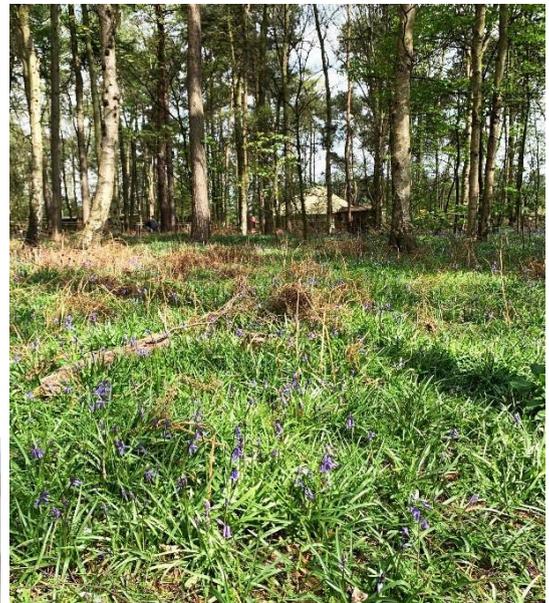


# Rotherham local plan

## Biodiversity Net Gain Supplementary Planning Document



July 2023

# Biodiversity Net Gain

<b>Introduction</b>	<b>4</b>
Status	4
Purpose	5
Objectives	6
<b>Planning Policy Framework</b>	<b>8</b>
National Policy Context	8
Local Policy Context	9
<b>General Principles</b>	<b>12</b>
<b>Identifying Relevant Assets</b>	<b>15</b>
<b>Establishing the Value of Assets using the Biodiversity Metric 3.0</b>	<b>17</b>
Biodiversity Net Gain Calculations	17
Survey Work	18
<b>Applying the Mitigation Hierarchy</b>	<b>19</b>
<b>Delivering Biodiversity Net Gain</b>	<b>20</b>
General Principles of Biodiversity Net Gain	20
Habitat Banks	22
How to carry out Biodiversity Net Gain Calculations	23
How to complete the Metric 3.0 Calculation	24
Implementation of Net Gain: Major Schemes and those affecting natural/semi-natural habitats	25
<b>Long Term Management of Compensatory Habitats</b>	<b>28</b>
Incorporation of additional features for biodiversity enhancement	28
<b>Implementation of Biodiversity Net Gain in Minor Applications</b>	<b>29</b>
<b>Contact Details</b>	<b>30</b>
<b>Glossary</b>	<b>31</b>
<b>Bibliography</b>	<b>34</b>

## Appendices

<b>Appendix 1: Biodiversity Checklist (Full Application)</b> .....	<b>35</b>
<b>Appendix 2: Ecological Survey and Mitigation Timetable</b> .....	<b>41</b>
<b>Appendix 3: Guidance on Commuted Sums</b> .....	<b>42</b>
<b>Appendix 4: BS 8683:2021</b> .....	<b>45</b>

## Introduction

### Status

- 1** This Supplementary Planning Document (SPD) is prepared by Professor Stephen Walker in liaison with RMBC officers. 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.
- 2** This SPD has been prepared in line with national planning policy and relevant legislation and regulations, in particular, the Planning Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The National Planning Policy Framework (NPPF) identifies that SPDs add further detail and guidance to the policies in the development plan. They are capable of being a material consideration in planning decisions.
- 3** As required by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) consultation on a draft of this SPD is taking place between 12 September and 17 October 2022. The accompanying Consultation Statement sets out further detail on this consultation, including who was consulted, a summary of the main issues raised and how these have been addressed in the SPD. It also contains an adoption statement, confirming that this SPD was adopted by Rotherham Council.

## Purpose

**4** 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.

**5** 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.

**6** This 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).

**7** The Council adopted a Natural Environment SPD in June 2021; and is pursuing preparation of further supplementary planning documents: Preparing a 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.

**8** 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.

**9** The Biodiversity Action Plan is available here: \_

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

**10** 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 agreement).

**11** 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.

**12** 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).

## Objectives

**13** Biodiversity Net Gain (BNG) is an approach to development and/or land management that leaves biodiversity in a measurable better state than prior to development.

**14** The NPPF (2021) 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 parent organisation 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%).

**15** Biodiversity Net Gain is the valuing of habitats as a proxy for wider biodiversity with different habitat types scored according to their relative biodiversity potential with adjustments made for the size, conditions and location of the habitat. The Biodiversity Metric Calculator is used to calculate the biodiversity value of an area of land, measure and account for impacts to biodiversity, and demonstrate biodiversity losses and net gains arising from development.

