



SURREY HEATH BOROUGH COUNCIL

BIODIVERSITY NET GAIN (BNG) REQUIREMENTS AND GUIDANCE

2024

DRAFT

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I. Purpose and Status of this document

Mandatory Biodiversity Net Gain commences on 12th February 2024.

This document is published in draft, for the purposes of:

- 1. Indicative advice to applicants, in addition to the national requirements and guidance for mandatory Biodiversity Net Gain**
- 2. Consultation on amendments to the requirements of the Council's Local Validation List**

The purpose of this document is to set out what information is required in relation to Biodiversity Net Gain for planning applications in Surrey Heath, further to the summary requirements of the Local Validation List.

Please read this document carefully before submitting your application. To assist with the submission of an application, various reference sources for further information and guidance are provided throughout this document. If in any doubt about what information needs to be submitted, please contact the Council for advice. We also recommend obtaining advice on precise requirements for a proposal, as part of the Council's pre-application service.

Failure to provide all the requisite mandatory and local requirements will result in the application not being registered and processed. Please note that if your application is found to be invalid you will be given 6 weeks in which to make it valid. After that, it may be returned. The statutory period for determination of a planning application commences from the registration date of a valid application.

If you have any queries or require any further information, please email development.control@surreyheath.gov.uk



2. What is mandatory Biodiversity Net Gain?

Biodiversity Net Gain (BNG) requires development to be planned and designed in ways that minimise any loss or damage to existing habitats, to compensate for any damage caused by the development and to deliver a net positive gain in biodiversity through enhancements. Development must achieve at least a 10% net gain in biodiversity value, compared to pre-development baseline. This is a mandatory requirement of the Environment Act (2021) and various pieces of secondary legislation.

For national information about BNG, see the full collection of [Biodiversity Net Gain pages on Gov.uk](#).

The Future Homes hub has published helpful [BNG guidance for residential developers](#), including a process map and a blog about the language of BNG.

All planning projects subject to BNG should consider biodiversity from the outset. As a minimum at very early in the site design stage, and ideally/in the future, at site selection stage. This will help deliver a high quality development scheme and minimise the need for providing replacement habitats.

BNG is based on the calculation of biodiversity value using a standardised methodology of the biodiversity metric. The biodiversity metric must be completed by a competent person. Applicants are advised to take advice from a suitably qualified and experienced ecologist.

Prior to determination of the application, the Council must consider whether the general biodiversity gain condition is capable of being successfully discharged. The information required to enable the Council to do this, is outlined in this document.

A Section 106 legal agreement may be required, to secure any offsite gains for the development, and/or significant onsite habitat enhancements. A finalised Biodiversity Gain Plan must be submitted and approved by the Council, prior to the commencement of the development.



3. When is Biodiversity Net Gain required?

Mandatory BNG [is commencing](#) on a phased basis, as set out in the table below. This includes full planning applications and outline applications with some or all matters reserved.

Table 1: Dates for the commencement of BNG in relation to date of receipt of a planning application

Scale of development	Date	Details
Major development	From 12 th February 2024	This includes: <ul style="list-style-type: none"> Residential development providing 10 or more homes, or the site has an area of 0.5 hectares or more, if number not known Non-residential development providing an additional 1,000m² of more of floorspace Any application site of 1 hectare or more.
Minor development	From 2 nd April 2024	This includes: <ul style="list-style-type: none"> Residential development where the number of dwellings is between 1 and 9, or if unknown the site area is less than 0.5 hectares Commercial development where floor space created is less than 1,000 square metres or the total site area is less than 1 hectare
Change of use	From 12 th February 2024	This includes all scales of change of use. Note the de minimis exemption may apply in some cases.



Exemptions

The following types of applications are exempt from BNG. Exemptions are set out in the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). Change of use applications are not exempt.

The main categories of exemption are:

- Householder applications
- Permitted development submissions
- Some self-build and custom-build⁽¹⁾ developments
- Development with a below 'de minimis'⁽²⁾ impact on habitat

(1) Self-build and custom build exemption is if the development consists of no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are self-build or custom housebuilding.

(2) De minimis exemption is if the development does not impact any onsite priority habitat and the development only impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and less than 5 metres in length of onsite linear habitat.

You must seek advice from an ecologist if you intend to claim exemption under the 'de minimis habitat' exemption category. Evidence of the biodiversity baseline value must be submitted – see [‘What information is required to demonstrate exemption?’](#)

Exempt types of development must nonetheless undertake ecological surveys and measures to mitigate impacts and deliver compensation for loss of biodiversity, if required. For example to address impacts on priority habitats and protected species, in accordance with CPI4 (Biodiversity and Nature Conservation) of the Local Plan and the National Planning Policy Framework. Details of ecological considerations beyond BNG are outlined in the [Biodiversity and the Planning Process](#) (2019), published by the Surrey Nature Partnership.



