Biodiversity Net Gain Assessment

November 2026

The Club at Cams Hall Estate, PO16 8UP



Document Status & Approval for Issue	
Document Version	Rev A – 30th January 2026 (DRAFT)
	Rev B – 4th February 2026 (FINAL)
	Rev C – 26th August 2026 (FINAL)
	Rev D – 27th August 2026 (FINAL)
	Rev E – 15th November 2026 (FINAL)
Client	MAZE Planning Solutions 3 Piccadilly Place Manchester M1 3BN
Report Prepared By	Jay Allen BSc (Hons) ACIEEM
Report Approved By	Suzanne Melhuish BSc (Hons) ACIEEM

Contents

1. INTRODUCTION 1

BRIEF 1
SCOPE 1
THE SITE 1
COMPETENCE 2

2. METHODOLOGY 4

ASSESSMENT METHODOLOGY 4
CONDITION ASSESSMENT 4
STRATEGIC SIGNIFICANCE 5
HABITAT DEGRADATION 6

3. RESULTS 7

UKHAB SURVEY – BASELINE 7
UKHAB SURVEY - OVERVIEW 7
HABITAT CONDITION ASSESSMENT 7

4. POST-DEVELOPMENT HABITATS 9

PROPOSED HABITATS 9

5. SUMMARY 11

. *RESULTS* 11

6. REFERENCES 12

FIGURES & APPENDICES 14

1. Introduction

Brief

1.1 BlueJay Ecology Ltd were commissioned by Andrew Watt of Maze Planning Solutions to undertake a Biodiversity Net Gain (BNG) at The Club at Cams Hall Estate, PO16 8UP (referred to as the 'Site').

Scope

1.2 The primary purpose of this assessment was to comply with both local and national policy, and legislation (Environment Act 2021), along with ensuring the site delivers a 10% net gain and that the Trading Rules are satisfied.

1.3 A UKHab Survey was carried out in January 2026. This survey mapped all habitats present on site using the UK Habitat Classification System (UKHab Ltd, 2023) and was used to inform the baseline calculation of the scheme. The post development assessment is based upon the proposed landscaping plans and the post development UKHab plan. Habitat parcels have been defined to align with the application boundary, which was amended prior to determination to include the BNG delivery area.

The Site

1.4 The Site comprises two small parcels of land adjacent to the existing car park, together with a BNG delivery area to the east, all within the grounds of the golf club off Portchester Road, Portchester, Fareham (OS Grid Reference SU 58682 05559). The Site measures approximately 0.60 ha and comprises managed grassland and a small block of secondary broadleaved woodland immediately adjoining the existing golf club car park, together with an area of managed golf course grassland forming the BNG delivery area.

1.5 The Site lies within the managed grounds of the Cams Hall estate and is bounded by the existing car park and associated estate infrastructure and landscaping, including closely managed grassland and woodland within the golf club setting. It is located in a coastal setting on the margin of Portsmouth Harbour, with residential areas of Portchester and Fareham to the north and west and the M27 and A27 (M27 Junction 11) to the north.

Proposals

1.6 The proposed development comprises the extension of the existing car park within the grounds of Cams Hall Golf Club. Two small areas immediately adjoining the current car park are proposed for new hard surfacing and reconfiguration to increase parking capacity for the club. These works remain fully within the managed estate and utilise the existing access arrangement.

1.7 To support delivery of Biodiversity Net Gain, a c.0.43 ha BNG delivery area, included within the amended application boundary, is proposed for biodiversity enhancement through mixed native woodland planting, understorey shrubs and wildflower meadow creation, as set out in the submitted plans. The proposals relate solely to the car park expansion and delivery of the linked biodiversity enhancement measures.

