



Biodiversity Net Gain Assessment



James Augsburg
Land On The West Side Of, Burge End Lane, Pirton, Hertfordshire, SG5 3QN

January 2026

Project Information

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Authors

Author(s)	Ella Walker BSc (Hons.), MRes Environmental Consultant
Reviewer	Michelle Huang BSc, MRes (DIC) Senior Ecologist
Approver	Dr Ayan Chakravarty BEng (Hons), PGDip, MSc (Double), MRes, MPhil, PhD Technical Director

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1 Introduction

1.1 Background & Context

The client, James Augsburger, has instructed ACP Consultants Ltd to conduct a Biodiversity Net Gain (BNG) assessment. The survey was commissioned to accompany the planning application to the North Hertfordshire District Council for a “new two-bedroom dwelling with associated landscaping and reconfigured driveway access to accommodate two parking spaces with bin and bike storage additionally, a new air source heat pump, solar cells and EV charging point” (hereafter referred to as ‘the proposed development’) at the land on the west side of Burge End Lane, Pirton, Hertfordshire, SG5 3QN (hereafter referred to as ‘the site’). The proposed development plan is provided in **Appendix 1**.

The site is located at National Grid Reference TL 14483 32049 and has an area of approximately 0.02ha. The site is a section of garden associated with the property at 8 Shillington Road, with other residential gardens immediately adjacent to the site. In the immediate vicinity of the site there is a suburban area of residential housing and large sections of agricultural land. The site is in the northern area of a small town surrounded by agricultural and rural land.

This report should be read in conjunction with the following:

- Statutory Biodiversity Metric: 32513 Burge End SG5 3QN – BNG- RevA (ACP, 2026)
- Proposed Plan: Burge End Lane –Drawing No. 020 (Michael Collins Architect, 2025)
- Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment: Burge End Lane, SG5 3QN – Version A (Bat Tree Surveys, 2025)
- Topographic Report: Land off Burge End Lane – VersionA; Drawing 68858BDLS-01 (Survey Solution, 2024)

1.2 BNG Informative

As a stipulation of the Environment Act (2021), BNG sets a legal commitment for qualifying developments to generate a net positive impact on habitats, specifically targeting a minimum +10% measurable uplift from the baseline, leaving biodiversity in a better state than before. Developments must adhere to the ten good practice principles (*British Standard 8683:2021 – Process for Designing and Implementing Biodiversity Net Gain*) to achieve and sustain net gain.

A standardised procedure is strictly followed, with four rules underpinning the calculations that generate Biodiversity Unit values of the site as a proxy for biodiversity:

1. Statutory instruments (e.g. metric calculation tool, user guide, and condition assessments, be it the Statutory Biodiversity Metric or the Statutory Small Sites Metric) must be used to accurately apply the biodiversity metric formula.
2. Biodiversity unit outputs for area-, linear-, and watercourse-based habitats must not be summed, traded, or converted between unit types; the requirement to deliver minimum +10% net gain applies to each type of unit which is present in the baseline.
3. Like-for-like or like-for-better principles of trading rules must be followed.
4. Demonstrate application of the BNG Mitigation Hierarchy of first avoiding and minimising adverse impacts before compensatory mitigation.

Ideally, the +10% uplift should occur on-site within the red line development boundary. However, in cases where site constraints or other factors do not allow the uplift to be achieved on-site, off-site habitat creations and/or enhancements can be used to achieve BNG. Regardless of whether BNG is realised on-site or off-site, such gains in biodiversity are expected to be upheld for the long-term sustainability goals between stakeholders. Under mandatory BNG, proposed habitats must be subject to a planning condition or a section 106 agreement, requiring them to be maintained for at least 30 years after the development is completed in line with protocols set out in its Habitat Management and Monitoring Plan (HMMP).

Relevant policies and legislation are outlined in **Appendix 6**.

1.3 Scope of Report

The aims and objectives of the report are as follows:

- To establish the pre-development (baseline) biodiversity value of the site, including any degradation, if applicable.
- To establish the post-development (proposed) biodiversity value of the site.
- To calculate the net change of biodiversity value of the site as a result of the proposed development, and to determine whether the current proposed scheme generates a net loss, net gain, or no net change for all baseline broad habitat types (i.e. area-, linear-, and watercourse-based) present.
- To identify and outline any foreseen constraints to BNG, including any anticipated trading rule violations, and to give appropriate recommendations for habitat retention, creation, or mitigation, and if necessary, to outline further recommendations to achieve the required uplift.

