

BIODIVERSITY NET GAIN & MINERAL EXTRACTION

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Biodiversity (Net) Gain - quick re-cap

- Provided for in Environment Act 2021 (amends Town & County Planning Act 1990)
- Mandatory in February 2024
- At least 10% Biodiversity Gain required for (almost) all development
- BNG a pre-commencement condition of planning permission
- Units (habitats) to be maintained for at least 30 years following completion of development
- Scotland (NPPF4) & Wales (PPW12) less prescriptive

Key components

- **Biodiversity Metric** - the Excel tool to calculate biodiversity units pre & post development based on habitat area, condition, distinctiveness, strategic significance, and difficulty of creation/enhancement, time taken to reach target condition, and distance from site
- **Biodiversity Gain Plan** - how the BNG will be delivered, submitted after permission granted

ON-SITE (UNITS)



Delivered through habitat creation/enhancement via landscaping/green infrastructure

OFF-SITE (UNITS)



Delivered off-site through habitat creation/enhancement, including via habitat banks, with public and private landowners

STATUTORY CREDITS*



Delivered through large-scale habitat projects delivering high value habitats which can also provide long-term nature-based solutions

*Credits will be made available for purchase in the future. They are intended for use only where BNG cannot be delivered on-site or off-site via the market, as a last resort.

Regulations and Guidance - points of note

- On-site gains in excess of 10% (or requirements) can count towards other development BNG
- BNG in Local Nature Recovery Strategy areas gets 15% uplift for ‘strategic significance’
- Biodiversity Gain Plan submitted no earlier than the day after permission granted
- LPA has 8 weeks to approve BG Plan (right of appeal for non-determination)
- BG Plan must be approved prior to commencement
- Demonstration that Biodiversity Gain hierarchy has been followed
- 30 year maintenance of habitat / units
- Plan-makers should not seek a higher % unless justified by evidence of local need & viability
- ROMPs out of scope, BNG not applied on s73 applications prior to January 2024
- Very limited mention of minerals, only in context of ‘phased development’

BNG & Minerals

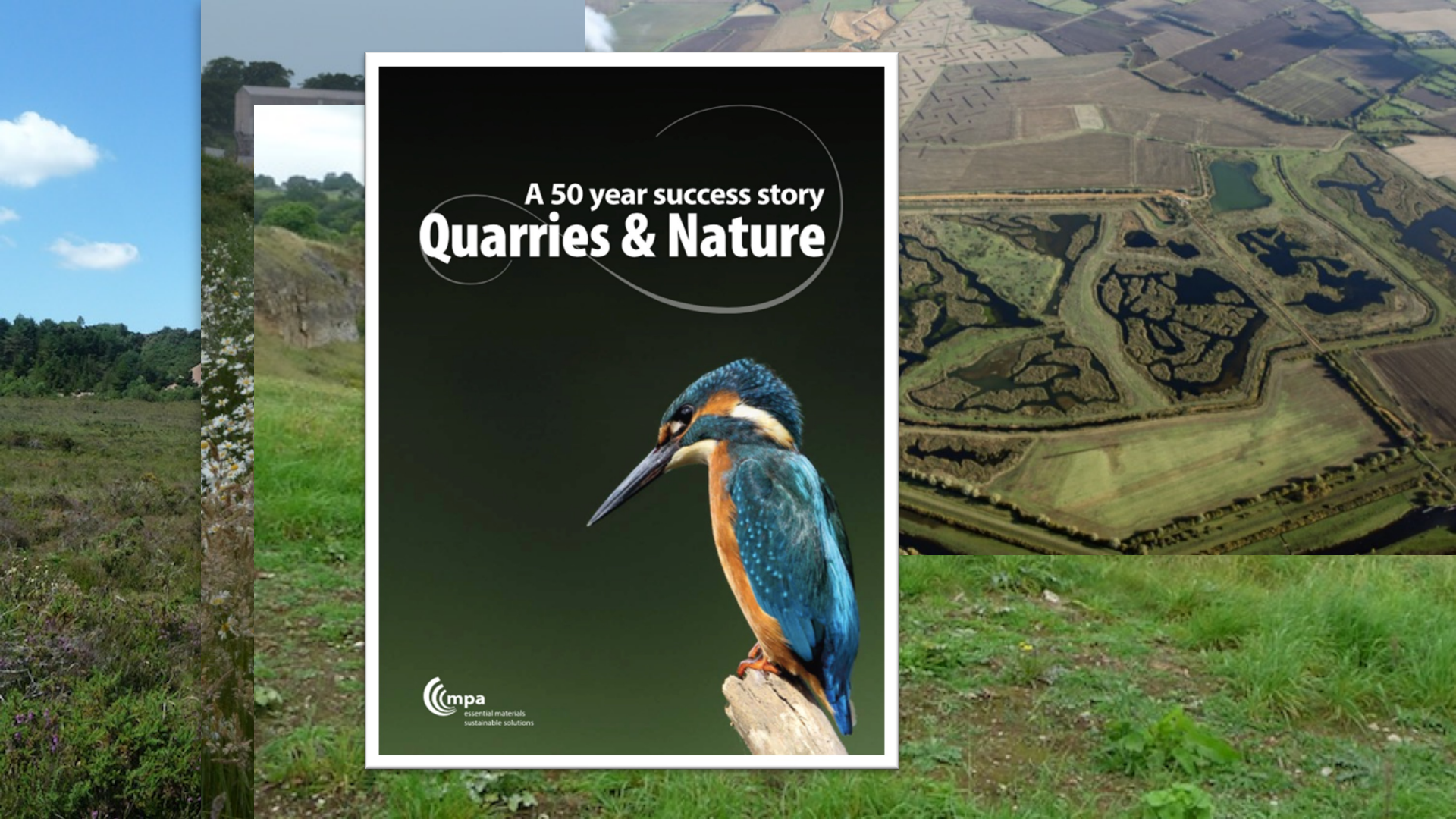
- Mineral extraction is different:
 - *Temporary*
 - *Long development timescales*
 - *Progressive working & restoration*
 - *On-site delivery at scale*
 - *Knowledge, experience, evidence*
 - *Minerals development & planning already delivered substantial net gain*