National Planning Policy Framework (NPPF) (August 2026)

1.8 Baker et al. (2019) define Biodiversity Net Gain as: "*Development that leaves biodiversity in a better state than before.*"

1.9 The requirement for development to provide biodiversity net gain is statutory, under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). It is supported by the National Planning Policy Framework (NPPF, August 2026), which at Policy N2(1)(a) requires development proposals to consider the environmental qualities of the land proposed for development and identify opportunities for those qualities to be conserved or enhanced, including through requirements for biodiversity net gain where these apply.

1.10 A commonly accepted approach to assessing BNG involves using biodiversity calculators to evaluate the biodiversity value of habitats before and after development, considering factors such as habitat type, distinctiveness, and condition.

Competence

1.11 This report has been prepared by Jay Allen, Principal Ecologist at BlueJay Ecology Ltd, with over 12 years of experience in a diverse range of ecological projects, including UKHab Surveys, Phase 2 surveys for protected species, and protected species license implementation. Jay is an Associate member of CIEEM (ACIEEM) and holds Natural England and Natural Resources Wales licences to

survey for great crested newt *Triturus cristatus*, dormouse *Muscardinus avellanarius,* smooth snake *Coronella austriaca,* and sand lizard *Lacerta agilis.*

2. Methodology

Assessment Methodology

2.1 A biodiversity index is calculated for both the baseline and the proposed development. Biodiversity Net Gain (BNG) is considered achieved when there is an increase in biodiversity value (either on or offsite), and higher-value habitats are not entirely replaced by lower-value ones.

2.2 The calculation methods for BNG in this project follow Natural England's Statutory Biodiversity Metric and its accompanying user guide and technical annexes (Natural England, 2026).

2.3 The statutory biodiversity metric is published by Natural England and is the mandatory tool for biodiversity net gain calculations. Earlier versions of the metric (including the Biodiversity Metric 4.0 and any earlier versions) are no longer accepted in support of planning applications. The current version of the statutory biodiversity metric was used for this assessment.

2.4 The tool and related documents were accessed from: https://www.gov.uk/guidance/calculate-biodiversity-value-with-the-statutory-biodiversity-metric

Condition Assessment

2.5 A habitat condition assessment was conducted within the project boundary using data from the UKHab survey. The appropriate "condition sheet" was selected using the Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology (Natural England).

2.6 The condition sheet was then utilized to evaluate each habitat by comparing their characteristics against predefined condition assessment criteria, which outline the necessary components for a habitat to be classified as having good, moderate, or poor value. Each habitat was assigned one of the following scores:

- 1 – Poor
- 2 – Moderate
- 3 – Good

2.7 The calculator also allows for further refinement into categories such as fairly good and fairly poor. The ecologist conducting the assessment used their professional judgment, along with the habitat condition assessment criteria, to determine when these additional categories were appropriate.

2.8 It is important to note that some habitats within the metric have a fixed condition score, and therefore, cannot be altered.

Strategic Significance

2.9 Strategic significance is a multiplier applied within the statutory biodiversity metric to reflect whether the location of a habitat parcel has been identified as a priority for nature recovery in a local strategy. Three categories are available: high significance, where the location is formally identified in a local strategy, carrying a multiplier of 1.15; medium significance, where the location is ecologically desirable but is not identified in a local strategy, carrying a multiplier of 1.10; and low significance, where neither applies, carrying a multiplier of 1.00. The multiplier is applied to each habitat parcel individually, at both baseline and post-development.

2.10 The relevant strategy for this Site is the Local Nature Recovery Strategy for Hampshire, prepared by Hampshire County Council as the responsible authority under section 104 of the Environment Act 2021 and published on 8 December 2025. The Borough of Fareham falls within the LNRS area. The strategy is accompanied by a Local Habitat Map, published as an interactive map with supporting GIS layers available to download.

