

# ENVIRONMENTAL POLICY FORUM

c/o Society for the Environment

EC1.1 Enterprise Centre, Coventry Technology Park, Coventry CV1 2TT

## Response to the Defra consultation on Biodiversity net gain: updating planning requirements

### About the EPF

The Environmental Policy Forum (EPF) is a network of UK environmental professional bodies promoting environmental sustainability and resilience for the public benefit.

The EPF's member bodies have a collective membership of around 70,000 environmental professionals, many of whom are individually Chartered in environmental practice, science and engineering disciplines.

### Response

1. Biodiversity continues to decline in the UK. Since biodiversity is a significant indicator of the strength of an ecosystem, this decline is a serious concern for the current and future environmental health of the nation. The RSPB 'State of Nature' Report 2016 noted that the UK has a Biodiversity Intactness Index<sup>1</sup> considerably below the global average<sup>2</sup>.

---

<sup>1</sup> Biodiversity Intactness Index (BII)' is defined as "the average abundance of a large, taxonomically, and ecologically diverse set of naturally-occurring species in a terrestrial area, relative to a baseline with minimal human impacts. " (Source: <https://www.bipindicators.net/indicators/biodiversity-intactness-index>).

<sup>2</sup> 'The Index found that the UK had a BII of eighty-one per cent, compared to the global average of eighty-five per cent. This gave the UK the twenty-ninth lowest BII out of the two hundred and eighteen countries monitored. (Source: <https://community.rspb.org.uk/ourwork/b/biodiversity/posts/a-pocket-guide-to-statistics-used-in-the-state-of-nature-2016>)

2. The planning and development sectors have a hugely important role in influencing biodiversity, where the type of development can either worsen or improve the quality of the UK's natural environment. The principle of Biodiversity Net Gain holds that developments should result in a net improvement in biodiversity via habitat area or quality, rather than aiming at best for a neutral effect. This principle is already somewhat reflected within pre-development practices, as set out in the National Planning Policy Framework (NPPF)<sup>3</sup>.
3. We welcome the proposal to mandate Biodiversity Net Gain across future developments. Under the current system, the consideration given to Biodiversity Net Gain is variable across Local Authorities. This variability illustrates the fact that voluntary Biodiversity Net Gain will not deliver the improvements required, especially for lower value habitats. Making this principle mandatory will ensure consistency, helping developers by preventing confusion and delays, as well as providing opportunities for environmental benefit. It will also reflect the commitment to increasing biodiversity, as set out in the Government's Twenty-Five Year Environment Plan.
4. We particularly welcome the following two elements of the proposals:

  - 4.1** A commitment to good practice in planning methodology. This includes the Mitigation Hierarchy, which states that loss of, and damage to habitats

---

<sup>3</sup> Paragraph 174, NPPF

should be avoided wherever possible. However, where this is not immediately achievable the principle holds that the loss or damage should be compensated on-site by locally-sourced gains, by using a tariff, or by achieving matching biodiversity gains elsewhere.

**4.2** An expressed interest in going beyond Biodiversity Net Gain and embracing Environmental Net Gain, with gains including improved energy efficiency, and cleaner air.

**5.** However, we also have concerns regarding some elements of the proposals and there are several areas in which more detail is required before the proposals can be fully embraced.

**5.1** Whilst we welcome the introduction of a mandatory net gain, we view the suggested ten per cent minimum gain as the lowest acceptable minimum and would prefer to see this raised to twenty per cent. This would help deliver genuine much-needed biodiversity gains to the UK.

**5.2** We welcome the proposed Biodiversity metric as a system of measuring biodiversity losses and gains, via assessments of the value of a habitat to wildlife. We agree that this should help provide transparent and verifiable information and improve on the existing metric used by Defra. Nevertheless, as with any metric there are limitations to its usefulness as it cannot reflect the true complexity of biodiversity. It is therefore vitally important for the metric to sit alongside expert on-site assessments.

**5.3** While we welcome the proposals' application of the Mitigation Hierarchy and the 'compensate' principle, more information is needed on how the

tariffs will work. It is important that these tariffs are proportionate, and set high enough to work as an effective deterrent.

**5.4** The Government should ensure that the proposals are part of a wider long-term sustainability agenda. This is logical as Biodiversity Net Gain has the potential to provide many wide-ranging benefits, such as an increase in green space leading to improvements in human health and wellbeing. The relationship between the proposals and other environmental policies and legislation should also be clarified. We would like to see a strong relationship between mandatory Biodiversity Net Gain and the Environment Bill, as well as the Twenty-Five Year Environment Plan. These policies all underpin the Government's commitment to leave the environment in a better state than that in which we inherited it.

**5.5** Special Areas of Conservation and Sites of Special Scientific Interest are currently excluded from the proposals. There is currently insufficient information to assess whether this presents a risk to their current levels of protection from development. More detail is therefore needed.

