plans and Neighbourhood Plans and is defined in Section 38 of the Planning and Compulsory Planning Act 2004

### Green Infrastructure

A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities and to support other habitats and species.

### Habitat Bank

A Habitat Bank is an effective facility used in implementing a system of biodiversity accounting. Any off-site compensation is arranged via ‘habitat banks’, which is a streamlined and cost-effective solution. Such bank sites are already being set up across the country so that conservation credits can be quickly and easily sold from large wildlife schemes. Habitat banks give planners and developers access to a simple compensation solution, regardless of the size of the development, so that all development can be sustainable. [For further details see for example: [Habitat Banking - The Environment Bank](#)]

### Habitats Regulations Assessment

The process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest.

### Local Plan

The plan for the development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be Development Plan Documents, form part of the Local Plan. This term includes old policies which have been saved under the 2004 Act.

### Local Plan Strategy



Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area, having regard to the Community Strategy.

**Local Planning Authority**

The local authority or council that is empowered by law to exercise planning functions. In the case of this SPD, the Local Planning Authority is Rotherham Metropolitan Borough Council.

Minor Development

Major Development

**Neighbourhood Plan**

A plan prepared by a parish council or neighbourhood forum for a particular neighbourhood area (made under the Planning & Compulsory Purchase Act 2004).

**Site and Policies Document**

Part of the Local Plan which contains land allocations and detailed policies and proposals to deliver and guide the future use of that land.

**Supplementary Planning Document**

A Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail and explanation of policies and proposals in 'parent' Local Development Plan Documents.

**Sustainability Appraisal**

An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.

**Strategic Environmental Appraisal**

SEA is a process and a tool for evaluating the effects of proposed policies, plans and programmes on natural resources, social, cultural and economic conditions and the institutional environment in which decisions are made.

**Viability Study**

A report, including a financial viability appraisal [FVA], to calculate a site's land value [worth] for a full policy compliant proposed development, which is sufficient to "incentivise a reasonable landowner to sell". Such a study shall involve a transparent analysis of the primary inputs and generated outputs, including sensitivity analysis reflecting local market conditions and extant local plan policy requirements. The FVA primary purpose is to inform those with responsibility for decision-making.

## Appendix A: Biodiversity Checklist (Full Application)

### Biodiversity Checklist for Full Applications

RMBC Planning Reference Number [Official Use Only]

**Site Address:**

There are many legally protected sites of nature conservation importance [see Note1] across Rotherham and wider areas of South Yorkshire alongside non-statutory wildlife sites [Note 2], priority habitats [Note 3] and a wide range of legally protected and other notable species [Note 4]. Developments can adversely affect these and Local Planning Authorities (LPAs) are legally required by Government to consider the conservation of biodiversity when determining a planning application. Government planning policies for biodiversity are set out in the National Planning Policy Framework (NPPF), while the Local Authority's local plan will set out how they address these requirements in local policy terms. LPAs need to be able to understand what the potential impacts of the development might be and if there are impacts on biodiversity, how these will be avoided, mitigated, or compensated.

This **Checklist** will help you work out if your proposal is likely to affect biodiversity, what additional information you will need to provide to support your application and how to get that information.

### Guidance for applicants

If your answers to the questions in Sections 1, 2 and/or 3 identify that your project may potentially have an adverse impact on designated sites, priority or other important habitats or legally protected or notable species then you will need to submit a suitable report such as a Preliminary Ecological Appraisal Report [PEA]), Ecological Impact Assessment (EclA) or species-specific survey which demonstrates the following:

- Information about the sites, species, habitats or features that could be affected (such as location, size, abundance, importance).
- Likely impacts of your development on habitats, sites or species identified.
- How alternative designs and locations have been considered.
- How adverse impacts will be avoided.
- How any unavoidable impacts will be mitigated (reduced) (see note 6).
- How impacts that cannot be avoided or mitigated will be compensated (see note 6).
- Any proposals for enhancement of biodiversity.

Where more targeted and specific reports are necessary (for example bat surveys), these must:

- Be undertaken by an appropriately qualified and experienced person
- Be of appropriate scope and detail (i.e., be carried out to established standards)
- Be conducted at an appropriate time of year, in suitable weather conditions and using approved methodologies.

Reports may not be required where applicants are able to provide pre-application correspondence from Natural England, the Local Planning Authority ecologist or your ecological adviser that confirms that they are satisfied that the proposal will not have an adverse impact on any features identified in Sections 1, 2 or 3. Your Local Planning Authority ecologist contact details are given on page 5 of this Checklist.