**16** A key principle that underlines Biodiversity Net Gain is the mitigation hierarchy which sets out the preferred approach for BNG delivery to avoid, mitigate, and then compensate. In the first instance development should aim to attain BNG on-site through habitat retention, enhancement and creation. Where assessment of development proposals clearly demonstrates that on-site net gain is not possible, alternative locations for off-site net gain can be sought with a preference for those with proximity to the development site and identified in strategic landscape biodiversity initiatives such as the Local Nature Recovery Strategy and Nature Recovery Network.

**17** Rotherham Metropolitan Borough Council seeks to achieve a minimum of 10% biodiversity net gain as all development with the exception of householders and self-build proposals, demonstrated using the Biodiversity Metric. Under the Environment Act 2021 10% biodiversity net gain will be mandatory from November 2023 and for small sites from April 2024 and secured for 30 years through the Environment Act. (2021).

**18** **Importantly, "minor/small-scale development" is not exempt** from providing 10% biodiversity net gains. So, **the small sites metric** shall be required to be used by applicants. In this regard, 'Minor development' consists of:

- For residential developments the number of dwellings to be provided is between one and nine inclusive on a site having an area of less than one hectare
- Where the number of dwellings to be provided is not known the site area is less than 0.5 hectares
- For all other development types where the site area is less than 0.5hectares or less than 5,000sqm
- Where there is no priority habitat present within the development area (excluding hedgerows and arable margins)"
- It is not appropriate to use the small sites metric to calculate off-site gains and, in these instances, the main metric should be used.

**19** 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.

**20** Suggested enhancements can include: (this list is not exhaustive and is dependent on the habitat being removed and the baseline habitat)

- Incorporate native species planting or planting with demonstrable wildlife value;
- Create a pond (Frog-life Guidance<sup>(1)</sup>);
- 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) "Plants for Pollinators" list<sup>(2)</sup> 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  
Riverine habitats including woody debris, berms, artificial refuges, bank naturalization;
- 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.

---

1 <https://www.froglife.org/wp-content/uploads/2013/07/JAW2014-for-printing-HLF1.pdf>

2 <https://www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/plants-for-pollinators-garden-plants.pdf>

## Planning Policy Framework

**21** 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

**22** 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 area relevant to biodiversity are:

- a. Section 8: Promoting Healthy and Safe Communities;
- b. Section 15: Conserving and Enhancing the Natural Environment.

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

- **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.
- **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.
- **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).
- **Paragraph 175** advises that development plans should 'plan for the enhancement of natural capital'.
- **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'.
- **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

**24** 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 Policy Context

**25** 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

**26** 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:

- **Policy CS19 Green Infrastructure** identifies strategic Green Infrastructure assets and seeks their retention, protection and enhancement (see also p.114-121 of the Core Strategy, Adopted 2014).
- **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 p.121-128 of the Core Strategy, Adopted 2014).
- **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 p.128-131 of the Core Strategy, Adopted 2014).
- **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 p.131-135 of the Core Strategy, Adopted 2014).
- **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 p.135-139 of the Core Strategy, Adopted 2014).
- **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 p.139-141 of the Core Strategy, Adopted 2014).
- **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 p.156-159 of the Core Strategy, Adopted 2014).

## Sites and Policies Document Local Plan 2018

**27** 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:

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

**28** 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).

**29** Planning conditions will be used to secure net gain on-site and S106 and conservation covenants to secure off-site net gain. This will ensure that net gain sites are maintained for 30 years. However, on site Biodiversity Net Gain enhancements are required to be monitored by the Local Authority for thirty years and there will be a fee associated with such monitoring. Therefore, consideration of the collection of such a fee is still required to be determined and may require a S106 Planning Agreement to seek such payments. Guidance is awaited on this issue.

## Neighbourhood Plans

**30** There are two adopted Neighbourhood Plans in Rotherham (though there are 2 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.

**31** 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>

## General Principles of Biodiversity Net Gain

**32** 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<sup>(3)</sup>
- The Wildlife and Countryside Act 1981<sup>(4)</sup>
- The Protection of Badgers Act 1992<sup>(5)</sup>
- priority species for biodiversity set out under the Natural Environment and Rural Communities Act 2006<sup>(6)</sup>

**33** The Biodiversity net gain: Good practice principles for development (CIRA, CIEEM 2019) outlines and provides a framework development projects to demonstrate that they are following good practice.

**34** Delivery of biodiversity net gain on site shall not compromise other land use requirements such as the need for, or to support the retention of, sports facilities, playing fields or appropriate car parking to meet the needs of the development scheme. Where potential conflicts may arise with existing provision on site then biodiversity net gain shall be delivered off-site.