4. Pre-application considerations

Development proposals should consider BNG biodiversity from the outset.

Key steps in this process are suggested to include:

- commissioning a biodiversity baseline assessment
- layout design
- BNG viability assessment (note exemption from mandatory BNG on viability grounds is not an option)
- identifying BNG requirements and opportunities
- consider local ecological assests and networks and how the scheme can contribute positively to these
- consider offsite habitat enahncements options, if necessary
- finalise BNG statement and submit with planning application

If offsite habitat enhancement is needed, it is advised to identify suitable offsite biodiversity enhancements and potentially reserve capacity with a habitat bank/landowner, on a provisional basis to in advance of submitting a planning application.

The Future Homes hub has published helpful BNG guidance for residential developers, including a [process map](#) which covers key steps in the pre-application phase.



5. What BNG information must be submitted to accompany an application?

The following information must be submitted with the application:

- ☐ A Biodiversity Statement
- ☐ Biodiversity metric spreadsheet
- ☐ Onsite Biodiversity baseline plan
- ☐ Onsite Biodiversity draft proposed plan (unless claiming exemption)

The required contents and format of these documents is set out in Table 2, below.

The requirements incorporate the requirements set out in the [Biodiversity Net Gain Planning Practice Guidance](#), as well as information required for the LPA to decide – prior to determination of the application - whether the general biodiversity gain condition is capable of being successfully discharged and whether a S106 agreement is required.

In summary, this means that all **onsite** information (pre- and post-development) habitats is required at application stage. The information about any **offsite** habitat biodiversity gains required, will depend on the proposed approach. If local biodiversity units or national credits will be purchased, full details are unlikely to be required. If a separate biodiversity gain site is proposed, then detailed information about this will be required at application stage.

If the information set out here is not provided, the LPA will not validate the application.



Table 2: Supporting Documents to accompany the application

Item	Information and Guidance
Biodiversity Statement	<p>To comply with national minimum requirements, the statement must include the following:</p> <ul style="list-style-type: none"> • whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition; • the pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date) • where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date; • the publication date and version of the biodiversity metric used to calculate the pre-development biodiversity value • whether the pre-development biodiversity value is affected by degradation (see details in Planning Practice Guidance)* • details of any irreplaceable habitat present, if applicable (see Planning Practice Guidance and Irreplaceable Habitats Regulations 2024). In Surrey Heath this currently limited to Ancient Woodland and Ancient and Veteran trees and the inclusion of other habitats is subject to consultation in 2024. <p><i>*Note that any habitats damaged or destroyed by unauthorised activities occurring post 30th Jan 2020 will need to be included within the calculations based on their former habitat type and condition and degradation activities in connection with a previous planning permission carried out after 25 August 2023 should also be recorded as the biodiversity value immediately before the carrying out the activities.</i></p> <p>In addition to the above, if BNG is applicable, in order to enable the LPA to determine whether the general biodiversity gain condition is capable of being successfully discharged, and whether a S106 legal agreement will be required, the Biodiversity Statement must (subject to Local Validation List consultation) also include the following (or if desired these details can be submitted in the form of a submission of a draft Biodiversity Gain Plan):</p> <ul style="list-style-type: none"> • the proposed post-development biodiversity value of the onsite habitat • a commentary on how the proposed scheme follows the BNG hierarchy • details of proposed bespoke compensation for irreplaceable habitats, if relevant



Item	Information and Guidance
	<ul style="list-style-type: none"> if offsite provision is proposed, you must provide an indicative commentary of where and how it is intended that biodiversity gains will be secured e.g. by developer on other land, by purchasing units from a local habitat bank and/or by purchasing national biodiversity credits (see Biodiversity units and National Credits sections of guidance) condition assessment sheets used in completion of the biodiversity metric for onsite habitats should be provided as an Appendix to the Biodiversity Statement, for habitats that require condition assessment (see Defra Biodiversity metric) <p>This information should be prepared by a competent person – see note below.</p> <p>A habitat survey report is also desirable to submit.</p>
Biodiversity metric	<p>To comply with national and local requirements:</p> <p>The statutory Defra metric must be used.</p> <p>The metric should be submitted in its entirety, as an Excel spreadsheet. <u>Do not delete unpopulated tabs, even if they are not relevant to the application.</u></p> <p>Information submitted must include:</p> <ul style="list-style-type: none"> Input tabs of the spreadsheet, including background details, pre-development biodiversity value, details of any irreplaceable habitats present, the draft proposed post-development biodiversity value Results tabs of the spreadsheet, including trading summaries <p>The biodiversity metric must be completed by a competent person.</p>
Biodiversity site plans	<p>To comply with national requirements, the following must be submitted:</p>



Item	Information and Guidance
	<ul style="list-style-type: none"> An Onsite Biodiversity baseline plan, drawn to an identified scale and with North arrow, showing onsite habitats (in UK Habitat classification) which must align with the Biodiversity metric spreadsheet. <p>In addition to the above, to enable the LPA to determine whether the general biodiversity gain condition is capable of being successfully discharged, the Biodiversity Statement must also include the following:</p> <ul style="list-style-type: none"> An Onsite Biodiversity draft proposed plan drawn to an identified scale and with North arrow, showing onsite habitats proposed, to achieve, or contribute towards, net gain.