The application may be refused if any of the information submitted proves to be inadequate. If validated and the information is subsequently found not to fully address any potential impacts then further information may be required during the course of any planning application, for instance if any of the information you have provided needs clarification, or if other potential impacts are identified. **If sufficient information on ecological issues is not provided by the time the application needs to be determined, the application may be refused. This can include information (surveys and data searches) considered out-of-date.**

It is strongly advised that you consider biodiversity at the **earliest** possible stage in your project as there are seasonal constraints to much of the survey work that may be needed to support your application [see the **Guideline Survey Timetable** in Appendix B]. You are advised to use the Council's formal Pre-application service so that Biodiversity Net Gain matters can be identified prior to the submission of the formal planning application. For more information in this respect please e-mail [development.management@rotherham.gov.uk](mailto:development.management@rotherham.gov.uk).

For further advice on competent ecologists who can undertake specialist survey work, please see the Chartered Institute of Ecological and Environmental Management [CIEEM] <http://www.cieem.net> in the first instance.

Please let us know if this checklist has been completed or checked by a qualified ecologist; YES/NO

**SECTION 1 – Legally protected sites for nature conservation**

<p>Please answer <b>YES</b> or <b>NO</b> to the following question. If you answer ‘YES’, it is possible that the development could have an impact on the designated site [see Note 5]. Please provide further information with your application.</p>	<p>YES ✓ NO X</p>
<p>Does the application site lie within?:</p> <ul style="list-style-type: none"> <li>▪ 2km of a SAC, SPA or Ramsar site</li> <li>▪ An SSSI Impact Risk Zone (IRZ) and does it correspond to any of the development types listed in the results. See Note 1 and <a href="http://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf">http://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf</a> for guidance on the interpretation and use of the <b>Impact Risk Zones for Sites of Special Scientific Interest</b></li> </ul>	

**SECTION 2 – Habitats and locally designated sites**

<p>Please answer ALL questions Yes or No</p> <p>Many of the features described below may support a Priority Habitat. See Note 3 for further information on identifying these.</p> <p>If you have answered ‘YES’, is it possible that the development may have an impact on the designated site or habitat? Please PROVIDE further information if that is the case.</p>	<p>YES ✓ NO X</p>
<p><b>Are any of the following present on or within 100m of the application site?</b></p>	
<ul style="list-style-type: none"> <li>▪ Site of Importance for Nature Conservation (SINC) See Note 2</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Native woodland including ancient, semi-natural and <u>re-planted</u> woodlands</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Veteran (particularly old / large) trees and trees subject to TPOs</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Orchards</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Registered Parks and Gardens</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Water courses (rivers or streams)</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Lakes, ponds or scrapes that specifically support Great Created Newts</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Wetlands, marshes, flood plains and flashes</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Unimproved/semi-improved species-rich grassland</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Arable field margins supporting assemblages of rare arable plants</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Heathland/acid grassland/mire/scrub</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Hedgerows supporting mainly native species</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Local Wildlife Sites and RIGS and any known candidate sites</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Any other habitats identified in the RBAP</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Green Infrastructure Corridors including Biodiversity Opportunity Areas</li> </ul>	

Rotherham can provide detailed maps showing boundaries of all site designations and Priority habitats.