**35** An example of such a situation arising could be the extension to a school on a tarmac playground where the resulting biodiversity net gain is then proposed on the school's playing field. However, the resulting on-site biodiversity net gain on the playing field will impact on the schools' use as a playing field. In such circumstances any net gain needs to comply with the policies in the Local Plan and the NPPF, in the case of playing field this would be paragraph 99.

**36** With specific regard to BNG, a **Checklist Form** has been designed which shall be completed by all applicants (see Appendix 1) involving new build development. Along with other relevant documents, a completed checklist form shall be an integral aspect in preparing and making a planning

---

3 <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

4 <https://www.legislation.gov.uk/ukpga/1981/69>

5 <https://www.legislation.gov.uk/ukpga/1992/51/contents>

6 <https://www.legislation.gov.uk/ukpga/2006/16/body>

7 <https://www.wyjs.org.uk/ecology/>

8 <https://cieem.net/resource/guidance-on-preliminary-ecological-appraisal-gpea/>

9 <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>

application to the Local Planning Authority in Rotherham. Appendix 1 provides further details, advice and contact points while Appendix 2 provides detailed Guidelines for Survey Timetable.

- 37. 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 (conducted in the 1<sup>st</sup> Quarter of 2022).
- 38.** 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)
- 39.** To achieve this, applicants should:
  - a. Use the Biodiversity Metric 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.
- 40.** 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;
  - 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: Good Practice Principles**

<p><b>Application of the mitigation of the hierarchy</b></p>	<p>A key principle that underpins BNG in relation to new development that sets out a preferred approach to delivery of BNG</p> <ol style="list-style-type: none"> <li>1. Avoid harm to biodiversity</li> <li>2. Minimise harm to biodiversity</li> <li>3. Compensation should be carried out on-site where possible and where this is not suitable biodiversity losses should be offset by gains elsewhere</li> </ol> <p>The development will need to justify how it has followed the embedded mitigation hierarchy in decision making.</p>
<p><b>Avoid losses of biodiversity that cannot be offset elsewhere</b></p>	<p>Development should seek to avoid impacts on irreplaceable biodiversity. Some habitat and biodiversity features are irreplaceable and cannot be offset to achieve net gain. These include ancient woodland, veteran trees and calcareous grassland.</p>
<p><b>Be inclusive and equitable</b></p>	<p>Developers should seek to achieve net gain in partnership with stakeholders where possible and engage them in designing, implementing, monitoring and evaluating the approach to net gain.</p>
<p><b>Address Risk</b></p>	<p>Mitigate difficulty, uncertainty and other risks to achieving net gain. Add contingency when calculating biodiversity losses and gains in order to account for remaining risks and compensate for time between losses occurring and gains being realised.</p>
<p><b>Make a measurable net gain contribution</b></p>	<p>Achieve a measurable overall gain for biodiversity whilst contributing to conservation priorities.</p> <p>The latest Defra biodiversity metric should be used to measure the net gain.</p>
<p><b>Achieve the best outcomes for biodiversity</b></p>	<p>To achieve the best outcomes for biodiversity it is essential to use robust and credible evidence. This ensures that:</p> <ul style="list-style-type: none"> <li>• Compensation is ecologically equivalent in type, amount and condition and accounts for timing and location of biodiversity losses. Habitat creation proposals must avoid the ‘trading down’ of habitat value by proposing to create habitat of a lower distinctiveness than those lost.</li> <li>• Compensates for losses of one type of biodiversity by providing a different type that delivers greater benefits for nature conservation</li> <li>• Achieves net gain locally to the development while also contributing to nature conservation priorities at local, regional and national levels.</li> <li>• Enhance existing or creating new habitat</li> <li>• Enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity</li> </ul>
<p><b>Be additional</b></p>	<p>Achieve nature conservation outcomes that demonstrably exceed existing obligations. For example do not deliver something that would occur anyway through an existing planning permission, Forestry Authority / Commission grant or Environmental Stewardship scheme.</p>

<b>Create a net gain legacy</b>	<p>Ensure that net gain generates long term benefits by:</p> <ul style="list-style-type: none"> <li>• Engaging stakeholders and jointly agreeing practical solutions to secure net gain in perpetuity</li> <li>• Planning for adaptive management and securing dedicated funding for long term management</li> <li>• Designing net gain for biodiversity to be resilient to external factors especially climate change</li> <li>• Mitigating risks from other land uses</li> <li>• Avoiding displacement of harmful activities from one location to another</li> <li>• Supporting local level management of Net Gain activities</li> <li>•</li> </ul>
<b>Optimize sustainability</b>	<p>Prioritise BNG and where possible optimize the wider environmental benefits for a sustainable society and economy</p>
<b>Be transparent</b>	<p>Communicate all net gain activities in a transparent and timely manner</p>

**41** The guidance below provides essential advice on how applicants can follow the process outlined above and demonstrate compliance with polices in Rotherham’s Local Plan(s).