Who is a 'competent person' to complete the Biodiversity metric and advise on BNG?

A competent person has the knowledge and skills to perform specified tasks to complete and review metric calculations. You obtain this through training, qualifications, experience, or a combination of them. Competency is aligned with the British Standard 'Process for designing and implementing biodiversity net gain (BS 8683:202)'.

The use of the biodiversity metric does not replace existing ecological advice and expertise. It should be used in conjunction with advice from a competent person(s) **commensurate with the scale and the impacts of the project**. A competent person may be an ecologist, or another environmental professional with the necessary understanding of BNG, depending on the site.

If a river condition assessment is required, the competent person must be a qualified assessor to undertake this assessment. [Find out more about getting accredited in river condition assessment methodology](#)



The council is unable to recommend particular consultant ecologists, but many ecologists / ecology practices will be registered with [CIEEEM](#) and/or, in some cases the [Landscape Institute](#).

Also see sections on ‘Designing for BNG’ later in this guide.

What information is required to demonstrate exemption?

The evidence required to demonstrate exemption will depend upon the basis of the exemption, as set out in Table 3. Examples of scenarios of exemptions, are provided in the national [BNG Planning Practice Guidance](#).

Table 3: Details of how to demonstrate exemption from BNG

Basis of exemption	Details
Householder application	<ul style="list-style-type: none"> • Tick the relevant box for exemption on the Householder application form
Minor development temporary exemption	<ul style="list-style-type: none"> • Tick the relevant box for exemption on the Full application form (only up to 2nd April 2024)
Self-build or custom build	<ul style="list-style-type: none"> • Tick the relevant box for exemption on the Full application form – see thresholds for scale of development in ‘Exemptions’ section or at Biodiversity Gain Requirements (Exemptions) Regulations 2024
De minimis habitat	<ul style="list-style-type: none"> • Tick the relevant box for exemption on the Full application form • Biodiversity Statement - see below for required content

In order for Council to verify that the application should be exempt from BNG, the following information is required in the form of a Biodiversity Statement:

- whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;



- the pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date)
- where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- the publication date and version of the biodiversity metric used to calculate the pre-development biodiversity value
- whether the pre-development biodiversity value is affected by degradation (see details in Planning Practice Guidance)
- details of any irreplaceable habitat present, if applicable (see Planning Practice Guidance and Irriplaceable Hab regs
- Biodiversity metric spreadsheet containing pre-development baseline biodiversity value calculation
- Biodiversity baseline habitat plan



6. General Biodiversity Condition

If the application is eligible for BNG and the Council is satisfied that at least 10% biodiversity net gain is capable of being achieved, the General Biodiversity Condition, in accordance with the Environment Act, will be attached to the planning permission. This will require the submission of, a full and finalised [Biodiversity Gain Plan](#), and subsequent implementation of the Plan.

7. Planning obligation for Habitat Management and Monitoring

Prior to the determination of the planning application, the Council will discuss with the applicant whether a Section 106 agreement (S106) is required.

A S106 **is** always required if there are:

- any offsite biodiversity gains which the developer is providing from another site.

A S106 **may be** required if there are:

- significant onsite habitat enhancements

The Council will determine the most appropriate form of planning obligation (condition or S106) to secure the enhancements.

The Council may also secure an LPA auditing fee, to review monitoring information over the 30 year period.

Biodiversity units purchased from an already registered Biodiversity Gain site (also known as a 'habitat bank') will not need a S106 in connection to the planning application as the units will already have a legal agreement in place. Similarly a S106 is not



required in relation to national biodiversity credits. Proof of purchase of registered local units or national credits must be provided in the Biodiversity Gain Plan, at discharge of condition stage.

Further guidance on planning obligations for on- and offsite gains is available in national guidance including:

[Make onsite biodiversity gains as a developer](#)

[Make offsite biodiversity gains as a developer](#)

[Legal agreements to secure your biodiversity net gain](#)



8. What BNG information must be submitted prior to commencement of development?

The following information must be submitted with an [approval \(discharge\) of condition](#) application:

- ☐ A Biodiversity Gain Plan (including details of offsite units/credits, if relevant)
- ☐ Biodiversity metric spreadsheet
- ☐ Onsite Biodiversity post-development proposed plan
- ☐ Offsite Biodiversity pre- and post-intervention plans (if applicable)

The finalised [Biodiversity Gain Plan](#), using Defra's template, must be submitted and approved by the LPA, prior to the commencement of development. This must then be implemented in accordance with the General Biodiversity Condition.