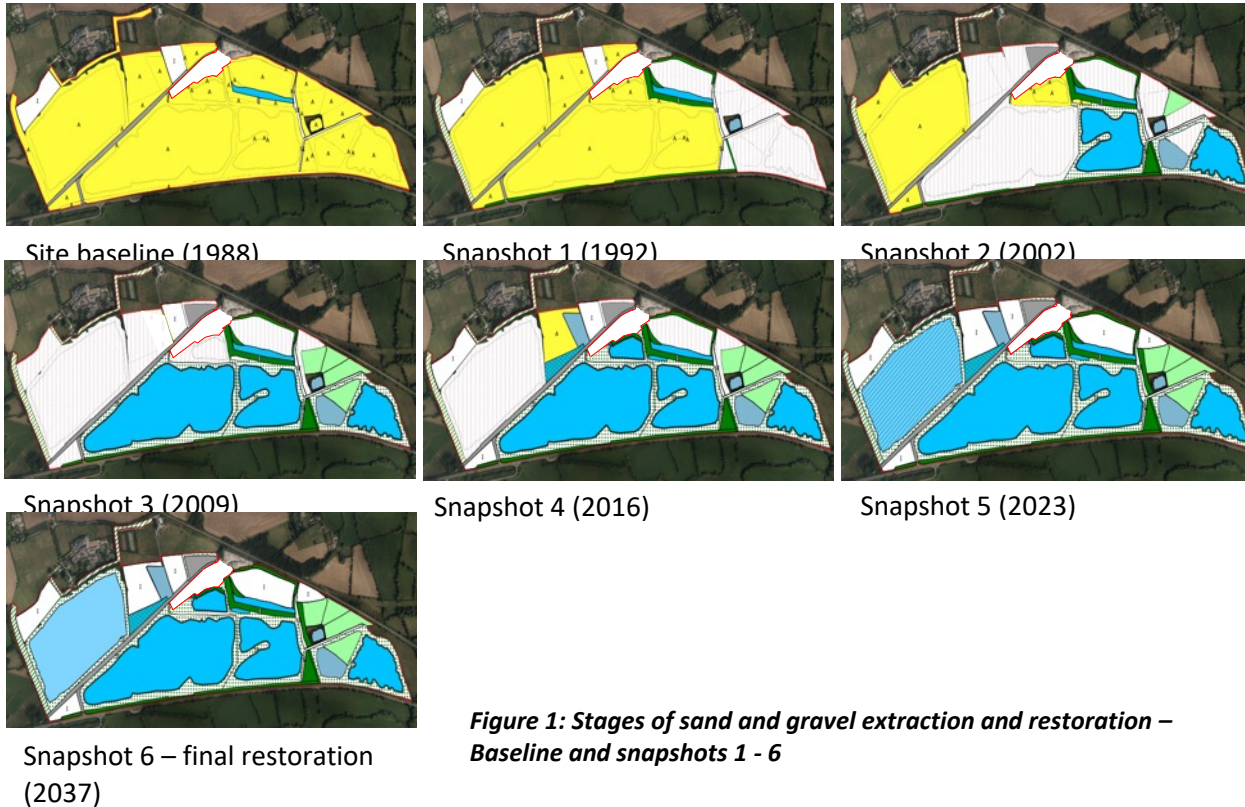
A 50 year success story
Quarries & Nature



 mpa
essential materials
sustainable solutions



Sand & Gravel (Cassington, Oxfordshire)