2 Methodology

2.1 Desk Study

The desk study included the following investigations:

- Publication date and metric version used for the calculations.
- The National Character Area (NCA) of the site, as informed by the NCA Area Map (Natural England).
- Whether the site's Local Planning Authority (LPA) requires an uplift greater than the statutory +10%, and if so, what the minimum uplift is as required by local policy. This was achieved by reviewing the Local Plan, including any supplementary documents.
- Whether any priority or irreplaceable habitats as defined by the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 are present on site.
- Whether habitat degradation had taken place between 30 January 2020 and the date of the site visit. This was assessed via a review of historic aerial satellite images from GoogleEarth. Any identified degradation will impact the classification, condition, and risk multipliers applied and inputted within the Statutory Biodiversity Metric. Where historic data of the site was made available by the client, assumptions about conditions will have been made and justified within Table 3.1.
- Whether the site has an adopted Local Nature Recovery Strategy (LNRS) published, and whether habitats on site qualify for any increased strategic significance. This was determined using the LNRS: Responsible Authorities Guidance (DEFRA, 2026) and subsequently any Strategic Areas identified by the Local Habitat Maps.

2.2 Habitat Quality Inputs

Classification

Baseline and post-development habitats were classified in accordance with the UK Habitat Classification User Manual (v2; UKHabs, 2023):

- Baseline habitats were classified on site during the field survey, wherein all habitat parcels were described and mapped in line with the appropriate habitat classifications. Where required, deviations from on-site classifications were applied; such instances are justified in their respective baseline habitat descriptions within Section 3.2.1 of this report.
- Post-development proposed habitats were informed by the proposed plans, including any planting specifications (if provided), and assigned their most probable UKHabs equivalents. Using the plans, post-development proposed habitats were identified as either being retained (i.e. maintained in its baseline classification and condition), enhanced (i.e. an improvement in condition or distinctiveness relative to its baseline counterpart), or lost (i.e. destroyed and removed as a result of the proposed development).

Condition

The condition of baseline habitats was assessed with the relevant condition assessment sheets (DEFRA, 2025).

The condition of post-development proposed habitats had taken feasible 30-year management regimes into account and was also assessed using the relevant condition assessment sheets (DEFRA, 2025). The Temporal Multipliers Tool and Enhancement Temporal Multipliers Tool were utilised, where relevant, per circumstances outlined within the Statutory Biodiversity Metric User Guide (DEFRA, 2025).

Size

The extent of habitat parcels, be it area- or linear-based habitats, was determined using qGIS, an open-source geographic information system software which provides accurate area and length data for habitat polygons and linear hedgerows respectively. Each parcel that achieves a unique habitat classification and condition was inputted separately within the Statutory Biodiversity Metric. Where separate parcels of the same habitat type achieved the same condition, the area or length of the parcels were combined for ease of presentation and calculation.

The area of individual trees was calculated using the Tree Helper Tool within the Statutory Biodiversity Metric in line with class sizes set out in Table 15 of the Statutory Biodiversity Metric User Guide (DEFRA, 2025). As with other habitat parcels, trees that achieve different conditions were independently inputted.

Strategic Significance

The strategic significance of each distinct habitat type was determined in accordance with measures set out in Table 7 and Table 8 of the Statutory Biodiversity Metric User Guide (DEFRA, 2025). The investigation of Local Nature Recovery Strategies (LNRs) as well as any rewarded increase in strategic significance is set out and justified within Section 3.1 of this report.

2.3 Mitigation Hierarchy

In line with the Statutory Biodiversity Metric User Guide (DEFRA, 2025), BNG should be achieved in accordance with the BNG Mitigation Hierarchy of:

1. **Avoidance** of adverse impacts to on-site habitats through layout of proposals to retain as much of the existing baseline habitats as possible;
2. If impacts to habitats are unavoidable, the extent of impacts should be **minimised** insofar as possible;
3. Once impacts have been minimised through design changes, their effects should be **mitigated on-site** where possible through, for example, the enhancement of any unaffected habitats;
4. If following the above and the required net gain or trading requirements are not satisfied, losses to biodiversity must be compensated for by ways of **offsetting off-site**:
 - Habitat creations or enhancements on client-owned off-site land;
 - Purchasing of biodiversity units of the appropriate distinctiveness from reputable habitat banks; or
 - Purchasing of statutory biodiversity credits of the appropriate distinctiveness from the UK Government.

2.4 Limitations

The site visit was undertaken outside the optimal timeframe for surveying flora, thus limiting the identification of ground flora species. This is not considered to be a major limitation to the assessment as all vegetation on site is within a residential curtilage, meaning all vegetated areas will be blanketed under the 'vegetated garden' classification, where species density does not impact its condition assessment.

3 Results

3.1 Desk Study Results

Features of the desk study, comprising metric details, NCA of the site, BNG target uplift, irreplaceable habitats, habitat degradation, as well as strategic significance determination, are presented within Table 3.1 below.

