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<b>Report To:</b>	<b>Planning &amp; Environment Committee</b>	<b>Date:</b>	<b>15 September 25</b>
<b>Contact Officer:</b>	<b>Paula Harrison</b>		
<b>Subject:</b>	<b>Bio diversity Net Gain</b>		

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## 1. PURPOSE

- 1.1 An email has been circulated from Swindon Borough Councillor Jane Milner Barry, a copy of which is attached as *Appendix A*. The purpose of this report is to provide the Planning & Environment Committee with information relating to the requirement for housing/property developers to achieve Biodiversity Net Gain (BNG). The Environment Act 2021 mandates Biodiversity Net Gain for most development projects in England, requiring a 10% increase in biodiversity compared to pre-development conditions.

## 2. DETAIL

### 2.1 *Land Suitability and Minimum Requirements*

For landowners, including parish councils, there is potential to provide land that could be registered for off-site BNG units. Suitable land is typically areas that can be enhanced for wildlife, such as grassland, meadows, hedgerows, wetlands, or woodlands. The minimum land size is generally considered to be 0.5 hectares (Kiln Park would be similar), although smaller parcels may be viable if they connect to larger habitats or form part of a strategic biodiversity corridor. Land that is already designated as high-value habitat, such as Sites of Special Scientific Interest (SSSIs), is not usually appropriate, as BNG is focused on creating additional biodiversity value rather than preserving existing statutory protections.

### 2.2 *Management and Interventions*

BNG is not about preserving the status quo of a site. To generate biodiversity units, landowners are required to commit to enhancement and long-term management for a minimum of 30 years. This may include interventions such as new tree planting, the creation of wildflower meadows, the establishment of ponds or wetlands, or the restoration of hedgerows. Each intervention is assessed and quantified using Natural England's Biodiversity Metric, which calculates the biodiversity value before and after the planned works.

### 2.3 *Next Steps and Parish Council Considerations*

For the Parish Council, the next step would be to consider whether there are any areas of land under its management that might be suitable for biodiversity enhancement. This would involve assessing the current condition of land, its potential for habitat creation, and its connectivity to wider green networks. If land is deemed appropriate, the Council could explore entering into agreements with Swindon Borough Council for developers who are seeking off-site BNG opportunities. This could provide both an environmental benefit to the community and a potential income stream through land management payments. It is unclear at this stage which organisation would have the financial benefit from long-term stewardship responsibilities. West Swindon has multiple sites that it retains as green public open space but the majority are maintained for public access. Sites that could be considered are

- Rivermead wetland
- Smaller sites are existing copses (Greendown Copse, Shaw Ridge copses, Peatmoor Woodland) or sections of parkland e.g. Toothill Park, Kiln Park, Shaw Ridge Linear Park

or no mow areas such as Eastleaze field.

## 2.4 Source of Income

The income associated with BNG arises from developers who are required to purchase biodiversity units in order to meet their statutory 10% net gain obligation. These payments are made directly to the landowner or to the manager of the off-site land, such as a Parish Council, under a legally binding conservation covenant or Section 106 planning agreement. The payments are intended to cover the costs of habitat creation, enhancement, and the long-term management and monitoring of the site over the 30-year period.

Guidance on these arrangements is set out in the Environment Act 2021 and further detailed in Defra's Statutory Biodiversity Metric and BNG Guidance (2024). From the originating email, it is unclear what amount of funding would be funnelled to the Parish Council.

## Different Types of Habitat

Criteria for pricing up biodiversity net gain cost per unit are based on the broad habitat type and location, the significance of the necessary improvements, the long-term management costs, the market demand for environmental offsets, and even such things as the rarity of the habitat. Statutory credit prices, however, are set high compared to unit prices, with a spatial risk multiplier usually calculating that *two* credits will account for every *one* unit compensated. In terms of each specific habitat type, the general habitat list includes:

<ul style="list-style-type: none"> <li>• Deciduous Woodlands</li> <li>• Heathland and Scrubs</li> <li>• Individual Trees</li> <li>• Lakes and Ponds</li> <li>• Lowland Meadows</li> </ul>	<ul style="list-style-type: none"> <li>• Neutral Grasslands</li> <li>• Traditional Orchards</li> <li>• Watercourse Units</li> <li>• Wet Woodlands</li> <li>• Woodland and Forests</li> </ul>
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<i>Habitat Type</i>	<i>Habitat Distinctiveness</i>	<i>In LPA* / NCA** Price</i>	<i>Supply Levels</i>
<i>Heathland and Scrub</i>	<i>Medium</i>	<i>£31,500</i>	<i>Abundant</i>
<i>Individual Trees</i>	<i>Medium</i>	<i>£35,200</i>	<i>Uncommon</i>
<i>Lakes / Ponds Non-Priority Habitat</i>	<i>Medium</i>	<i>£65,625</i>	<i>Uncommon</i>
<i>Lowland Meadow</i>	<i>Very High</i>	<i>£41,375</i>	<i>Uncommon</i>
<i>Mixed Deciduous Woodland</i>	<i>High</i>	<i>£57,125</i>	<i>Uncommon</i>
<i>Other Neutral Grassland</i>	<i>Medium</i>	<i>£27,200</i>	<i>Abundant</i>
<i>Traditional Orchard</i>	<i>High</i>	<i>£42,700</i>	<i>Scarce</i>
<i>Watercourses</i>	<i>High</i>	<i>£164,575</i>	<i>Very Rare</i>
<i>Wet Woodland</i>	<i>Medium</i>	<i>£40,825</i>	<i>Scarce</i>
<i>Woodland and Forest</i>	<i>Medium</i>	<i>£32,800</i>	<i>Uncommon</i>
<i>Woodland and Forest</i>	<i>High</i>	<i>£49,300</i>	<i>Scarce</i>

BNG Pricing – England (South) (Biodiversity Units UK) \*Local Planning Authority \*\*National Character Area

## **2.5 *Risks and Long-Term Commitments***

Participation in the programme requires careful consideration. The legal agreements involved are binding for at least 30 years, which creates a significant long-term commitment for the Parish Council. It is not known at this stage whether the agreements and income will belong to Swindon Borough Council or the Parish Council.

There may also be resource implications in terms of staff capacity and specialist ecological monitoring to evidence that biodiversity improvements are being achieved and maintained. The Parish Council would need to weigh up whether the financial income from developer agreements (if it receives it) is sufficient to cover the costs of land management and reporting.

Additionally, once land is registered for BNG, it may restrict alternative uses of that site in the future. For these reasons, a detailed assessment of both benefits and obligations should be undertaken before entering into any formal agreements.

## **3. RECOMMENDATION:**

- 3.1 It is recommended that the Committee awaits clearer information from Swindon Borough Council on the process for assessment, support for implementation and distribution of funding.