Credit:

BSG Ecology & Heidelberg Materials

Figure 1: Stages of sand and gravel extraction and restoration – Baseline and snapshots 1 - 6

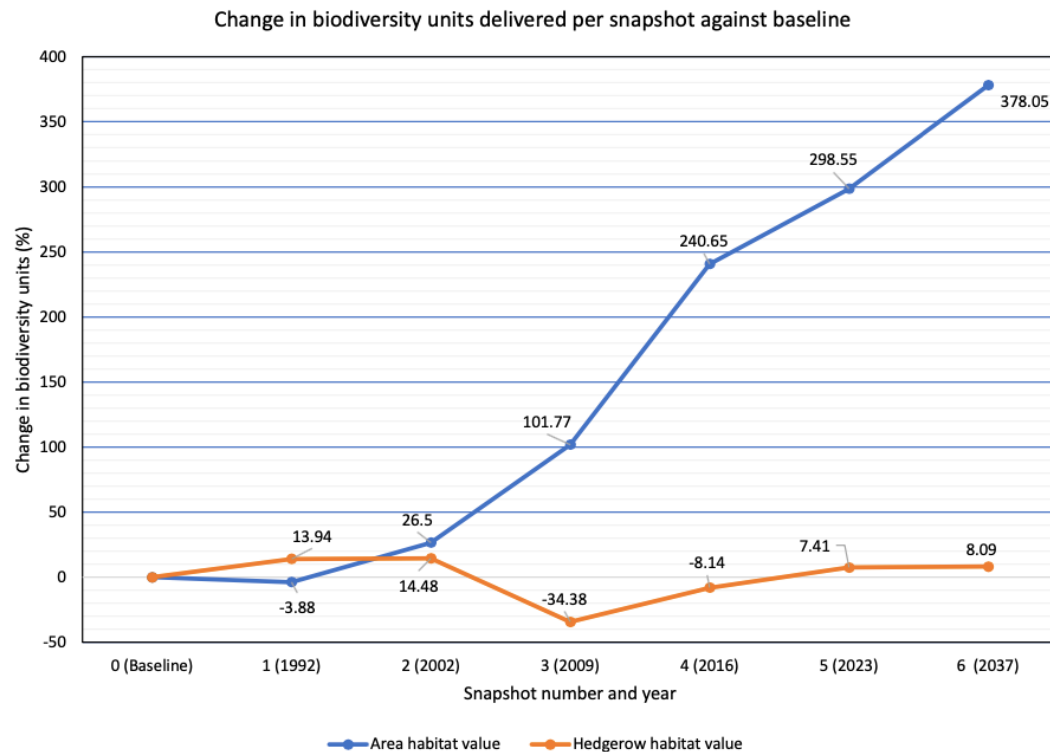
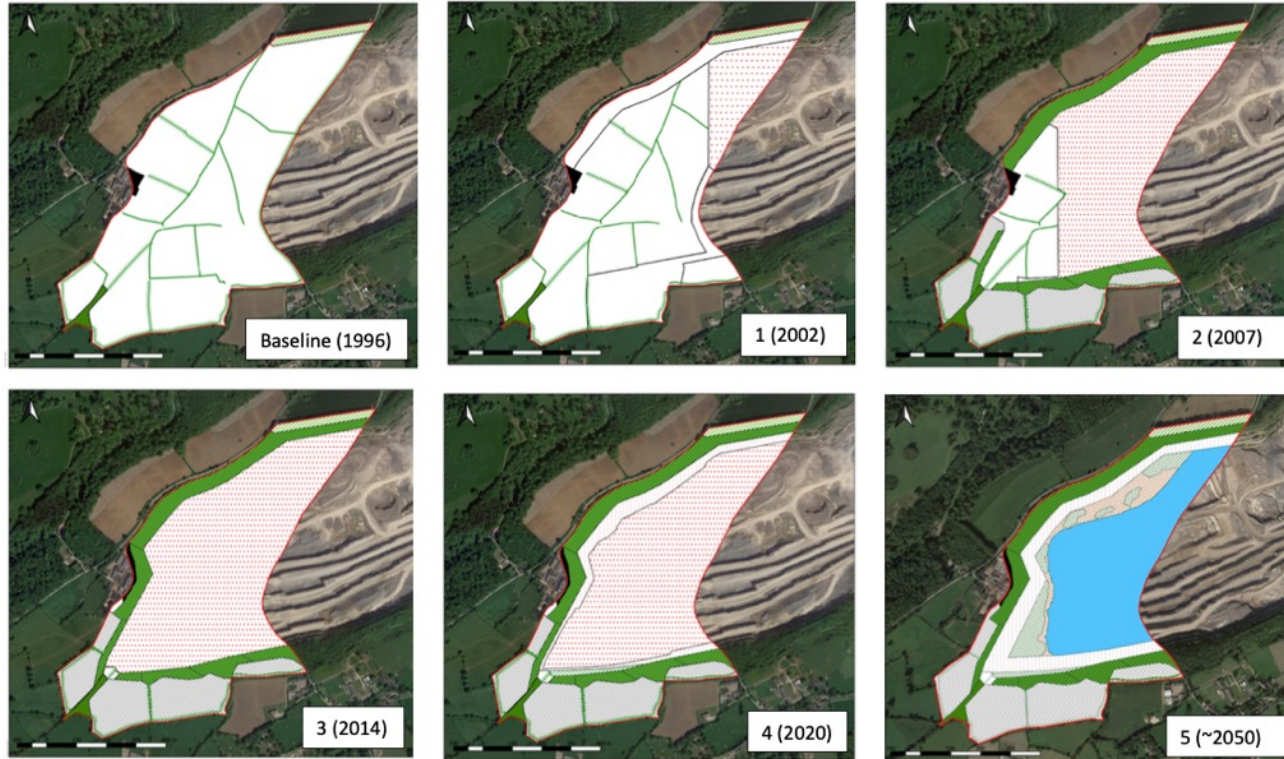