In addition to the Biodiversity Gain Plan, the following information must be submitted, if required by a S106 or Condition: obligation:

- ☐ A Habitat Management and Monitoring Plan

A [Habitat Management and Monitoring Plan](#) (HMMP), using Defra's template, must be submitted and approved, prior to commencement of development, if the site includes significant onsite habitat enhancements, and/or if there will need to be any offsite habitat enhancements which are not secure through an existing legal agreement. The definition of significant onsite habitat enhancements will be considered on a case by case basis, in line with the latest guidance.

The HMMP should be submitted to the council via email development.control@surreyheath.gov.uk.



The council will give further consideration to how the Landscape and Ecological Management Plan (required for the full scope of landscape and ecology matters relevant to the permission), will relate to the Habitat Management and Monitoring Plan (HMMP) required for BNG. Further guidance will be provided on this in the future.



9. What information must be submitted for monitoring the delivery of BNG?

The following information must be submitted, if a planning obligation (Condition or S106) for a HMMP is in place:

- ☐ A Biodiversity Gain Monitoring report
- ☐ A Biodiversity Gain Monitoring spreadsheet

Monitoring Reports must be prepared in accordance with the terms set out in the Condition or S106 agreement and the approved Habitat Management and Monitoring Plan.

The Natural England [Monitoring Report Template](#) (Word document and Excel spreadsheet) must be used to report progress updates on the delivery of the agreed Habitat Management and Monitoring Plan.

The Word template facilitates presentation of the details needed to evidence the progress of the monitoring. The Excel template is for the presentation of the key quantitative data in a concise format, which can be collated by the Council in a consistent format.



10. Designing for Biodiversity Net Gain

Under mandatory biodiversity net gain (BNG) legislation, developers must deliver a biodiversity net gain of at least 10%, as measured by the statutory biodiversity metric. A sequential approach known as the biodiversity gain hierarchy, must be followed. For the purpose of the statutory framework for biodiversity net gain the biodiversity gain hierarchy is set out in Article 30A of the Development Management Procedure Order.

The biodiversity gain hierarchy means the following actions in the following order of priority:

1. avoiding adverse effects of the development on onsite habitat;
2. so far as those adverse effects cannot be avoided, **mitigating those effects**;
3. so far as those adverse effects cannot be mitigated, **habitat enhancement of onsite habitat**;
4. so far as there cannot be that enhancement, **creation of onsite habitat**;
5. so far as there cannot be that creation, the availability of **registered offsite biodiversity gain**;
6. so far as that offsite habitat enhancement cannot be secured, .

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

What you can count towards a development's biodiversity net gain is outlined in national policy guidance on additionality. For example if habitat creation and enhancement for mitigation and/or compensation in relation to protected species, can be counted towards BNG, including towards the 10% net gain target, if the habitat is being provided within the redline boundary of the site. If the mitigation and/or compensation habitat for protected species is being provided offsite, it can contribute, but only up to no net loss. Similar rules apply to if habitat is being provided to comply with other policies, for example provision of green infrastructure or sustainable drainage. See '[What you can count towards a development's BNG](#)'.



Further guidance on designing for BNG and wider Green infrastructure

CIEEM, IMEA and CIRIA have developed the handbook [Biodiversity Net Gain: Good practice principles for development](#) which is recommended by the Council.

The British Standard 8683 - [Process for designing and implementing biodiversity net gain](#), from the British Standards Institution (BSI).

Natural England have produced a [Green Infrastructure Planning and Design Guide](#) which provides practical, evidence-based advice for good quality green infrastructure, including how to plan, design, deliver and manage green infrastructure. This supports the national [Green Infrastructure Framework](#).

Surrey County Council has also published [Green and Blue Infrastructure Best practice and case studies](#).

Other useful guidance, particularly for development within existing urban areas, is the [Urban Greening and BNG Design Guide](#), published by the Greater London Authority in partnership with London Wildlife Trust. This guidance is particularly useful in relation to development located adjacent to any of the borough's Sites of Nature Conservation Importance (SNCI). In the London guide these are referred to as SINCs. Development close to a SNCI in Surrey Heath should be planned to positively relate to the wildlife site. Advice of this is included within the GLA guidance referenced above, the principles of which are relevant to Surrey Heath and is provided in lieu of locally specific guidance on this matter. The locations and qualifying characteristics of SNCIs should be sought from the [Surrey Biodiversity Information Centre](#). An overview of the locations of SNCIs can be seen at Appendix 2, and also on Surrey Heath's [Planning Map](#), under the Local Development Framework section.

Surrey Nature Partnership's [Biodiversity Opportunity Area \(BOA\) Policy Statements](#), along with other sources of ecological data from the Surrey Biodiversity Information Centre, should be considered when producing a Biodiversity Gain Plan.



