

**Mandatory Biodiversity Net Gain – ‘Significant on-site enhancement’.**

Newark and Sherwood District Council (NSDC) considers that ‘significant on-site enhancement’ in relation to mandatory Biodiversity Net Gain is represented by all elements of the post development habitats within a Statutory Biodiversity Metric (SBM) calculation supporting a development application, except for the following habitat types:

1. Artificial unvegetated, unsealed surface.
2. Built linear features.
3. Developed land; sealed surface.
4. Unvegetated garden.
5. Vegetated garden.

Except for these habitat types, all other habitats within the post-development site are to be included within the Habitat Management and Monitoring Plan (HMMP).

In addition, except for these listed habitat types, any habitat retained and not enhanced from its pre-development state, shall be included within the HMMP which shall include measures for managing and monitoring retained habitat in its pre-development state.

**Justification.**

*Excluded habitat types:*

- Habitats 1, 2, and 3 have a zero-biodiversity value so have no significance in the calculation.
- Habitat types 4 & 5. Gardens have the same biodiversity value irrespective of how they are managed and this is the same for unvegetated gardens. Therefore, the area of garden within the SBM calculation will deliver the projected biodiversity value irrespective of how they are managed, or whether they are un-vegetated. So there is no merit in monitoring these habitats.

*Included habitat types:*

***Emerging Allocations & Development Management Development Plan Policy DM7 Biodiversity and Green Infrastructure has consideration of BNG...***

*“Except for exempt development proposals, the enhancement should be a net gain of at least 10% (or if different, the relevant percentage set out in the Environment Act) as measured by the applicable DEFRA metric or any successor document. These gains must be guaranteed for a period of at least 30 years.”*

Alignment with the policy will therefore require all elements within a development’s BNG calculation to be guaranteed for at least 30 years.

*Amended Core Strategy Core Policy 12 – Biodiversity and Green Infrastructure states that:*

*“The District Council will therefore:...*

*...Seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure within the District;”*

It is therefore considered that all elements of any proposed BNG are fundamental to achieve maximisation of opportunities to enhance and restore biodiversity within the District, and are therefore significant.

In accordance with the Biodiversity Gain Hierarchy onsite biodiversity gains should be considered first. Consequently, if habitats are being retained but not enhanced it is likely to be for one of the following reasons:

- The habitat is already in ‘good’ condition with no scope for enhancement or transition to a higher distinctiveness habitat type; or
- The measures needed to achieve enhancement and biodiversity uplift are technically impractical or excessively cost-prohibitive.

It is essential that appropriate management and monitoring of these retained habitats is secured to achieve compliance with Amended Core Strategy Policy 12. Inclusion within the HMMP avoids the need for two separate management plans, reducing costs for the applicant and simplifying administration.