**SECTION 3 – Legally protected and other notable species**

<p><b>PROPOSAL DETAILS</b></p> <p>Please answer ALL questions <b>YES</b> or <b>NO</b> by marking against each feature</p>	<p>YES ✓ NO X</p>	<p>If you have ticked 'YES' to any of these, you will need to consider potential impacts to these species.</p>	<p>Survey Attached?</p>
<p><b>3.1 Will the proposal affect any of the following features/structures? (See Note 2 and Note 7)</b></p>			
<ul style="list-style-type: none"> <li>▪ Buildings or structures exhibiting features likely to support bat roosts or swift nests [e.g., gaps/crevices /cracks/voids within roofs or building materials such as hanging tiles, soffits, cladding etc].</li> <li>▪ Underground structures (e.g., cellars, caves, mines)</li> <li>▪ Structures where there is known current or historic bat use</li> </ul>		<p>Bats and bat roosts</p> <p>Swift nests</p>	
<ul style="list-style-type: none"> <li>▪ Agricultural buildings particularly of traditional brick, timber or stone construction and/or with exposed timber beams greater than c.20cm thick.</li> </ul>		<p>Bats and bat roosts</p> <p>Barn owl/Little owl</p> <p>Nesting birds</p>	
<ul style="list-style-type: none"> <li>▪ Other large agricultural buildings</li> </ul>		<p>Barn owls/Little owl</p>	
<p><b>3.2 Will the proposal affect trees with any of the following features? (See Note 2)</b></p>			
<ul style="list-style-type: none"> <li>▪ Old and veteran trees or other trees with a circumference greater than 1m at chest height</li> </ul>		<p>Bats and bat roosts</p>	
<ul style="list-style-type: none"> <li>▪ Trees exhibiting, or likely to exhibit holes, cracks, splits, cavities etc. and/or heavy vegetation</li> </ul>		<p>Nesting birds</p> <p>Other Notable species</p>	
<p><b>3.3. Will the proposals affect any of the following wetland features (see Note 2)</b></p>			
<ul style="list-style-type: none"> <li>▪ Streams, rivers or lakes on or within 25m of the application site that would be affected (including their banks and adjacent habitat) by the development?</li> </ul>		<p>Bat foraging habitat</p> <p>Otters, Water vole</p> <p>White-clawed crayfish</p> <p>Nesting birds</p> <p>Other Notable species</p>	
<ul style="list-style-type: none"> <li>▪ Ponds within 100m, particularly any that are well-connected to the application site by, for example, hedges, ditches, woodland, grassland or field boundaries?</li> </ul>		<p>Amphibians (particularly with respect to great crested newts)</p>	

<b>PROPOSAL DETAILS</b> Please answer ALL questions <b>YES</b> or <b>NO</b> by marking against each feature.	YES ✓ NO X	If you have ticked 'YES' to any of these, you will need to consider potential impacts to these species.	Survey Attached ?
<b>3.4 Will the proposals affect any of the following features (see Note 2)</b>			
Deciduous woodland?			
Field hedgerows over 1m tall and over 0.5m thick?		Bat foraging habitat	
Areas of scrub well-connected to woodland or hedgerows?		Dormice Nesting birds	
Species-rich meadows or grassland on or directly adjacent to the site?		Badgers Reptiles	
Mature or overgrown gardens, rough grassland, derelict/brown-field land, railway land or allotments		Other Notable species	

**Notes**

**Note 1**

Impact Risk Zones (IRZs) is a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The SSSI IRZ Dataset can be downloaded from the Natural England Open Data Geoportal. It is also available to view on [www.magic.gov.uk](http://www.magic.gov.uk).

**SSSI** = Site of Special Scientific Interest, designated and protected under UK law. See <https://designatedsites.naturalengland.org.uk/>

**SAC** = Special Area of Conservation and **SPA** = Special Protection Area. These are designated and protected under EU law. See <http://jncc.defra.gov.uk/page-1527> They will also be designated as SSSI.

**Ramsar site** = internationally important wetland, designated under the Ramsar Convention. These sites may also be SPAs/SACs and SSSIs. See <http://jncc.defra.gov.uk/page-1527> for more information.

**Note 2**

**SINC** – Site of Importance for Nature Conservation: in Rotherham this is the Local Wildlife Sites series. These are not legally protected, but are identified in planning policy as being of importance for biodiversity and are

considered during the planning process. The LPA's Local Plan Policies Map identifies the location of all Local Wildlife Sites (SINCs) in Rotherham.

**Note 3**

**Priority Habitats** are also called Habitats of Principal Importance in England under Section 41 NERC Act 2006. They comprise natural or semi-natural habitats that have been identified as being at risk (in that they are rare or in decline) or are important for certain key species of plant or animal. Areas of designated Ancient Woodland and some Priority Habitats can be found on [www.magic.gov.uk](http://www.magic.gov.uk). More definitive and up-to-date maps of Priority habitats may become available from Rotherham MBC in the future as Natural Capital Mapping continues to guide delivery of Biodiversity Net Gain in South Yorkshire.

**Note 4**

**Notable species** include species protected under European legislation and the Wildlife & Countryside Act 1981 (as amended); species listed under:

- S41 of the Natural & Environment and Rural Communities Act 2006 (Priority species);
- the IUCN Red List of Threatened Species;
- the Birds of Conservation Concern Red list; and
- Species listed as being nationally, county, or locally rare or scarce.

Please note however, that absence of a record does not mean absence of a species.

**Note 5**

Effects could be **DIRECT**, such as destruction, removal or modification, or **INDIRECT** through disturbance such as run-off, noise, dust, lighting or increased recreational use. Including dog walking and rambling.