However it is recognised that BOAs are focused on rural areas and the priority habitats identified for restoration and creation are most likely to be relevant to **offsite** Biodiversity Gain sites where there are larger scale opportunities for habitat enhancement which are not within residential or other developed areas. Furthermore, development sites are typically unlikely to be located within BOAs in any case. Urban area sites, should however include wildlife-rich 'urban greening' landscaping, and this could take cues from locally relevant priority habitats, such as through native plant/tree species. As previously mentioned, the London 'Urban Greening and BNG Design Guide' is a useful source of advice.

There are five BOAs in Surrey Heath, all of which are within the Thames Basin Heaths (TBH) National Character Area:

- Chobham Common North & Wentworth Heaths (TBH01)
- Chobham South Heaths (TBH02)
- Colony Bog, Bagshot Heath & Deepcut Heaths (TBH03)
- Ash, Brookwood & Whitmoor Heaths (TBH04)
- Camberley & Broadmoor Heaths (TBH07)

Further details on the profile of each area and the priority habitats selected within the objective to restore and create more areas of priority habitat, are provided in the relevant policy statement i.e. [Thames Basin Heaths BOAs](#), available via the Surrey Nature Partnership. A summary of the habitats identified in the BOAs is set out in Table 4.

Table 4: Priority habitats in Surrey Heath and the relevant Biodiversity Opportunity Area

Habitat	Description	Cited as Priority habitat in Biodiversity Opportunity Area:
Acid grassland	Found on free-draining sands and gravels that are low in nutrients. They usually contain a limited range of fine-leaved	<ul style="list-style-type: none"> • Chobham Common North & Wentworth Heaths (TBH01) • Chobham South Heaths (TBH02)



	grasses and wildflowers that support a distinctive group of insects and other invertebrates.	<ul style="list-style-type: none"> • Colony Bog, Bagshot Heath & Deepcut Heaths (TBH03) • Ash, Brookwood & Whitmoor Heaths (TBH04) • Camberley & Broadmoor Heaths (TBH07)
Heathland (lowland dry heath)	Found on free-draining acid soils that are low in nutrients and consists of a mix of dwarf shrubs such as heather, broom and gorse and tussocky grasses. This habitat supports rare species including smooth snake and sand lizard and birds such as the Dartford warbler, Nightjar and Woodlark.	<ul style="list-style-type: none"> • Chobham Common North & Wentworth Heaths (TBH01) • Chobham South Heaths (TBH02) • Colony Bog, Bagshot Heath & Deepcut Heaths (TBH03) • Ash, Brookwood & Whitmoor Heaths (TBH04) • Camberley & Broadmoor Heaths (TBH07)
Fen	A type of wetland habitat found on waterlogged ground, with vegetation comprising a mix of reeds, rushes and sedges. Often found in a mosaic with dry heathland (see above). Fens provide multiple ecosystem services, such as carbon storage, natural flood defence by slowing water flows and natural water purification.	<ul style="list-style-type: none"> • Chobham Common North & Wentworth Heaths (TBH01) • Chobham South Heaths (TBH02) • Colony Bog, Bagshot Heath & Deepcut Heaths (TBH03) • Camberley & Broadmoor Heaths (TBH07)
Mixed Deciduous woodland	Woodlands with mixed deciduous species including Oak. As well as importance for trees, they support rare and valuable assemblages of lichen, fungi and invertebrates.	<ul style="list-style-type: none"> • Chobham Commons North and Wentworth Heaths (TBH01) • Camberley & Broadmoor Heaths (TBH07)
Wet woodland	Areas of swampy woodland, characterised by Willow, Birch and Alder that thrive in poorly drained and seasonally flooded soils.	<ul style="list-style-type: none"> • Chobham Common North & Wentworth Heaths (TBH01) • Ash, Brookwood & Whitmoor Heaths (TBH04) • Camberley & Broadmoor Heaths (TBH07)

Furthermore, the Surrey Heath [Landscape Character Assessment 2015](#) provides broad descriptive details of local landscape character, which may be relevant at rural and peri-urban sites.



11. Strategic Significance scoring

A Strategic Significance score of High, Medium or Low must be assigned to each habitat line in the Biodiversity metric, for pre- and post-development habitats. From 2025 onwards, the [Local Nature Recovery Strategy](#) (LNRS) for Surrey will set out which locations and habitats the strategic significance scoring applies to.

In the meantime, existing local biodiversity policies should be used. However, the Council is concerned that - as currently worded – the advised method for the application of ‘High’ strategic in the Biodiversity metric guidance, is not fit for purpose in relation to existing local biodiversity policies.