## Identifying Relevant Assets

42. 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 Policies Map showing a variety of land use designations and the location of allocated development sites for housing, employment and other uses and alongside the priorities set out in policies of the Local Plan these shall guide all future opportunities. 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:
1. Sites of Special Scientific Interest and their associated Risk Zones.
  2. Local Nature Reserves.
  3. Local Wildlife Sites, Regionally Important Geological Sites.
  4. Sites of Historic Heritage Importance, including:
    - Scheduled Ancient Monuments;
    - Conservation Areas; and
    - Registered Parks and Gardens.
43. These 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.
44. 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.

45. 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>

46. Updates to the mapping series of Local Wildlife Sites can be found here: \_

[https://www.rotherham.gov.uk/planning-development/heritage-natural-](https://www.rotherham.gov.uk/planning-development/heritage-natural-environment/2)

[environment/2](https://www.rotherham.gov.uk/planning-development/heritage-natural-environment/2) **Additional Information Available to Applicants**

47. 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.
48. 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 Map identifies and categorises the location of ecological assets and green and blue infrastructure across the borough. The following data layers should be consulted and carefully studied:
- Core Strategy Policies Map 9: Rotherham's Strategic and Local Green Infrastructure Corridors (p.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).
49. 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.

## Delivering Biodiversity Net Gain

50. It is advised that a suitably qualified ecologist is appointed at an early stage of the project 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.
51. Appropriately qualified ecological consultants can be found by looking on the chartered Institute of Ecological and Environmental Management (CIEEM) website (<https://cieem.net/i-need/finding-a-consultant/>). Where there is river habitat within the development site that needs to be assessed using the River Condition Assessment (River MoRPh Survey methodology) requiring a suitably qualified person who is trained and accredited in River MoRPh surveys.
52. 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 2**). 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. Where the red line boundary of the development encompasses the riparian zone, either whole or in part, but excludes the channel of the watercourse then information outside of the red line boundary (including the banks, channel and bed of the river) is required.
  - c. 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);
  - d. Habitat condition as outlined in the condition assessment in the BNG metric; for river and stream habitats a detailed rivers and stream condition assessment using the River MoRPh survey methodology is required.
  - e. Root Protection Areas of any trees on site that do not form part of another habitat on-site;
  - f. Impact from development based upon current planning layout, both directly on-site, and indirectly off-site; and
  - g. On-site biodiversity mitigation and compensation measures.
53. 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 4** 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. Registered on the National Biodiversity Gain Site Register; and
  - h. Monitored and maintained for 30 years.

54. Off-site schemes developed by an applicant or the Local Planning Authority may aim (or enable responsible partner organisations) to:
- Create new habitats;
  - Enhance existing habitats;
  - Purchase land for the purpose of habitat creation;
  - Manage land for nature conservation purpose;
  - Pay for infrastructure to enable management to take place for 30 years;
  - Monitor the habitat creation for 30 years; and
  - Pay professional fees associated with the above.
55. The majority of applications will need to submit a Preliminary Ecological Appraisal Report (PEAR) and a subsequent Ecological Impact Assessment (EcIA). PEARs are an initial survey that identifies ecological features on-site and identifies if further surveys are required for protected species or habitats. These further surveys are compiled to form an EcIA. Further information is given in Appendix 1 and 2 regarding the requirements for ecological surveys.
56. The ecological reports must:
- Include a data search from Rotherham Biological Records Centre
  - Meet the guidelines for carrying out a Preliminary Ecological Appraisal Report (<https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf>) and Ecological Impact Assessment (<https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>).
  - All protected species survey work must be carried out prior to the submission of an application in line with the ODPM circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System.
57. A Biodiversity Net Gain Report must also be prepared in addition to a PEAR or EcIA. This must be submitted alongside the completed excel spreadsheet of the most up to date version of the biodiversity metric calculator.
58. All supporting evidence including calculations, justifications, distinctiveness, condition assessments and strategic significance assessment should be submitted as part of the Biodiversity Net Gain report. The government is intending to release a Biodiversity Net Gain Plan template in order to standardize the format of the information which is being provided to planning authorities. Until this template is finalised Biodiversity Net Gain reports should follow the guidance set in the Chartered Institute of Ecology and Environmental Management ([Biodiversity Net Gain Report and Audit Templates | CIEEM](#)) and the British Standard BS8683:2021 Process for designing and implementing Biodiversity Net Gain ([BS 8683:2021 | 31 Aug 2021 | BSI Knowledge \(bsigroup.com\)](#)). Reports should also demonstrate how they have adhered to the 10 best practice principles of BNG developed by CIRA CIEEM ([Good Practice Principles for Development. A practical guide | CIRA CIEEM](#)) and outlined above.
59. A Biodiversity Management and Monitoring Plan must also be submitted alongside the application or as part of a pre-commencement condition covering the information below:
- The projects biodiversity targets
  - The baseline biodiversity assessment against which uplift in biodiversity value will be monitored