2.11 The Local Habitat Map identifies Areas of Particular Importance for Biodiversity (APIB), comprising Hampshire's international, national and locally designated sites together with irreplaceable habitats; and Areas that Could Become of Particular Importance for Biodiversity (ACB), comprising areas of opportunity which could become APIBs, or where the recovery or enhancement of biodiversity would make a particular contribution to wider environmental benefits. The map also identifies Habitat Opportunity Areas and a series of spatially mapped Measures, which set out the actions considered appropriate in particular locations. Local planning authorities in Hampshire advise that the high multiplier should be applied only where the habitat proposed corresponds to the Measures mapped for that location.

2.12 All three parcels within the application boundary, including the BNG delivery area, have been checked against the Local Habitat Map. None falls within an APIB: they comprise closely managed golf course grassland, with a small block of secondary broadleaved woodland adjacent to the car park, and none contains a designated site or an irreplaceable habitat. None of the parcels falls within an ACB, a Habitat Opportunity Area, or an area for which a relevant Measure is mapped. The strategic significance of all parcels, at baseline and post-development, has accordingly been recorded in the metric as low, with a multiplier of 1.00.

Habitat Degradation

2.13 There are special provisions for the calculation of the pre-development biodiversity value of onsite habitat when loss or impact to habitats (or 'degradation') has occurred prior to the submission of a planning application and Biodiversity Gain Plan in order to discourage the deliberate degradation of existing onsite habitats to reduce the pre-development biodiversity value.

2.14 For the Biodiversity Plan, Paragraph 6 of Schedule 7 A of the Town and Country Planning Act 1990 makes provision relating to unauthorised degradation takes place, and Paragraph 6A of the 1990 Act makes provision relating to degradation taking place which is in accordance with a planning permission:

2.15 Where unauthorised degradation of the onsite habitat has taken place on the land between 30 January 2020 and the date of relevant date, the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value of the habitat on the date immediately before the carrying out of these degradation activities. The relevant date should therefore be set as a date immediately before these activities. Unauthorised degradation of onsite habitat is any degradation which is not in accordance with a previous planning permission.

2.16 If there has been degradation and there is insufficient evidence about the biodiversity value of the onsite habitat immediately before the degradation, the pre-development biodiversity value of the onsite habitat must be taken to be the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it. This requirement must be applied to the calculation of pre-development biodiversity value in the metric tool.

2.17 In this instance, the habitats present were assessed on the ground during the UKHab survey in January 2026, and no clearance or degradation of on-site habitats has occurred. The pre-development baseline therefore reflects the habitats and conditions recorded during the survey, and the degradation provisions above are not engaged.

3. Results

UKHab Survey – Baseline

3.1 The baseline description is taken from the UKHab survey undertaken in January 2026, by BlueJay Ecology, which recorded the habitats present on the ground across the Site.

3.2 As the Site was fully accessible and vegetated at the time of survey, the pre-development baseline reflects the habitats and conditions recorded during the survey. No habitat clearance had taken place, and no reconstruction of the baseline from historic imagery was required.

3.3 The UKHab survey results are illustrated in Figure 1 (UKHab Results Map).

UKHab Survey - Overview

3.4 A full list of the habitats identified in the UKHab Survey on the site is provided below. Where the habitat classification differs between UKHab and BNG, the BNG classification is provided in brackets, and those in italics are not considered within the habitat condition assessment, being of no value, by default:

- g4 107 529: Modified grassland, mown and collected, golf course;
- w1g 31: Other broadleaved woodland, secondary woodland;
- *u1c: Artificial unvegetated, unsealed surface;*
- g4 107 529: Modified grassland, mown and collected, golf course (BNG delivery area baseline)

3.5 The UKHab Plan is provided in **Figure 1.**

Habitat Condition Assessment

g4 107 529 (Modified grassland, mown and collected, golf course)

3.6 The grassland within the application boundary comprises managed, sown turf adjacent to the existing golf club car park, maintained as a short, even fairway type sward. The sward is dominated by annual meadow-grass *Poa annua* and perennial rye-grass *Lolium perenne*, with red fescue agg. *Festuca rubra agg.* and bent grasses *Agrostis spp.* frequent. Common daisy *Bellis perennis* and white clover *Trifolium repens* are occasional, with broad-leaved plantain *Plantago major* and dove's-foot cranesbill *Geranium molle* rare. Grass reinforcement matting is present across much of the area, with localised rutting,

compaction and small bare patches associated with vehicle use and disturbance.