In anticipation of an update the national guidance for the application of High Strategic Significance in Biodiversity metric, existing local biodiversity spatial policy in Surrey Heath primarily comprises:

- Sites of Nature Conservation Importance
- Surrey Ancient Woodland Inventory
- Surrey’s Biodiversity Opportunity Areas (BOAs) which set out Priority habitat types for enhancement and creation

As soon as updated metric guidance is published, it is envisaged that the above policies will inform strategic significance scoring.

The Council will provide further details on the application of High significance in relation to local biodiversity policies, as soon as possible.



12. Spatial Risk

Where a project cannot achieve a net gain in biodiversity units onsite, then offsite units can be used to meet the BNG requirement. The spatial risk multiplier in the Biodiversity metric, reflects the relationship between the location of onsite biodiversity loss and the location of offsite habitat compensation. It affects the number of biodiversity units provided to a project by penalising proposals where offsite habitat is located at distance from the impact site.

- Surrey Heath lies entirely within the Thames Basin Heaths [National Character Area](#).
- Surrey Heath lies within two [water catchment areas](#): the 'Loddon and Tribb' and the 'Wey and Tribb'

If offsite units are proposed, the Spatial Risk score must be applied, in line with the Biodiversity metric user guide.



13. Biodiversity units and Statutory Credits

Offsite Biodiversity Units

For developers

Guidance to developers needing to secure offsite units is set out at [Make offsite biodiversity gains as a developer](#). A legal agreement must be in place to secure offsite habitat enhancements. This can be in the form of a Section 106 agreement with the Council, if the gain site is located in Surrey Heath. Depending on the impacts of a development and availability of suitable biodiversity units locally (i.e. within the borough), it may be necessary for compensation to provided offsite outside of the LPA.

If you intend to use biodiversity units from a habitat bank, the units must be registered by the provider on the Biodiversity Gain Sites register operated by Natural England (<insert link when published>). You will need to purchase these prior to commencement of development. You must include the relevant information in your Biodiversity Gain Plan, submitted in your discharge of condition application.

For land owners

Land owners considering providing biodiversity units at sites in the borough are advised to contact the Council to discuss this. Please email development.control@surreyheath.gov.uk with initial details of your enquiry. The Council's role will be to assess a proposed Biodiversity Gain site proposal and agree a S106 legal agreement with the landowner, if suitable. Guidance for land owners is provided here at [Understanding Biodiversity Net Gain](#), which includes a six step guide.

The Council welcomes the establishment of local Biodiversity Gain sites, however land owners should note that offsite BNG is a private market and there is no guarantee you will find a buyer. The Council is currently appraising the likely pipeline of



demand for biodiversity units arising from site allocations for residential development in the proposed Local Plan, and is open to discuss this research with prospective providers of Biodiversity Gain sites.

If a land owner wishes to enter into a S106 with the council to secure a Biodiversity Gain site, a Planning Performance Agreement from the site applicant is likely to be required, to cover the council's costs of engaging in the process.

Council provided Biodiversity Units

The Council is developing a portfolio Biodiversity Gain sites to provide compensatory biodiversity units to development within the borough, where it is not possible to achieve sufficient BNG onsite. Further details will be provided here, when available. Developers are under no obligation to use biodiversity units offered by the Council. Furthermore, the Council's provision of offsite units will only be for a limited range of habitats, which may not meet the needs of all development impacts.

Statutory Biodiversity Credits

The [biodiversity credits scheme](#) will allow the government to sell biodiversity credits to developers if the required biodiversity net gains cannot be achieved onsite or through the local offsite market. Biodiversity credits that will be invested in habitat creation at a number of sites across the country. The use of these credits should be the last resort, only where onsite and local offsite biodiversity gains cannot be achieved.

Natural England will sell statutory biodiversity credits on behalf of the Secretary of State. A digital sales platform is currently being developed and tested. The [price of biodiversity credits](#) are set higher than prices for equivalent biodiversity gain on the market.