- c. A detailed adaptive management plan that sets out how habitats will be created or enhanced and describing the proposed ongoing management and assess the progress towards achieving target condition. This should outline surveys that will be used to inform the condition monitoring reports. Monitoring reports will be provided to the Local Planning Authority in years 1,2,3,5,10,15,20,25, and 30.
  - d. The roles, professional competencies and responsibilities of the people involved in implementing and monitoring the biodiversity net gain delivery
  - e. Evidence that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management.
  - f. Changes to a previously agreed management plan, suggested as a result of monitoring visits, shall be agreed in writing by the Local Planning Authority.
- 60.** For phased developments each phase must have a biodiversity net gain plan that demonstrates a minimum 10% biodiversity net gain has been secured prior to the commencement of development. A biodiversity net gain plan cannot rely on units that are 'projected' to be delivered for which planning has not yet been granted as details of future unit delivery are speculative and may not come forward as planned and hence cannot be effectively enforced by the Council.
- 61.** 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 the habitats present prior to site clearance with January 2020 taken as a baseline. 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

62. 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.
63. 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.
64. 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.
65. 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.
66. 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. Have impacts on neighbouring blue or green infrastructure corridors been considered?
  - d. If the impact cannot be avoided, can the impact be mitigated for? If so, what are the measures proposed and will they be sufficient to:
    - Mitigate the impact; and
    - Secure BNG?
  - e. If the impact cannot be avoided or mitigated, can it be compensated?
  - f. If compensatory measures are proposed, will they be on-site, off-site but nearby or off-site entirely?
  - g. What are the suggested/offered compensatory measures?
  - h. How will they be applied?
  - i. Does the Metric demonstrate the measures that shall deliver a Biodiversity Net Gain?

## Off-Site Biodiversity Net Gain

- 67.** 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:

**Firstly**, review design solutions and re-apply the Mitigation Hierarchy, seeking to avoid any impacts;

**Secondly**, identify potential impacts from an alternative design solution, and set out how on-site mitigation will deliver greater benefits for biodiversity on-site.

**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.

- 68.** 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. Use of Conservation Covenants will be considered in such circumstances where off-site mitigation is proposed to be delivered on third party owned land.
- 69.** 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.
- 70.** 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.
- 71.** Where off-site habitat provision is necessary, this should be directed to the following areas:
- Identified as Nature Improvement Areas.
  - 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).
  - Any designated Wildlife Corridors shown in neighbourhood plans or other plans and programmes of the council.
  - Areas identified in Local Nature Recovery Strategies.
  - Opportunities identified through Natural Capital Mapping activity.
  - Opportunities identified in the Rotherham Biodiversity Action Plan.
- 72.** 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.
- 73.** 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.

**74.** The LPA recognises that such locations may be some distance from the site of the related development proposals<sup>(10)</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.

---

10 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.

- 75.** Administration and Legal Agreement Fees and Monitoring fee<sup>(11)</sup> are payable to the LPA where compensation takes place off-site for both conservation covenants and S106 planning obligations. This excludes the cost of providing the habitat unit. The LPA (or third-party habitat net gain provider) 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.
- 76.** 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, where necessary;
  - Associated administration costs, including the required site visits to monitor delivery and to maintain a register of the specified/agreed off-sets for a period of thirty years.
- 77.** On-site biodiversity net gain will also be monitored for thirty years and a fee will be payable to facilitate such monitoring.