3.7 In line with the Statutory Metric condition criteria for modified grassland, the habitat is species-poor and structurally simple, with clear evidence of regular management and disturbance. It has therefore been assessed as poor condition for the purposes of the BNG metric.

w1g 31 (Other broadleaved woodland, secondary woodland)

3.8 The baseline woodland within the application boundary comprises a small block of secondary broadleaved woodland adjacent to the existing car park. Lime *Tilia sp.* is dominant, with sycamore *Acer pseudoplatanus* abundant. The understorey is sparse and discontinuous, with scattered saplings and bramble *Rubus fruticosus agg.,* and ground flora is dominated by ivy *Hedera helix* with a limited range of other herbs present at low frequency. A small number of non-native or planted species are present locally, and the woodland is influenced by edge effects and regular disturbance associated with the surrounding managed estate setting.

3.9 The woodland provides a mixed canopy and some woodland structure, but the limited understorey and low diversity of the ground layer constrain condition. It has therefore been assessed as moderate condition for the purposes of the BNG metric.

Land proposed for BNG delivery (BNG delivery area, within the application boundary)

g4 107 529 (Modified grassland, mown and collected, golf course)

3.10 The baseline habitat within the BNG delivery area comprises managed practice area turf within the wider golf course, maintained as short-mown grassland with frequent signs of use, including footfall and maintenance access leading to localised compaction and small bare patches. A bunker of bare sand is also present within this parcel.

3.11 In line with the Statutory Metric condition criteria for modified grassland, the habitat is species-poor and structurally simple, with clear evidence of regular management and disturbance. It has therefore been assessed as poor condition for the purposes of the BNG metric.

4. Post-development habitats

4.1 This section of the report looks at the habitats which are to be created during the construction phase of the development and provides reasoning as to their habitat classification and target condition category, as was completed for the pre-development habitats.

4.2 The habitats described below are labelled as per their BNG classification as such on **Figure 2** (UKHab Post-development Plans).

Proposed habitats

u1b: Developed land, sealed surface

4.3 Within the application boundary, the proposals comprise an extension to the existing car park, including new hard surfacing and associated parking and circulation areas immediately adjacent to the current car park. This is classified as developed land, sealed surface (u1b) within the statutory metric.

4.4 In line with the Natural England condition guidance for developed land, sealed surface, this habitat is considered to be not suitable for a condition assessment, being of inherently low ecological value, and is therefore recorded as N/A – Other within the BNG Metric.

g4: Modified grassland

4.5 Areas of grassland are shown as modified grassland (g4) within the post-development plans. Within the application boundary, this comprises retained and reinstated managed turf around the reconfigured car park, consistent with the existing golf club setting.

4.6 In line with the Natural England condition guidance for modified grassland, this habitat is suitable for condition assessment within the BNG Metric. The post-development modified grassland has been assigned a target condition of Poor, reflecting the low diversity, high management intensity and amenity function of the sward.

w1g 31: Other broadleaved woodland, secondary woodland (retained)

4.7 A small area of existing secondary broadleaved woodland is shown as retained within the application boundary, classified as w1g 31 on the post-development UKHab plan.

4.8 In line with the Natural England condition guidance for woodland habitats, this habitat is suitable for condition assessment within the BNG Metric. As the

woodland is retained, it is carried forward in the post-development position as retained habitat, with the condition category remaining Moderate.

w1g: Other broadleaved woodland, broadleaved (created)

4.9 The BNG delivery area, within the application boundary and extending to approximately 0.43 ha, is proposed for habitat creation. The western part of that area, extending to approximately 0.25 ha, is proposed for new mixed native broadleaved woodland planting, as shown on Figure 2 and on drawing 897 04 (Susanna Brown Landscape Architect). For the purposes of the BNG Metric this is classified as other woodland; broadleaved (created).