Figure 2: Percentage change in area habitat biodiversity units and hedgerow biodiversity units achieved at each snapshot against the baseline.

Rock (Whatley Extension, Somerset)



Credit:

BSG Ecology &
Heidelberg Materials

Figure 1: Stages of mineral extraction and restoration over a 50-year period - Snapshots 1-5.

Change in biodiversity units delivered per snapshot against baseline

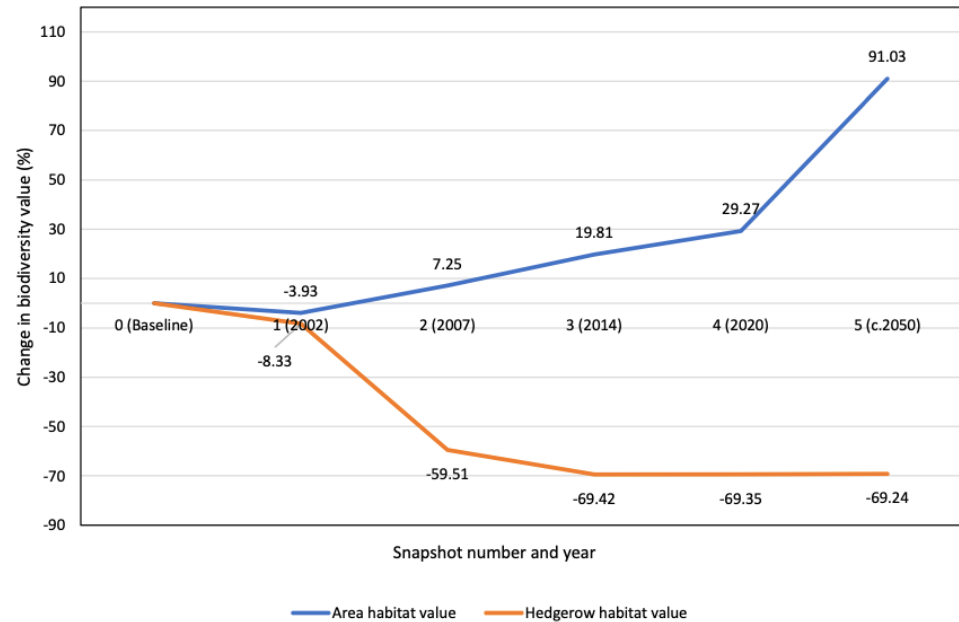


Figure 2: Percentage change in area habitat and hedgerow biodiversity units achieved at each snapshot between the baseline in 1996 and final restoration in ~.2050.



Some issues & thoughts

- Values in Metric not specific to minerals context - difficulty of habitat creation, delays to creation
- Unintended consequences & worse outcomes?
- Helpful to apply Metric at points ('snapshots') over schemes of working & restoration
- Helpful to provide additional information including draft BG Plan with application submission
- Restoration may deliver much more than 10% BNG - but not always
- % BNG appropriate for site may be negotiated - what is required by planning permission and what is additional and can be offsite units for other development
- Defra & DLUHC Guidance says very little on minerals - need for sector-specific guidance to reflect differences and issues?

Quarries & Nature resources

‘Sting’ short film:

<https://www.youtube.com/watch?v=ZwWhHjXZqBM&list=PLXu4cRX3643cbALA9FaP06-aFHZzzEklm>

Full film:

<https://www.youtube.com/watch?v=J3j54TrOvVs>

Booklet:

https://mineralproducts.org/Publications/Natural-Environment/Quarries_and_Nature_50_Year_Success_Story.aspx