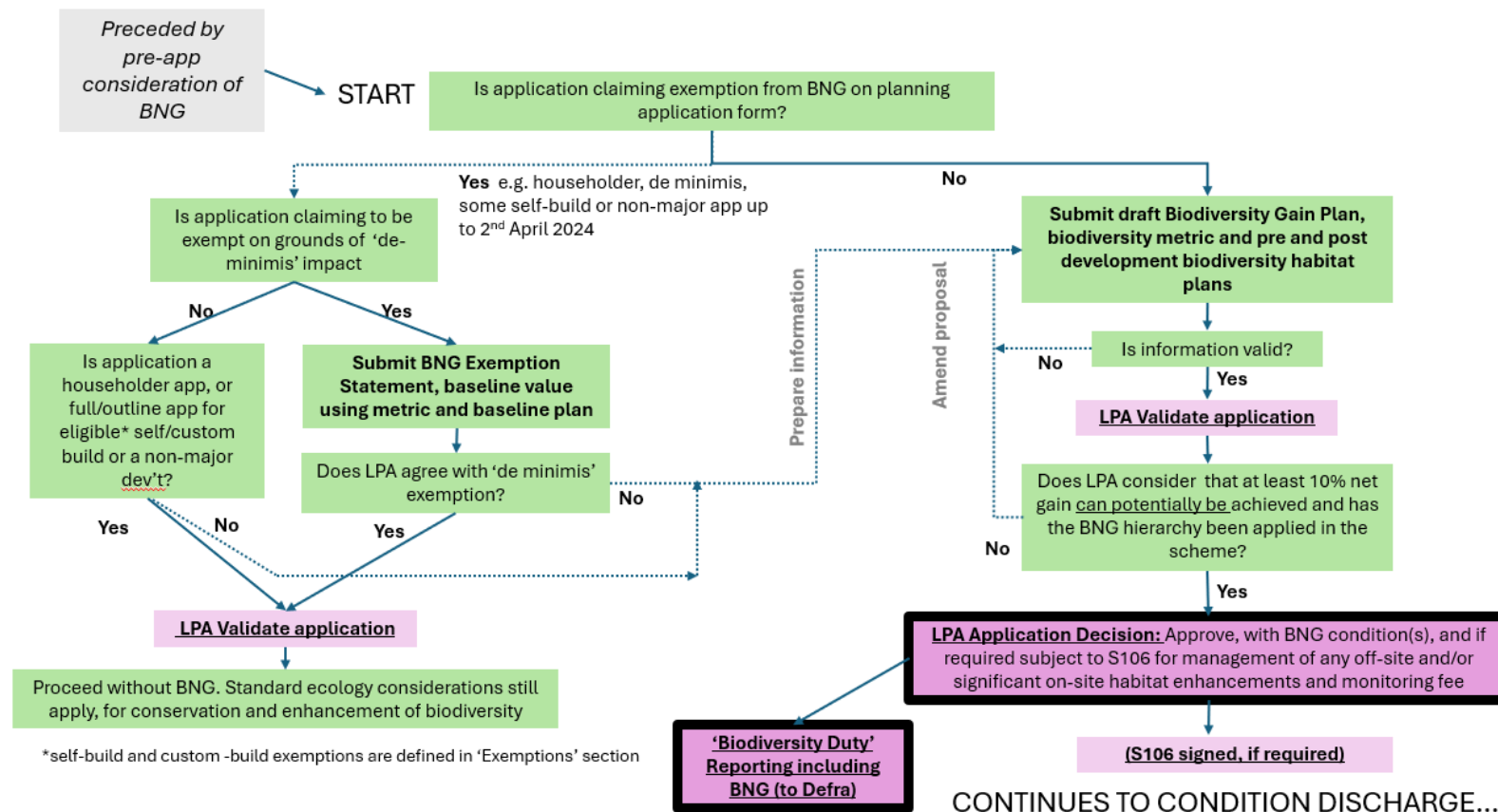
If you intend to use biodiversity credits, you will need to purchase these prior to commencement of development and you must include the relevant information in your Biodiversity Gain Plan submitted in your discharge of condition application.



Appendix I: Biodiversity Net Gain Flowchart

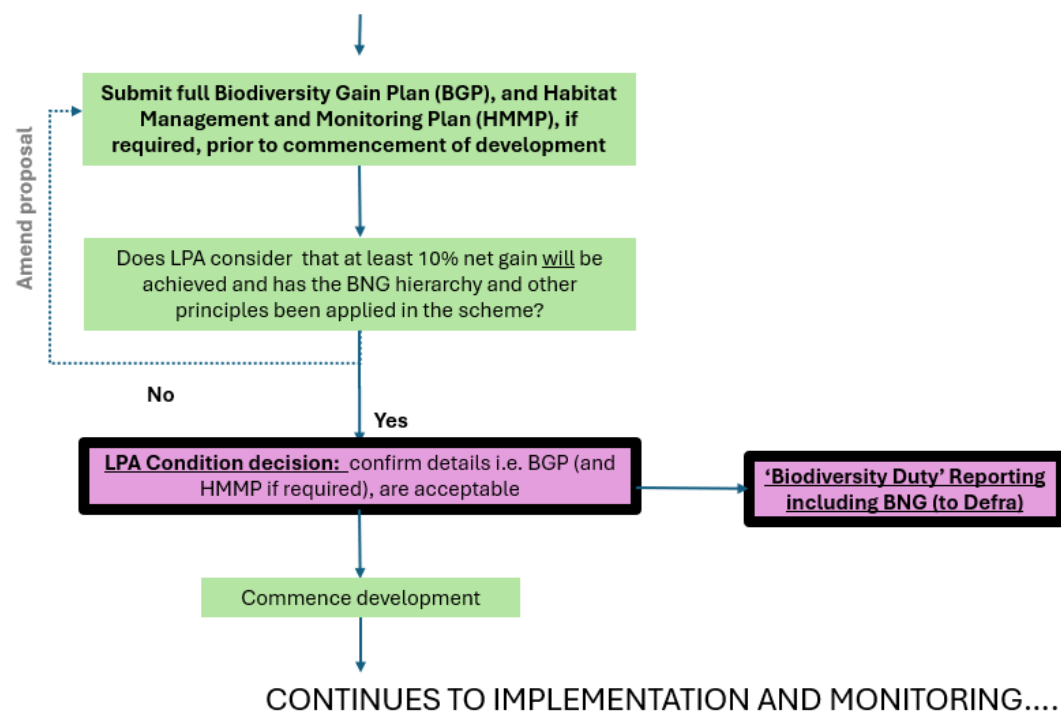
Stage I: Validation and Application Decision