4.10 In line with the Natural England condition guidance for woodland creation within the BNG Metric, this habitat is suitable for condition assessment. The created woodland has been assigned a target condition of Moderate within the metric, reflecting the proposed establishment and management over the plan period and the expected development of woodland structure.

g3c: Other, neutral grassland (created)

4.11 The eastern part of the BNG delivery area, extending to approximately 0.18 ha, is proposed for species-rich grassland creation, sown with an Emorsgate EM2 standard general purpose meadow mixture at 4 g/sqm and managed as a hay meadow with a 2.4 m wide mown path, as specified on drawing 897 04. For the purposes of the BNG Metric this is classified as other neutral grassland (created), and it is shown as g3c on Figure 2.

4.12 In line with the Natural England condition guidance for grassland creation within the BNG Metric, this habitat is suitable for condition assessment. The created grassland has been assigned a target condition of Moderate within the metric, reflecting the seed mixture specified, the cutting and removal regime proposed, and the establishment and management period secured through the Habitat Management and Monitoring Plan.

5. Summary

Results

5.1 The pre-development (baseline) position comprises modified grassland and a small block of secondary broadleaved woodland adjacent to the existing car park, together with the modified grassland of the BNG delivery area. All three parcels lie within the application boundary and are recorded as on-site habitat in the statutory metric. The baseline biodiversity value for the scheme is 2.06 habitat units. No hedgerows are present and no watercourses are included within the metric.

5.2 The BNG delivery area is proposed to deliver habitat creation through mixed native broadleaved woodland planting across approximately 0.25 ha and species-rich neutral grassland creation across approximately 0.18 ha, as shown on Figure 2. This gives a post-development value of 2.62 habitat units and a net gain of 0.56 habitat units, or +27.42%, delivered entirely on-site, and the Trading Rules are satisfied. No off-site units or statutory biodiversity credits are required to meet the 10% target.

5.3 In line with the Environment Act 2021 legislation regarding the implementation of BNG, a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan (HMMP) have been prepared. The HMMP, secured by Condition 7 of planning permission P/26/0226/FP, will ensure that the habitats created are maintained and managed to their target conditions over the 30-year period, and includes remedial actions should the habitats fall behind schedule in reaching those target conditions.

6. References

Baker, J., Hoskin, R. and Butterworth, T. (2019) Biodiversity Net Gain: Good Practice Principles for Development. A Practical Guide. CIEEM, CIRIA and IEMA.

BlueJay Ecology (2026) The Club at Cams Hall Estate: Preliminary Ecological Appraisal. BlueJay Ecology Ltd.

Botanical Society of Britain and Ireland and Biological Records Centre (2022) Online Atlas of the British and Irish Flora. Available at: https://www.brc.ac.uk/plantatlas/

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

Defra (2007) Hedgerow Survey Handbook: A Standard Procedure for Local Surveys in the UK. Department for Environment, Food and Rural Affairs, London.

Defra (2025) Biodiversity net gain. GOV.UK guidance. Available at: https://www.gov.uk/guidance/biodiversity-net-gain

Defra (2025) Statutory biodiversity credit prices. GOV.UK. Available at: https://www.gov.uk/guidance/statutory-biodiversity-credit-prices

England Woodland Biodiversity Group (no date) Assessing Your Woodland's Condition. Woodland Wildlife Toolkit. Available at: https://woodlandwildlifetoolkit.sylva.org.uk

Google Earth (2026) Historic aerial imagery of Cams Hall Estate. Available at: https://earth.google.com

HM Government (1990) Town and Country Planning Act 1990, Schedule 7A (as inserted by the Environment Act 2021). The Stationery Office, London.