**Note 6**

**Avoidance** = measures taken to avoid impacts – should be the first consideration;

**Mitigation** = measures which make unavoidable impacts less severe;

**Compensation** = measures which counterbalance remaining impacts, resulting in an overall no net loss of biodiversity.

[Please note: 'Mitigation' as a general term or a 'mitigation strategy' is often used to cover all these processes].

**Note 7**

The types of features highlighted in this Checklist have a higher likelihood of supporting bats and is taken from the list produced by the Bat Conservation Trust in their Good Practice Survey Guidelines ([see http://www.bats.org.uk/pages/guidanceforprofessionals.html](http://www.bats.org.uk/pages/guidanceforprofessionals.html)).

However, it is important to recognise that many buildings that do not meet these criteria may also support bats.

**Important: this checklist cannot include reference to all protected or notable species in all circumstances where they may be affected.** Legislation relating to protected species does apply in all circumstances and it is the responsibility of the developer to ensure that the species and their habitats are not impacted as a result of development.

**If protected species are found during the course of development, work should be halted and advice sought from Natural England, the local authority ecologist or a qualified private ecologist and the outcomes of any survey or monitoring work discussed with the Local Planning Authority, prior to reaching a potential agreement to continue development on site or withdrawal of the developer from the site.**

**Contacts**

If you are unsure about any of these questions, please contact an officer at RMBC planning authority on **01709 823869** or by email at: [planning.policy@rotherham.gov.uk](mailto:planning.policy@rotherham.gov.uk)

**Official Use Only**

1	Have <b>ALL</b> questions on <b>ALL</b> sections been completed?	Y/N	<b>If YES</b> , go to 2	<b>If NO</b> , application should not be validated.
2	Have any questions been answered 'Yes'?	Y/N	<b>If YES</b> , go to 3	<b>If NO</b> , application can be validated. However, evidence that a data search has been carried out by the applicant or their adviser shall be authenticated by a written submission at this point.
3	Does the applicant identify likely impacts <b>and</b> address potential issues in any comments made on the checklist?	Y/N	<b>If YES</b> , application can be validated.	<b>If NO</b> , go to 4.
4	Has a separate statement, report or other supporting information been submitted to address potential impacts?	Y/N	<b>If YES</b> , application can be validated.	<b>If NO</b> , application should not be validated.



## Appendix B: Guideline Survey Timetable

Type of Survey	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Habitats</b>												
Phase 1 habitat survey												
<b>Bats</b>												
Summer roost/ activity survey												
Hibernation roost survey												
Swarming survey												
<b>Badger</b>												
Activity survey												
Bait marking survey												
<b>Birds</b>												
Breeding bird survey												
Wintering bird survey												
<b>Dormice</b>												
Breeding survey (nest tubes)												
<b>Great crested newts</b>												
Breeding pond surveys												
<b>Reptiles</b>												
Population survey												
<b>Water vole</b>												
Activity survey												
<b>Otter</b>												
Activity survey												
<b>White clawed crayfish</b>												
Activity survey												



Optimum survey time  
 Less effective / sub-optimal survey time  
 Outside survey season

### Appendix C: Guidance on Commuted Sums

The preferred approach meets all the good practice principles set out in *Biodiversity Net Gain: Good practice principles for development*, prepared by CIEEM, CIRIA, IEMA 2019 [Authors: Baker, J. Hoskin, R. and Butterworth, T.] It involves a 30year management period towards set targets according to a bespoke, adaptive management plan. The habitat creation covered below are woodland, grassland, wetland and hedgerows.

<b>Table 1: Principles: Creditable Withholding Tax [CWT] for Biodiversity Net Gain</b>	
Meets Biodiversity Net Gain good practice principles	√
Habitat creation/restoration using professional experts	√
Adaptive management plan	√
30+ years management	√
Regular management reviews	√
Monitoring and reporting against set targets	√
Remedial measures taken if targets not met	√
All habitat will achieve “good condition” within management period	√
Land costs included in commuted sum	√
LPA set-up fee per agreement which includes legal fees	√
A list of all sites relevant to the S106 legal agreement provided to the LPA	√
Included on a GIS based register of sites. All sites will initially be assigned potential Local Wildlife Site [pLWS] status and flagged in data searches. If monitoring shows LWS criteria are met then site will be put forward to LWS Partnership for selection.	√
A not-for-profit organisation	√
All habitats contribute to the recovery or expansion of biodiversity	√

#### Habitat creation options Hedgerow creation

This option will be aimed at creating hedgerows with a mix of approximately 5 native species adapted to the local area. Hedgerows will be double fenced unless this is not appropriate for the location.