Table 3.1: Summary of desk study results

Desk Study Feature	Findings	
Technical Competence of Assessors	The site visit was undertaken by Aidan Tse BSc and the report was completed by Ella Walker BSc (Hons) MRes. Both are ecologists with experience in field surveys and trained under the UKHabs Classification System to undertake condition assessments of habitats. This report was reviewed by Michelle Huang, BSc MRes (DIC), senior ecologist and BNG lead, who has three years of experience undertaking BNG calculations in various versions of the metric.	
Metric Details	Version	Statutory Biodiversity Metric Calculation Tool
	Publication Date	3 July 2025
NCA	110 Chilterns	
BNG Target Uplift	+10%	
Irreplaceable Habitat Statement	This statement confirms no habitats as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 are present on site and as such no impacts to any irreplaceable habitats are foreseen.	
Habitat Degradation Statement	Baseline Date	16 January 2026
	This statement confirms no habitat degradation has occurred since January 2020 as historic satellite imagery indicates habitats on site do not appear to have undergone changes in broad habitat types from 30 January 2020 to the date of the site visit.	
	Historical imagery < 25 Mar 2020 > >I  <i>Historic imagery from 2020 (Google Earth, 2026)</i> Historical imagery < 31 Mar 2025 > >I  <i>Most recent aerial imagery from 2025 (Google Earth, 2026)</i>	
Strategic Significance	The Local Nature Recovery Strategy (LNRS) for Hertfordshire Council has been published in draft form. Using the Habitat Map of the LNRS, the site was found to be located within the Herts Chalk Focus Area. A key priority within this locale is the creation of more high-quality chalk grassland habitats. No chalk grasslands are present in the baseline, and no chalk grassland is proposed to be established by	

Desk Study Feature	Findings
	the proposal. As such, no baseline or proposed habitats have been awarded any elevated strategic significance.

3.2 Baseline Habitats

A walkover of the site was undertaken by Aidan Tse BSc on 16th January 2026.

Table 3.2: Summary of conditions during survey

Factor	Recorded Value
Temperature (° Celsius)	6
Humidity (RH%)	64
Wind (m/s)	0.6
Cloud Cover (%)	0
Precipitation	None

3.2.1 Description & Condition Assessments

On-site habitats comprise buildings (u1b5), other developed land (u1b), and vegetated garden with introduced shrub, scattered scrub, and scattered trees (u1 828 847 10 32) .

Buildings (u1b5) and Other Developed Land (u1b)

There is one concrete building/garage on site and one timber shed to the south border of the site. To the southeast of the site there is an area of hardstanding ground, acting as an access pathway for the permanent garage building. There is also a hardstanding pathway running through the garden. Some sections of the pathway were covered by grass due to the overgrown nature of the lawn however were visible beneath it.

Condition assessment: N/A



Wooden shed (u1b5) (ACP, 2026)



Brick garage and hardstanding driveway (ub1) (ACP, 2026)

Vegetated garden with introduced shrub, scattered scrub, and scattered trees (u1 828 847 10 32)

The site is a section of garden belonging to 8 Shillington Road; however, is not currently being utilised and therefore has become overgrown due to a lack of maintenance.

As the site falls within the confines of a private garden, the broad habitat type is vegetated garden despite being overgrown and containing several floral species. This included, but was not limited to, nettle (*Urtica dioica*), deadnettle (*Lamium album*), cleavers (*Galium aparine*), English ivy (*Hedera helix*), and old man's beard (*Clematis vitalba*). The main grass types were false oatgrass (*Arrhenatherum elatius*) and cocksfoot grass (*Dactylis glomerata*). There was a section of bramble (*Rubus fruticosus*) to the northeast of the garden boundary and some introduced shrub such as rose (*Rosa sp.*) and Japanese mahonia (*Berberis japonica*).

Condition assessment: N/A



Overgrown vegetated garden



Vegetated garden with bramble

There were two trees on site, one holly (*Ilex aquifolium*) and one field maple (*Acer campestre*), both within close proximity to the garage and are to be removed as part of the proposed plans. Both trees have a diameter at breast height (DBH) of less than 30cm and therefore are not included within the metric due to the site being within a residential curtilage.

Condition assessment: N/A



Holly tree (ACP, 2026)



Field maple tree (ACP, 2026)

3.2.2 Summary of Baseline Metric Inputs

A summary of baseline habitats inputted into the metric, along with their extent, condition (where relevant), and strategic significance are outlined in Table 3.2.2 below. A baseline habitat plan is provided in **Appendix 2**.