HM Government (2021) Environment Act 2021. The Stationery Office, London.

HM Government (1981) Wildlife and Countryside Act 1981 (as amended). The Stationery Office, London.

Institute of Environmental Management and Assessment (2016) Guidance on Environmental Impact Assessment. 2nd edition. IEMA, Lincoln.

Ministry of Housing, Communities and Local Government (2026) National Planning Policy Framework. MHCLG, London.

Natural England (2025) The Statutory Biodiversity Metric – User Guide. JP039. Natural England, Peterborough.

Natural England (2025) The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology. JP039. Natural England, Peterborough.

Natural England (2025) Statutory Biodiversity Metric Condition Assessments (July 2025). Natural England, Peterborough.

Natural England (2025) The Statutory Biodiversity Metric, version 1.0.4 (macro-enabled calculation tool). Available at: https://www.gov.uk/guidance/calculate-biodiversity-value-with-the-statutory-biodiversity-metric

Panks, S., White, N., Newsome, A., Nash, M., Potter, J., Heydon, M., Mayhew, E., Alvarez, M., Russell, T., Cashon, C., Goddard, F., Scott, S.J., Heaver, M., Scott, S.H., Treweek, J., Butcher, B. and Stone, D. (2023) The Statutory Biodiversity Metric: User Guide. Natural England, JP039.

Staley, J.T., Wolton, R. and Norton, L.R. (2020) Definition of Favourable Conservation Status for Hedgerows. Natural England Research Report RP2943. Natural England, Peterborough.

UKHab Ltd (2023) UK Habitat Classification, version 2.0. Available at: https://www.ukhab.org

FIGURES & APPENDICES

Figures

Figure 1 – UKHab Results Map (pre-development)

Figure 2 – Proposed Scheme (Post-development)

Appendices

Appendix 1 – Key Legislative Provisions

Appendix 2 – Legal and Technical Limitations

Figure 1 – UKHab Results Map (Pre-development)



Figure 2 – UKHab Post-development Plans



APPENDIX 1 – Relevant Legislation

The Environment Act 2021

The Environment Act 2021 places a requirement on the Secretary of State to make regulations setting out long-term targets for air quality, water, biodiversity, resource efficiency and waste reduction. It also requires the Government to produce an Environmental Improvement Plan, to report on progress towards its goals annually, to meet the targets that are set in relation to the improvement of the natural environment and to produce remedial plans should this not be achieved.

In relation to water quality, the Act places new duties on the Government, Environment Agency and sewerage undertakers to reduce the frequency and harm of discharges from storm overflows on the environment, and for monitoring the quality of watercourses affected by those overflows.

It also includes a requirement for an independent Office for Environmental Protection (OEP) to be established, with responsibilities for monitoring and reporting on progress against environmental improvement plans and targets. The OEP will also have investigation and enforcement powers against public authorities failing to comply with environmental law when exercising their functions.

The Act makes provisions for 10% biodiversity gain to become a condition of planning permission in England, through amendments to the Town and Country Planning Act 1990. This will be measured through a biodiversity metric to be published by the Secretary of State. The Act also establishes Biodiversity Net Gain as a requirement for Nationally Significant Infrastructure Projects (NSIPs).

The Act also strengthens the biodiversity duty placed on public authorities through amendments to the Natural Environment and Rural Communities Act 2006 Section 40, requiring such authorities to not only conserve but also enhance biodiversity when exercising their functions. Public authorities will also be required to publish summary reports of actions taken under Section 40 at least every five years.

The Act provides the legal basis for the creation of Local Nature Recovery Strategies (LNRSs) for England (including specifying their content), and the preparation and publication of species conservation strategies and protected sites strategies.