#### Woodland creation

In order to achieve the predicted uplift in biodiversity value at the offset site all woodland planting schemes will be created using the ‘accelerated succession’ option in Defra 3.0. Accelerated succession (rather than planting into bare earth or newly created landscapes) retains the value of the existing baseline habitats, meaning an uplift in biodiversity can be achieved more readily. It encourages natural successional processes by allowing a woodland to slowly develop from other habitats such as grassland/scrub. This results in a higher value, more biodiverse woodland habitat compared to tree planting alone. Planting mix will comprise of native, deciduous species chosen to replicate the natural woodland communities in the locality and will vary according to geographic location and soil type

#### Grassland creation

Grassland creation is targeted at achieving species-rich neutral grassland using locally sourced seed to preserve local distinctiveness and genetic diversity. All sites will be assessed for their suitability to become a receptor site. This will be done by soil testing and assessing the existing plant communities on the offset site. For some sites it may not be possible to source seeds locally, in which case an appropriate seed mix will be used, taking into consideration local soils, geography, geological strata and sub strata and plant communities.

If Lowland Meadow Priority Habitat creation is required a bespoke approach will be needed as the soil nutrient status is critically important for the establishment of this habitat. This is likely to be more costly

than the creation of neutral grassland partly because of the need to create this habitat on sites that already support neutral grassland, so less units per hectare can be created.

**Wetland Creation**

This involves creating a mosaic of ponds and scrapes with interconnecting habitat. It is targeted at creating priority habitats which (if the site is suitable) will also include reedbeds, ditches and marginal wetland vegetation.

**Biodiversity Unit**

Using the Natural England/Defra Biodiversity offsetting Metric 3.0 we have calculated the cost per biodiversity unit when the correct risk multipliers are applied (supporting calculations in appendix 1). In all cases (apart from woodland) we have assumed that the offset site is improved grassland (NVC MG7) or other low distinctiveness/poor condition habitat. For woodland creation we have assumed the offset site is poor semi-improved grassland (NVC MG6); this is a medium distinctiveness habitat of poor condition. It is a pasture habitat of medium to low fertility which has potential to undergo succession to broadleaved woodland.

**Monitoring/Reporting**

All habitat creation will be managed according to an adaptive management plan with regular reporting on progress towards target condition. Management will be altered accordingly if the monitoring shows progress is not on track to achieve condition.

All offset sites will be GIS-mapped and registered as potential candidate Local Wildlife Sites (LWS) meaning they will be flagged as potential constraints in spatial planning. Should the sites eventually meet the criteria for LWS selection they will be designated as such (non-statutory).

**Details and Costing**

The following tables (B and C) set out the costs per biodiversity unit for the different approaches. Further technical details are set out in the appendices of the 2019 *Good Practice Principles for Development Report*. **The figures below in Table 2 is intended as an illustration/guide only.** All individual schemes would require a bespoke approach which may result in higher or lower costs than those given below.

Table 2: A Guide to Developer Contributions [Off-setting]						
Target Broad Habitat	Habitat Type [according to Version 3.0 metric]	Management Period	Expected Condition [Target condition]	Price per Biodiversity unit [valid from Version 3.0 metric]	Category [from version 3.0 metric]	Set-up Fee [per S106 agreement] including legal fees & administration of management plan
Woodland	Lowland Mixed deciduous woodland	30 years+	Good	£15,434	Accelerated succession	£6,945
Grassland	Other neutral Grassland	30 years+	Good	£10,035	Creation/ Enhancement	£6,945

<b>Wetland</b>	Priority ponds/ditches/reed beds	30 years+	Good	£9,361	Creation	£6,945
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## Appendix D: BS 8683:2021

**BS 8683:2021** is a new British Standard that sets out a process for implementing biodiversity net gain (BNG), which is an approach to development and land management that leaves biodiversity in a measurably better state than prior to development.