---

11 The fee schedule is in preparation and shall be published at the same time as the adoption of this SPD.

12 <https://cieem.net/resource/biodiversity-net-gain-report-and-audit-templates/>

## Implementation of Off-Site Biodiversity Net Gain:

**78.** 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:

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

**Option 2:** Purchase of off-sets from an independent provider, this could include the council;

**Option 3:** Purchase statutory units from National Government (when available)

**Option 4:** A mixture of the above.

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

**79.** 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 conservation covenant 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 and including the council**

**80.** 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. Such legalities will be included within a Conservation Covenant. 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.

**81.** The LPA (where appropriate working with partner organisations) shall ensure that any habitat creation is delivered in a quantifiable way to address the loss of biodiversity resulting from the consented development.

**82.** 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.

**83.** The costing of habitat units include habitat creation, 30 years management, land costs where these are necessary, and monitoring of the success of management.

**84.** 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 financial contribution shall be conducted for such schemes. The cost of purchasing habitat units will vary depending on the type of habitat creation, size of creation, and anticipated condition target aimed for.

## Long Term Management of Net Gain Habitats

85. 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 approved responsible body to manage, monitor and report back to the LPA at the agreed monitoring periods.
86. 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 they are maintained into the future. Development proposals must include a commitment to implement management for a minimum period of 30 years with regular reporting to the LPA, secured through a condition, conservation covenant or planning obligation. A longer time period may be necessary if this is a requirement of the Environment Act once secondary legislation is 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.
87. Management plans must include proposals to control non-native invasive species when appropriate.
88. 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.
89. The implementation of off-site habitat creation proposals will be secured by means of a S106 legal agreement or conservation covenant

## Incorporation of additional features for biodiversity enhancement

90. 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. Where the baseline biodiversity on-site is negligible then the council expects to see consideration and inclusion given to the use of the following features on-site:
  - 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. Riverine habitat enhancements such as woody debris, berms, artificial refuges, bank naturalization.
  - g. 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.

## Contact Details

If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:

Submit an enquiry to Planning Policy online:

<https://www.rotherham.gov.uk/xfp/form/535>

Email: [planning.policy@rotherham.gov.uk](mailto:planning.policy@rotherham.gov.uk)

Telephone: 01709 823869

Website: <https://www.rotherham.gov.uk/localplan>

Post: Planning Policy, Planning, Regeneration and Transport, Regeneration & Environment Services, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham, S60 1AE

For planning application and pre-application advice, please contact Development Management:

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

Email: [development.management@rotherham.gov.uk](mailto:development.management@rotherham.gov.uk)

Telephone: 01709 823835

Website: <https://www.rotherham.gov.uk/planning>

Post: Development Management, Planning, Regeneration and Transport, Regeneration & Environment Services, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham, S60 1AE

## 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.

### 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.

### **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.

## Bibliography

- Baker, J., Hoskin, R., & Butterworth, T. [2019] *Biodiversity net gain. Good practice principles for development. Part A: A practical guide*. CIRIA, CIEEM, IEMA.  
<https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain-Good-practiceprinciples-for-development-A-practical-guide-web.pdf>
- BSG Ecology *Habitat Survey Calendar* <https://www.bsg-ecology.com/wp-content/uploads/2018/03/BSG-Ecology-Survey-Calendar.pdf>
- CIEEM, CIRIA & IEMA [2016] *Biodiversity Net Gain – Good Practice Principles for Development*. <https://cieem.net/wp-content/uploads/2019/02/Biodiversity-Net-Gain-Principles.pdf>
- Crosher, IA., Gold, SB., Heaver, MD., Heydon, MA., Moore, LD., Panks, SA., Scott, SC., Stone, DA., & White, NA. [2019] *The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. User guide* (Beta Version, July 2019). Natural England  
<http://publications.naturalengland.org.uk/file/5815257627099136>
- Crosher, IA., Gold, SB., Heaver, MD., Heydon, MA., Moore, LD., Panks, SA., Scott, SC., Stone, DA., & White, NA. [2019] *The Biodiversity Metric 2.0: Auditing and accounting for biodiversity value: technical supplement* (Beta version, July 2019). Natural England  
<http://publications.naturalengland.org.uk/file/4923683225468928>
- DEFRA [2022] *Consultation on Biodiversity Net Gain Regulations and Implementation*, Department for Environment, Food and Rural Affairs, January.
- ECOSA Ecological Survey and Assessment *Ecological Survey Timetable* <https://ecosa.co.uk/survey-timetable/#.YrrOEhXMJPb>
- Joint Nature Conservation Committee [JNCC] <https://jncc.gov.uk/>
- Holt, A.R., Zini, V. & Ashby, M. [2021] South Yorkshire naturalcapital and biodiversity mapping. Natural Capital Solutions Ltd, July 2021. <https://southyorkshire-ca.gov.uk/getmedia/f1530d63-8657-4650-90a0-43c8c04ccfa5/South-Yorkshire-natural-capital-and-biodiversity-mapping.pdf>
- Natural England [2021a] *Small Sites Metric [Draft Guide] Calculation Tool: User Guide* [Beta Test, July 2021] JP040.
- Natural England [2021b] *Large Sites: Biodiversity Metric 3.0 [2021]: User Guide*.
- Panks, SA., & Arther, S. [2019] *The Biodiversity Metric 2.0 auditing and accounting for biodiversity Calculation Tool* (Beta version, December 2019)  
<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](#)
- Thomson EC *Extended Phase 1 Habitat*