**5.6** Clarification is needed on how the proposals affect development sites that transcend Local Authority boundaries.

**5.7** The consultation asks whether brownfield sites should be included in the proposals. This is complex as, on the one hand, putting fewer conditions on brownfield development could encourage development away from greenfield land. On the other hand, development of brownfield sites can potentially achieve considerable biodiversity gains, which should not be neglected. This question requires further consideration.

**5.8** Vital to the success of the proposals is the early involvement of key stakeholders, including environmental NGOs, land owners, and academics, in shaping the Biodiversity Net Gain approach. This should be an open and transparent process, with the stakeholders able to input and access key information. These key stakeholders should also be involved in ensuring the effective delivery of the proposals.

**5.9** Although the proposals are to be applied at the Local Authority level, it is crucial to maintain a wider geographical perspective. External regional, national and international factors will affect these proposals; for example, biodiversity will anyway evolve in the face of regional and global scale climate change, and the development needs to be managed regionally to prevent biodiversity and environmental harm/damage simply being transferred from one small region to another. These factors can in some cases present risks and/or obstacles to achieving effective implementation of Biodiversity Net Gain, and it is important that they are taken into account. Biodiversity Net Gain should also be recognised as an important element within regional and national conservation strategies.

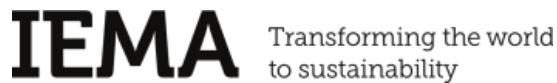
**5.10** We are concerned that many local authorities currently do not have the human and technical capacities, in respect of knowledge, skills and resources, to respond to the demands set out in the proposals. This also puts the effective delivery of the proposals at risk.

Professor Will Pope  
Chair, Environmental Policy Forum  
Chair, Society for the Environment

Sally Hayns  
CEO, Chartered Institute of Ecology and  
Environmental Management



Martin Baxter  
Chief Policy Advisor, IEMA



Adam Donnan  
CEO, Institution of Environmental  
Sciences



Dr Peter Spillett  
President, Institute of Fisheries  
Management



Daniel Cook  
CEO, Landscape Institute



Dr Emma Wilcox  
CEO, Society for the Environment



1. The Environmental Policy Forum (EPF) is a network of UK environmental professional bodies promoting environmental sustainability and resilience for the public benefit. The EPF's member bodies have a collective membership of around 70,000 environmental professionals, many of whom are individually Chartered in environmental practice, science and engineering disciplines.  
[www.socenv.org.uk/EPF](http://www.socenv.org.uk/EPF)

2. The Chartered Institute of Ecology and Environmental Management (CIEEM) is the leading professional membership body representing and supporting 5,500 ecologists and environmental managers in the UK, Ireland and abroad. Our Vision

is of a society which values the natural environment and recognises the contribution of professional ecologists and environmental managers to its conservation.

[www.cieem.net](http://www.cieem.net)

3. The Institute of Environmental Management and Assessment (IEMA) is the membership body for more than 14,000 environment and sustainability professionals worldwide. We support individuals and organisations in setting and achieving globally recognised standards for sustainable practice, in turn driving the development and uptake of sustainability skills. We add value for our members by providing the knowledge, connections and recognition necessary to lead change within organisations at all levels. We are independent and international. We apply the combined expertise of our members to provide evidence and influence decision-making, working towards our vision of transforming the world to sustainability.

[www.iema.net](http://www.iema.net)

4. The Institution of Environmental Sciences (IES) is a membership organisation that represents professionals from fields as diverse as air quality, land contamination and education - wherever you find environmental work underpinned by science. A visionary organisation leading debate, dissemination and promotion of environmental science and sustainability, the IES promotes an evidence-based approach to decision and policy making.

[www.the-ies.org](http://www.the-ies.org)

5. The Institute of Fisheries Management (IFM) is an international organisation of people sharing a common interest in the modern management of recreational and commercial fisheries.

[www.ifm.org.uk](http://www.ifm.org.uk)

6. The Landscape Institute (LI) is the chartered body for the landscape profession. It is an educational charity working to promote the art and science of landscape practice. The LI's aim, through the work of its members, is to protect, conserve and enhance the natural and built environment for the public benefit. The Landscape Institute provides a professional home for all landscape practitioners including landscape scientists, landscape planners, landscape architects, landscape managers and urban designers.

[www.landscapeinstitute.org](http://www.landscapeinstitute.org)

7. The Society for the Environment (SocEnv) is comprised of 25 Licenced Bodies, with over 500,000 members between them. It received a Royal Charter in 2004, which empowers it to regulate the Chartered Environmentalist (CEnv) and Registered Environmental Technician (REnvTech) registration in the UK. There are now over 7,000 environmental professionals currently registered who share a common vision of delivering sustainability through environmental professionalism.

[www.socenv.org.uk](http://www.socenv.org.uk)