Validation and Application Decision



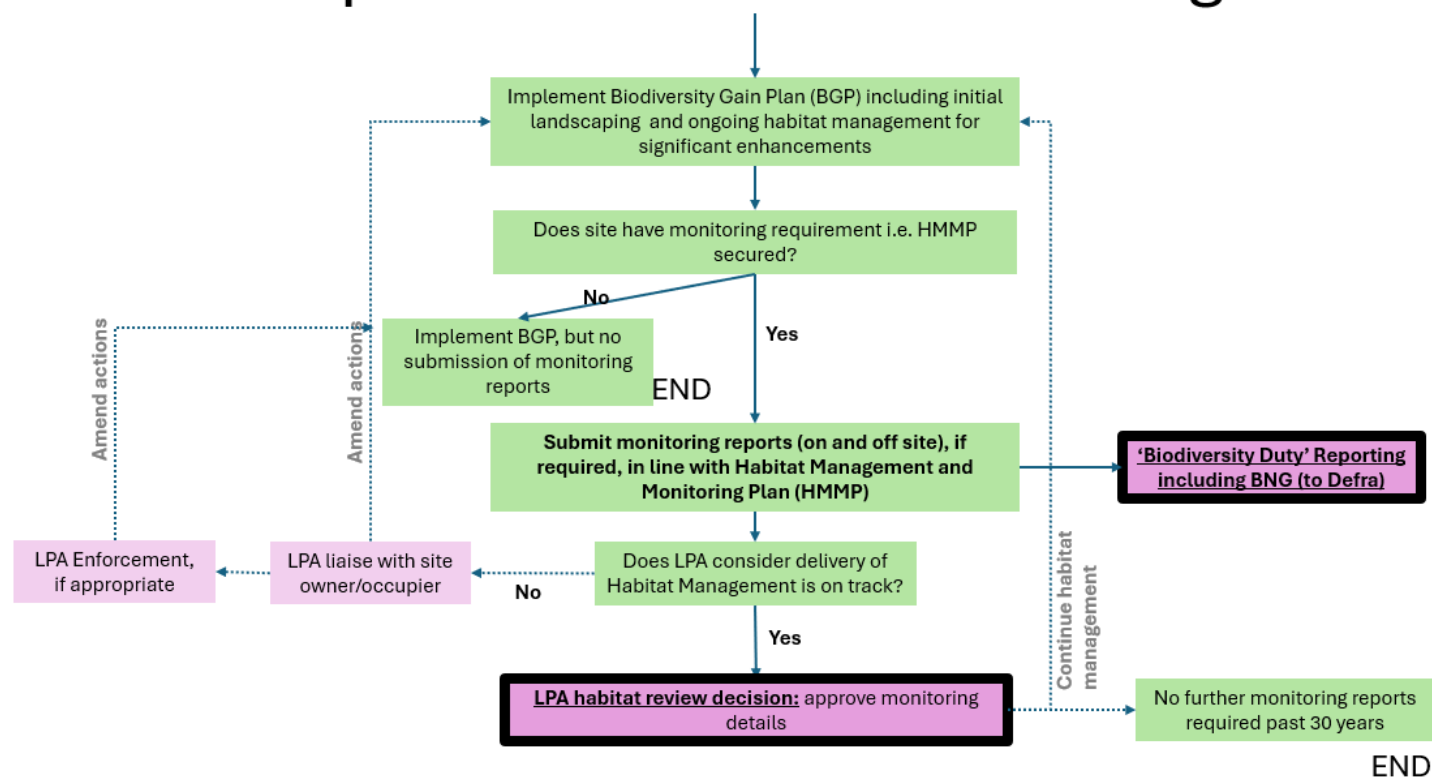
Stage 2: Prior to commencement of development (based on LPAs current understanding)

Prior to commencement



Stage 3: Implementation and Monitoring *(subject to revision based further development of BNG best-practice)*

Implementation and Monitoring



Appendix 2: Map showing Sites of Nature Conversation Importance