*Survey* <https://www.thomsonec.com/services/habitat-services/extended-phase-1-habitat-survey/>

- Priority Species for biodiversity set out under the [Natural Environment and Rural Communities Act 2006](#)
- 
-

## Appendix 1: Biodiversity Checklist (Full Application)

### Biodiversity Checklist for Full Applications

Planning Reference No. (Official Use Only)

#### Site Address:

There are many legally protected sites of nature conservation importance (Note 1) 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 assets 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 Applicant

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 (PEAR), Ecological Impact Assessment (EcIA) 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 at the end 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 2). 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.

**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.**

<b>Please let us know if this checklist has been completed or checked by a qualified ecologist</b>	Yes / No
<p><b>SECTION 1 – Legally protected sites for nature conservation</b></p> <p>Please answer YES or NO 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>	
<b>Does the application site lie within 2km of a SAC, SPA or Ramsar site?</b>	Yes / No
<b>Does the application site lie within an SSSI Impact Risk Zone (IRZ) and does it correspond to any of the development types listed in the results?</b>	Yes / No
<p>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></p>	
<p><b>SECTION 2 – Habitats and locally designated sites</b></p> <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>	
<b>2.1 Are any of the following present on or within 100m of the application site?</b>	
● Site of Importance for Nature Conservation (SINC) see Note 2	Yes / No
● Native woodland including ancient, semi-natural and re-planted woodlands	Yes / No
● Veteran (particularly old / large) trees and trees subject to TPOs	Yes / No
● Orchards	Yes / No
● Registered Parks and Gardens	Yes / No
● Water courses (rivers or streams)	Yes / No
● Lakes, ponds or scrapes that specifically support Great Crested Newts	Yes / No
● Wetlands, marshes, flood plains and flashes	Yes / No
● Unimproved / semi-improved species-rich grassland	Yes / No
● Arable field margins supporting assemblages of rare arable plants	Yes / No
● Heathland / acid grassland / mire / scrub	Yes / No
● Hedgerows supporting mainly native species	Yes / No
● Local Wildlife Sites and RIGS and any known candidate sites	Yes / No
● Any other habitats identified in the RBAP	Yes / No
● Green Infrastructure Corridors including Biodiversity Opportunity Areas	Yes / No
Rotherham MBC can provide detailed maps showing boundaries of all site designations and Priority habitats.	

<b>SECTION 3 – Legally protected and other notable species</b>			
PROPOSAL DETAILS - Please answer ALL questions YES or NO by marking against each feature		If you have ticked 'YES' to any of these, you will need to consider potential impacts to these species.	Survey attached?
<b>3.1 Will the proposal affect any of the following features/structures? (See Note 2 and Note 7)</b>			
● 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.)	Yes / No	● Bats and bat roosts ● Swift nests	
● Underground structures (e.g. cellars, caves, mines)	Yes / No		
● Structures where there is known current or historic bat use	Yes / No		
● Agricultural buildings particularly of traditional brick, timber or stone construction and/or with exposed timber beams greater than c.20cm thick.	Yes / No	● Bats and bat roosts ● Barn owl/Little owl ● Nesting birds	
● Other large agricultural buildings	Yes / No	● Barn owls/Little owl	
<b>3.2 Will the proposal affect trees with any of the following features? (See Note 2)</b>			
● Old and veteran trees or other trees with a circumference greater than 1m at chest height	Yes / No	● Bats and bat roosts ● Nesting birds ● Other Notable species	
● Trees exhibiting, or likely to exhibit holes, cracks, splits, cavities etc. and / or heavy vegetation	Yes / No		
<b>3.3 Will the proposals affect any of the following wetland features (see Note 2)</b>			
● Streams, rivers or lakes on or within 25m of the application site (including their banks and adjacent habitat)	Yes / No	● Bat foraging habitat ● Otters, Watervole ● White-clawed crayfish ● Nesting birds ● Other Notable species	
● Ponds within 100m, particularly any that are well-connected to the application site (e.g. hedges, ditches, woodland, grassland or field boundaries)	Yes / No	● Amphibians (particularly with respect to great crested newts)	
<b>3.4 Will the proposals affect any of the following features (see Note 2)</b>			
● Deciduous woodland	Yes / No	● Bat foraging habitat ● Dormice ● Nesting birds ● Badgers ● Reptiles ● Other Notable species	
● Field hedgerows over 1m tall and over 0.5m thick	Yes / No		
● Areas of scrub well-connected to woodland or hedgerows	Yes / No		
● Species-rich meadows or grassland on or directly adjacent to the site	Yes / No		
● Mature or overgrown gardens, rough grassland, derelict/brown-field land, railway land or allotments	Yes / No		