It also creates a new legal vehicle known as a 'Conservation Covenant' which is a voluntary, legally binding private agreement between landowners and responsible bodies (the latter designated by the Secretary of State) which conserve the natural or heritage features of the land, enabling long-term conservation. Conservation Covenants are designed to 'run with the land' when it is sold or passed on and are

intended to eventually become a primary mechanism for the delivery of Biodiversity Net Gain (BNG).

The Act provides new powers for the Government to amend in future Regulation 9 and Part 6 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') – but "only if satisfied that the regulations do not reduce the level of environmental protection provided by the Habitats Regulations".

Several aspects of protected species licencing have also been adjusted by the Act. These include the removal of several inconsistencies between the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended), ensuring that licences issued under the former piece of legislation also apply under the latter, and making it now possible for licences to be issued under Section 16(3) of the Wildlife & Countryside Act 1981 (as amended) for purposes of overriding public interest. The maximum term of a licence that can be issued by Natural England has also been extended from 2 to 5 years.

The biodiversity gain condition under the Environment Act 2021 came into force on 12 February 2024 for major developments and on 2 April 2024 for small sites, through amendments to the Town and Country Planning Act 1990. From 6 August 2026, developments with a site area of 0.2 hectares or below are exempt from the mandatory biodiversity gain requirement, unless onsite priority habitat is present and would be negatively affected. Biodiversity Net Gain will also apply to Nationally Significant Infrastructure Projects (NSIPs) from 2 November 2026.

Planning Policy and Guidance

This section set out the main planning policy and government guidance that relates to the conservation of nature at all levels of government.

National Level

National Planning Policy Framework 2026

The National Planning Policy Framework (NPPF) (August 2026) sets out the Government's planning policies for England and how these should be applied in local level policy and decision making. The Framework uses lettered policies in place of paragraph numbers. It carries a presumption in favour of sustainable development (Policies S3 to S5); the presumption does not apply where development would have a substantial adverse impact on areas of particular importance for biodiversity or geodiversity (Policy S4(2)(a)(ii)), and development affecting a habitats site remains subject to the appropriate assessment requirements of the Habitats Regulations (Policy N6(1)(a)).

Chapter 19 of the NPPF (Policies N1 to N6) provides the policies for conserving and enhancing the natural environment. Those most relevant to biodiversity net gain are summarised below.

Development proposals should:

- consider the environmental qualities of the land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced, including through requirements for biodiversity net gain where these apply (Policy N2(1)(a));
- take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies (Policy N2(1)(c));
- minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs (Policy N2(1)(f)); and
- be refused where significant harm to biodiversity cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for (Policy N2(2)).

Biodiversity Net Gain

The Environment Act 2021 makes provision for a minimum 10% biodiversity gain, as measured by the statutory biodiversity metric (published by Natural England), to be a condition of planning permission in England. This requirement came into force on 12 February 2024 for major development and on 2 April 2024 for small sites. A publicly accessible register of Biodiversity Gain Sites has been established, and the statutory metric and associated secondary legislation have been published.

The Act specifies that biodiversity gain can be delivered on and/or offsite and establishes the basis for purchasing off-site credits to meet the 10% obligation if required. Land used to deliver biodiversity gain must be maintained for at least 30 years, and planning conditions will require a biodiversity gain plan to be submitted to and approved by the planning authority prior to commencement of development.

It also clarifies that the baseline biodiversity value of a site should be taken from the date on which planning consent is granted, unless otherwise agreed with the LPA (but not before the secondary legislation comes into force). This excludes any activities undertaken without planning permission (or other relevant permissions) after 30 January 2020 which have had the effect of reducing the biodiversity value of the land.

In such cases, "the pre-development biodiversity value is to be taken to be its biodiversity value immediately before the carrying on of the activities."

Biodiversity net gain is embedded in the Framework at Policy N2. Policy N2(3) provides that development proposals may incorporate enhancements which exceed the statutory objective, but that this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations. Decision makers should not give weight to other development plan policies which require biodiversity gains beyond the statutory framework, including where a policy requires gains for development proposals which are exempt.