The Local Planning Authority [LPA] in Rotherham shall use BS 8683:2021 to:

- Demonstrate delivery of industry good practice.
- Give clients, commissioning agencies and other stakeholders confidence that processes are in place that will help secure voluntary or relevant local planning or contractual requirements relating to biodiversity net gain outcomes.
- Ensure that internal processes and procedures are in place to help deliver BNG as stipulated by commissioning agencies, clients and consenting bodies.
- Help evidence the satisfactory discharge of planning conditions or the meeting of appropriate regulatory requirements relating to biodiversity net gain outcomes.
- Help differentiate and avoid accusations of 'greenwash' that could compromise biodiversity net gain approaches.
- Help enhance consistency across projects for organizations running multiple projects, minimizing the risk of error and driving consistency of approach.
- Enable planning authorities and clients to specify the consistent delivery of biodiversity net gain processes among developers or contractors operating within their territory or on their behalf.
- Add to brand value by demonstrating that the organisation delivering to the standard is following an evidenced and credible approach and has robust processes in place.

**Appendix E:** An extract from Department for Environment, Food and Rural Affairs [DEFRA] *Consultation on Biodiversity Net Gain Regulations and Implementation*, January 2022 [Annex B, pp-99-107]

**Annex B: Biodiversity gain plan template (working draft)**

It is important to note this is not the final version of the plan. The purpose of the biodiversity gain plan is to inform the relevant planning authority of the biodiversity gain outcome. If a development is within scope of the statutory biodiversity gain condition, this document must be completed and submitted to the relevant planning authority. Submission of a biodiversity gain plan must always be accompanied by a completed biodiversity metric.

Data requirements set out in this template are provisional and are based on a typical route to planning permission. We will be working closely with stakeholders during the transition period to ensure that the biodiversity gain plan is proportionate and does not cause undue burden on developers, practitioners, or planning authorities.

We aim to produce a more concise version of the biodiversity gain plan template for developments using the small sites metric.

**Section A: Status of biodiversity gain plan**

Status	Purpose	Relevant sections to be completed prior to submission for each status
<b>Biodiversity Gain Information</b>	To inform the planning application	A, B, C, D and E – <b>mandatory</b> F, G, H and I – <b>optional</b> , applicant should aim to complete as far as possible
<b>Biodiversity Gain Plan</b>	For approval by the relevant planning authority before development can commence	A, B, C, D, E, F, G and H – <b>mandatory</b> I – <b>optional</b> , applicant should aim to complete as far as possible
<b>Please select the status which best describes this submission:</b>		Biodiversity Gain Information / Biodiversity Gain Plan

**Section B: Confirmation of submission of supporting documents**

Document (note that not all documents listed will be relevant for all submissions)	File name (and web link, where available)
Completed relevant biodiversity metrics	
Habitat Management and Monitoring Plan (where applicable)	
Credit Receipt References (or alternative proof) (where applicable)	
Any more relevant attached documents or tools used in support of biodiversity net gain design?	Examples may include: <ul style="list-style-type: none"> <li>▪ supporting species lists and habitat survey reports and maps</li> <li>▪ landscaping plans</li> <li>▪ bespoke compensation for irreplaceable habitats</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Section 106 agreement wording if securing an offset site via the planning authority</li> <li>▪ covenants (or equivalent legal contracts) securing any unreceipted biodiversity net gain commitments</li> <li>▪ details of future ownership and stewardship</li> </ul>
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**Section C: Summary of proposed biodiversity net gain**

Biodiversity unit type	Baseline units		Post-development units			% Net Gain
	Onsite	Offsite	Onsite [development site]	Offsite [or market provided]	Statutory biodiversity credits [government provided]	
Area Habitat						
Linear habitat – rivers & streams						
Linear habitat – hedgerows or lines of trees						

**Section D: Project information and contact details**

<b>D1: Project information</b>	
Site or development name	
Site or development location	
Red line site boundary or boundaries for development site and off-site delivery	
Planning authority	
Planning register reference (if available)	
Date of submission of biodiversity gain plan or biodiversity gain information	
<b>D2: Details of the person responsible for completing the net gain plan</b>	
Name	
Organisation	
Statement of competency	
See biodiversity metric 3 User Guide for details of competency requirements	