## 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 <https://magic.defra.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**

**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 <https://magic.defra.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>).

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

## Contact Details

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?	Yes / No	If <b>YES</b> , go to 2	If <b>NO</b> , application <u>should not</u> be validated.
2	Have any questions been answered 'Yes'?	Yes / No	If <b>YES</b> , go to 3	If <b>NO</b> , application can be validated. <u>However</u> , 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 and address potential issues in any comments made on the checklist?	Yes / No	If <b>YES</b> , application can be validated.	If <b>NO</b> , go to 4.
4	Has a separate statement, report or other supporting information been submitted to address potential impacts?	Yes / No	If <b>YES</b> , application can be validated.	If <b>NO</b> , application <u>should not</u> be validated.

## Appendix 2: Ecological Survey and Mitigation Timetable

Optimal   
Sub-optimal 

### Ecological Survey\*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Extended Phase 1 Habitat Survey												
Bat Building / Tree Assessment												
Bat Roost Dusk Emergence / Re-entry Survey												
Bat Activity Survey												
Bat Hibernation Survey												
Badger Survey												
Badger Bait Marking Survey												
Otter Survey												
Water Vole Survey												
Hazel Dormouse Survey (Nut Search)												
Hazel Dormouse Survey (Nest Box / Tube)												
Bird Survey (Wintering)												
Bird Survey (Breeding)												
Reptile Survey												
Great Crested Newt Survey												
GCN eDNA Survey (15 April to 30 June)												
Invertebrate Survey												
Vegetation Survey												
White-Clawed Crayfish												

### Mitigation Works\*\*

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Bats												
Badger												
Otter												
Water Vole												
Hazel Dormouse												
Breeding Birds												
Reptiles												
Great Crested Newt												
Invertebrates												
Vegetation												

#### These tables are intended as a guideline only.

\*Surveys are timed according to seasonal variation, the location and the species surveyed.

\*\* Mitigation works, and other activities which have the potential to disturb protected species, are timed according to seasonal variation, the location and the species in question. Otter, in particular are active throughout the year and timings will be site-specific. The timing for works affecting bat roosts will depend on the type of bat roost present.

\*\*\* Some species will spawn earlier or later and timings may be tweaked accordingly. Please contact the local fisheries officer for further information on permitted works and understanding of species present.

#### Source:

ECOSA - Ecological Survey and Mitigation Timetable <https://ecosa.co.uk/survey-timetable/#.YronZRXMJPb>

JNCC - Handbook for Phase 1 Habitat

Survey <https://data.jncc.gov.uk/data/9578d07b-e018-4c66-9c1b-47110f14df2a/Handbook-Phase1-HabitatSurvey-Revised-2016.pdf>

Thomson Environmental Consultants - Ecology Survey <https://www.thomsonec.com/services/ecology-services/ecology-surveys/>

BSG Ecology - Survey Calendar <https://www.bsg-ecology.com/survey-calendar/>

## Appendix 3: Guidance on fees and habitat units

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 30 year management period towards set targets according to a bespoke, adaptive management plan. The habitat creation covered below are woodland, grassland, wetland and hedgerows.

**Table 1: Principles for delivering biodiversity net gain**

In submitting planning applications should ensure the following checklist is adhered to.

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 target condition within management period	✓
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

Woodland creation will be achieved by planting a mix comprising 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.

### **Riverine Creation**

This will involve works to enhance and restore the naturalness of any existing water course by removing culverts and other artificial engineering works, restoring of water channels with soft contouring and suitable wetland planting. The connectivity of waterways to other aquatic and terrestrial features should be considered. Use of any technique to restore riverine habitats must consider the context of the site, water body and catchment.

### **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 will be discussed for registration 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).

## Appendix 4: 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.