Enhancement measures may not just benefit biodiversity. There are many functional benefits to be won from strategically planned green infrastructure projects such as semi-natural urban green spaces, sustainable drainage schemes (SUDS) and green roof.

APPENDIX 2 – Legal and Technical Limitations

- This report has been prepared by BlueJay Ecology Ltd with all reasonable skill, care, and diligence as required by the terms of the contract agreed with the Client. It is based upon the information provided to us by the Client and other relevant sources made available at the time of its preparation. BlueJay Ecology Ltd makes no further warranty, expressed or implied, regarding the completeness or accuracy of the professional advice provided within this report, or any other associated services we may have delivered.
- This report and its contents are provided solely for the use of the Client and are confidential. Except where submission to the Local Planning Authority is required in connection with a planning application, and solely for the purpose of the Authority publishing the report on the planning portal, this report must not be disclosed, reproduced, or distributed to any third party without the prior written consent of BlueJay Ecology Ltd.
- Publication of this report on the planning portal by the Local Planning Authority does not confer any right of use, reliance, or ownership on any third party. BlueJay Ecology Ltd accepts no duty of care, responsibility, or liability to any party other than the Client in respect of the whole or any part of the contents of this report. Any third party who chooses to access, use, or rely upon this report, whether via the planning portal or otherwise, does so entirely at their own risk.
- This report shall not be relied upon by any party other than the Client without the express written agreement of BlueJay Ecology Ltd.
- The assessments and conclusions set out in this report are based upon the understanding that the sites and facilities evaluated will continue to be used for their current, stated purpose without significant alteration. Should any material change to the use or development of the site occur, BlueJay Ecology Ltd reserves the right to review and potentially revise the findings of this report considering such changes.
- It should be noted that while BlueJay Ecology Ltd strives to provide accurate and reliable advice, this report does not constitute legal advice, and as such, the Client is advised to seek independent legal counsel where matters of law are concerned. Professional legal advice may be necessary to fully understand the legal implications of the ecological findings and recommendations set out herein.
- The ecological assessments within this report are founded on field surveys and data that were accurate at the time of collection. These findings, however, should not be considered reliable beyond a maximum period of two years from the date of the original surveys. The dynamic nature of ecological systems means that changes can occur rapidly, including the colonization of the site by species that were absent during the initial survey period.
- The findings and recommendations in this report have been derived using factual information from third-party maps, databases, and documents. BlueJay Ecology Ltd disclaims any liability for inaccuracies or errors contained in these external sources of information and assumes no responsibility for the consequences of relying on this data.
- While considerable effort has been made to represent the location of ecological features with precision, BlueJay Ecology Ltd advises that the exact position of mapped features

should not be solely relied upon for design or decision-making purposes without ground verification.

- It is important to recognize that the distribution and presence of flora and fauna are inherently variable. A single survey visit provides only a snapshot in time and may not capture all species present on the site. Survey results can be influenced by numerous factors, including the time of year, prevailing weather conditions, and specific survey methodologies. Although thorough efforts were undertaken to document indicators of protected, rare, and notable species within and around the site, there remains the possibility that some species went undetected.
- Any activities or interventions recommended within this report should be undertaken in compliance with applicable health and safety regulations. BlueJay Ecology Ltd recommends that a comprehensive risk assessment is carried out prior to the initiation of any works to ensure that they meet all required safety standards and procedures.
- All conclusions, recommendations, and opinions expressed in this report are based on BlueJay Ecology Ltd.'s current professional knowledge, as well as our interpretation of existing UK ecological standards, codes of practice, and legislation at the time of writing. We emphasize that changes in relevant legislation, policy, or best practice guidelines could potentially impact the validity of the findings herein. BlueJay Ecology Ltd assumes no responsibility to update or revise the content of this report in response to such changes unless specifically instructed to do so by the Client.