**Section E: On-site habitats**

<b>E1: Site information</b>	
Provide a brief description of existing (pre-development) habitat on site	
As a minimum, this should include habitat types	
Provide with a brief description of planned (post-development) habitat creation or enhancement	
As a minimum, this should include habitat type	
<b>E2: Baseline habitat data used to inform metric</b>	
If using the Small Sites Metric (SSM), confirm that all criteria for use of the SSM have been met (as set out in the SSM) and state on-site survey date	For example, "09/11/2020, yes SSM criteria met"
If using the main metric, please provide: <ul style="list-style-type: none"> <li>• baseline habitat survey reference</li> <li>• survey date</li> <li>• details of any survey constraints</li> </ul>	
What local plans or strategies have been used to inform strategic significance multipliers within metric? (Required for SSM and main metric)	For example, Local Plan, Local Nature Recovery Strategies, Green Infrastructure strategies
<b>E3: Metric results – on site</b>	
Do metric results show that at least the minimum percentage net gain requirement has been achieved on site (for area, hedgerow, and watercourse habitat types)?	Yes/No
Set out justification if metric has triggered unresolved error messages or if you have deviated from metric guidance	
Is further habitat enhancement needed off-site to secure net gain? If yes, complete Section F	Yes/No

**Section F: Off-site habitat enhancement (if applicable)**

<b>F1: Site information</b>	
Register reference for off-site biodiversity net gain component	
Brief description of existing habitat off-site	
As a minimum, this should include habitat types	
Brief description of planned habitat creation / enhancement off-site	
As a minimum, this should include habitat types	
<b>F2: Off-site baseline habitat data used to inform metric</b>	
Please provide: <ul style="list-style-type: none"> <li>• baseline habitat survey reference</li> <li>• survey date</li> <li>• details of any survey constraints</li> </ul>	
What local plans or strategies have been used to inform strategic significance multipliers?	For example, Local Plan, Local Nature Recovery Strategies, Green Infrastructure strategies
<b>F3: Off-site habitat creation / enhancement plans used to inform metric</b>	
Are off-site habitat creation / enhancement proposals already secured?	



Will there be a significant delay (more than a year) between habitat loss and habitat creation / enhancement works?	
Confirmation that off-site Habitat Management and Monitoring Plan and appropriate conservation covenant or contract has been incorporated into the overall biodiversity net gain	Yes/No
Habitat Management and Monitoring Plan appended to the biodiversity net gain plan	Yes/No
Brief description of habitats being created / enhanced off-site	
Brief description of post-development off-site habitats to meet local policy and national policy not included within metric calculations	
<b>F4: Metric results – off-site</b>	
Confirmation that metric calculation spreadsheet (in its entirety, not a summary or screenshots) has been appended to biodiversity gain plan	Yes/No
<b>F5: Credits (only to be used if on-site or off-site (via purchase of units from registered site) net gain is not possible)</b>	
Have statutory credits been purchased?	Yes/No
If yes, please state number of credits purchased, provide Credit Receipt References (or alternative proof), and attach receipt	
Credits evidence log	
Developers applying for government statutory credits must produce an evidence log in their biodiversity gain plan. The evidence log must explain steps taken and decisions made in attempt to achieve biodiversity net gain on site or locally through a land provider, explaining why they have arrived at using credits as a last resort.	

**Section G: Wider biodiversity net gain obligations [aside from measurable net gain]**

<b>G1: Adherence to the mitigation hierarchy</b>	
Steps taken to avoid and / or minimise adverse biodiversity impacts	
<b>G2: Irreplaceable habitat</b>	
Is any irreplaceable habitat present on the development site?	Yes/No
If yes, please confirm that you have separately provided the following to the relevant planning authority: <ul style="list-style-type: none"> <li>• information on the type and extent of irreplaceable habitat within the on-site area</li> <li>• justification for these impacts</li> <li>• steps taken to avoid / minimise these impacts</li> <li>• an appropriate bespoke compensation strategy</li> </ul>	
<b>G3: Designated sites for nature conservation</b>	
Are any designated sites for nature conservation present within the development site?	Yes/No
If yes, please confirm that you have separately provided the following to the relevant planning authority: <ul style="list-style-type: none"> <li>• site name, designation type, habitat / feature type and extent of impact</li> </ul>	

<ul style="list-style-type: none"> <li>• justification for these impacts</li> <li>• steps taken to avoid / minimise these impacts</li> <li>• an appropriate bespoke compensation strategy</li> </ul>	
<b>G4: Protected species</b>	
Are any protected species directly impacted by the development?	Yes/No
<p>If yes, please confirm that you have separately provided the following to the relevant planning authority:</p> <ul style="list-style-type: none"> <li>• information on the relevant species and extent of impacts</li> <li>• justification for these impacts</li> <li>• steps taken to avoid / minimise these impacts</li> <li>• an appropriate bespoke compensation strategy</li> </ul>	
<b>G5: Net gain legacy</b>	
Confirmation that management of off-site and significant on-site habitat enhancements has been secured for a minimum of 30 years	Yes/No
<p>Briefly describe mechanism for securing management and the duration of these agreements</p> <p>Append legal agreement or, if not available at point of submission, letter of confirmation from habitat provider</p>	<p>For example, through contract, planning obligation, conservation covenant, endowment / sinking fund etc.</p>
<b>G6: Habitat degradation</b>	
<p>Confirmation that, to the best of the applicant's knowledge, any habitat degradation of pre-development habitats since <b>30 January 2022</b> has been accounted for in the baseline.</p> <p>If not, has the action causing degradation been approved by planning permissions? If so, state the relevant consenting body and reference number</p>	

### Section H: Monitoring and Reporting

Monitoring Provide details of mechanisms to ensure any planning authority monitoring and reporting requirements are satisfied
For example, when monitoring and reporting will be provided and who outcomes will be shared with

### Section I: Additional information

<b>I1: Limitations and assumptions</b>	
Highlight any additional limitations and assumptions made during the biodiversity net gain process (beyond survey constraints outlined in sections E & F)	
<b>I2: Biodiversity net gain good practice</b>	
Does the project adhere to British Standard BS8683?	Yes/No
Opportunity to highlight consideration of / adherence to any additional good practice standards for biodiversity net gain	
<b>I3: Sharing data</b>	
Will you share relevant ecological survey data (baseline and monitoring surveys) with the appropriate Local Environmental Records Centre (LERCs) or other body agreed with the planning authority?	Yes/No
If 'No', please explain why data has not been / will not be shared	
LERCs manage the evidence base for many planning authorities. It is important that the planning authority know why data have not been shared to add to the evidence base on their behalf, in case they wish to pursue this	

**Appendix F:** An extract from Department for Environment, Food and Rural Affairs [DEFRA] *Consultation on Biodiversity Net Gain Regulations and Implementation*, January 2022 [Annex C, pp-108=109]

## Annex C: Reporting requirements

### Biodiversity net gain data to be collected from planning authorities under the Natural Environment and Rural Communities (NERC) Act 2006 duty

1. Gains and losses	
<b>a Expected</b>	
<u>Quantity of biodiversity gains</u> Total biodiversity value, in biodiversity units, consented within reporting period	
1) Baseline (on-site and off-site)	
2) Post development (on-site and off-site)	
3) Change (on-site and off-site)	
4) Units from credits	
5) Overall change in biodiversity units (including any units from credits)	
ii) Composition of biodiversity gains Breakdown of habitats ('broad habitat types' as listed in biodiversity metric 3) from projects consented within reporting period, expressed in biodiversity units, area (ha), and length (km) for each habitat type	
1) Baseline	
2) Post-development	
3) Change	
iii) Location of off-site biodiversity gains Number of off-site biodiversity units:	
1) Within planning authority area	
2) Within an adjacent planning authority area	
3) Outside and not adjacent to planning authority area	
iv) Number of development sites including sensitive areas Number of developments impacting:	
1) Irreplaceable habitats	
2) Designated sites	
3) Protected species	
<b>b) Resulting</b>	
i) Results of monitoring biodiversity gains Number of consented projects:	
1) Meeting monitoring requirements and delivering expected habitats set out in biodiversity gain plans and Habitat Management and Monitoring Plans	
2) Meeting monitoring requirements however, failing to deliver expected habitats set out in biodiversity gain plans and Habitat Management and Monitoring Plans	
3) Failing to meet monitoring requirements set out in biodiversity gain plans and Habitat Management and Monitoring Plans	
2. Actions taken by the planning authority to carry out biodiversity net gain planning functions during the reporting period	
<b>a) Qualitative</b>	
i. Appropriate plan, strategy or policy document that enables use of biodiversity metric 3's strategic significance multiplier valid for the reporting period (Link to document)	Yes/No
<b>b) Quantitative</b>	
i. Number of planning consents requiring net gain	
ii. Number of projects requiring net gain that have submitted a satisfactory biodiversity gain plan	

<b>3. Plans by the planning authority to carry out biodiversity net gain planning functions in the next reporting period</b>	
<b>a) Qualitative</b>	
i. Appropriate plan, strategy or policy document that enables use of the biodiversity metric's strategic significance multiplier valid for the reporting period	Yes/No
ii. Whether the planning authority is considering proposing its own sites to provide local biodiversity units	Yes/No
iii. Whether the planning authority is considering acting as a broker between market unit providers and developers	Yes/No