Table 3.2.2: Summary of on-site baseline habitats and their quality inputs

On-Site Baseline Area-Based Habitats (A-1)			
Habitat Type	Area (ha)	Condition	Strategic Significance
Vegetated Garden	0.0191	N/A	Low
Developed Land, Sealed Surface	0.0052	N/A	Low

3.3 Post-Development Habitats

3.3.1 Description & Rationale

Proposed habitats, as informed by the proposals, were translated into their UKHabs equivalent. Assumptions and justification of such proposed habitats are summarised in Table 3.3.1 below.

Table 3.3.1: Proposed habitats as informed by the landscape plan

Landscape Plan Habitat	Translated UKHabs Equivalent	Target Condition	Rationale
Private garden space	Vegetated Garden	N/A	The residential property will have a garden as part of the development.
Buildings and associated hard standing	Sealed Surface	N/A	Sealed surface is required to fulfil the proposed development aims.
Green roof	Other Green Roof	N/A	Green roof will be added as a biodiversity enhancement to the proposed flat roof for aesthetic and ecological reasons.

3.3.2 Summary of Post-Development Metric Inputs

A summary of proposed habitats inputted into the metric, along with their extent, target condition (where relevant), and strategic significance are outlined in Table 3.3.2 below. A post-development habitat plan is provided in **Appendix 3**.

Table 3.3.2: Summary of on-site post-development habitats and their quality inputs

On-Site Post-Development Area-Based Habitats				
	Habitat Type	Area (ha)	Target Condition	Strategic Significance
Created (A-2)	Vegetated Garden	0.005	N/A	Low
	Sealed Surface	0.017	N/A	Low
	Other Green Roof	0.0024	N/A	Low

3.4 Change in Biodiversity Value

The proposal seeks to remove vegetated garden and garage/sheds and creating new areas of vegetated garden and a new house with a green roof. The change in biodiversity value of the site is summarised in Table 3.4 below. Full details are provided in the Statutory Biodiversity Metric, while headline results of the calculation are presented in **Appendix 4**.

Table 3.4: Summary of biodiversity units and change in biodiversity value

		Biodiversity Units		
		Area-Based	Linear-Based	Watercourse-Based
On-Site	Baseline	0.04	N/A	N/A
	Post-Development	0.01		
Overall Net Change		-0.02 (rounding error) (-62.61%)		

4 Discussion & Recommendations

4.1 Discussion

The proposals generate an on-site net change of **-62.61% in area-based units**, with trading rules not satisfied as a result of the proposed development.

At present, the site is lacking 0.03 area-based units to achieve a +10% uplift in biodiversity value. As a result, the proposed development is not compliant with current legislation (Environment Act 2021) and planning policies (National Planning Policy Framework, 2025).

4.2 Landscaping Recommendations

As the site falls within the curtilage of private residential land and green roof is already proposed, there is no additional scope for improving the net change.

4.3 Off-Setting Informative

Current proposal plans indicate net gain is unlikely to be achieved on site for area-based habitats without significant alterations to the layout of the proposed site. The client does not own other off-site land for additional habitat creations or enhancements. As such, the purchase of off-site area-based units from a reputable habitat bank is recommended. Any off-site compensation for BNG will need to be approved by the Local Planning Authority and would be secured to the application via a section 106 agreement. Units purchased must be of an appropriate distinctiveness to meet the trading rules of BNG.

A breakdown of the required units, as reflected by the current iteration of calculations, is summarised in Table 4.3 below.

Table 4.3: Summary of required off-site units

	Distinctiveness	Broad Habitat Group	Habitat	Units Required
Area-Based	Low	Any	Any	0.03
	Total			0.03

4.4 BNG Mitigation Hierarchy

Application of and adherence to the BNG Mitigation Hierarchy is demonstrated in Table 4.4 below.

Table 4.4: Demonstration of BNG Mitigation Hierarchy

Principle	Evidence	Recommendations
Avoidance	The avoidance and minimisation of impacts to the areas of existing vegetated garden are unfeasible given the proposed plans, which include the addition of a residential dwelling.	None.
Minimisation		
Mitigation	Areas of vegetated garden and green roof have been incorporated within the proposal to mitigate for the loss of habitats on site. This is acknowledged to be insufficient mitigation as the site demonstrates a net loss.	None, due to size restrictions and private residential nature of the site.
Offset	Sufficient on-site mitigation is unlikely to be possible due to size restrictions and the nature of the proposal (private and	Purchase of biodiversity units from a reputable habitat bank. Units purchased must be of an appropriate

Principle	Evidence	Recommendations
	residential land). As such, off-site offsetting will likely be required.	distinctiveness to meet the trading rules of BNG.

4.5 Pre-Commencement Requirements

A Biodiversity Gain Plan (BGP) must be produced and approved by the LPA.

As all proposed habitats are of low distinctiveness, a Habitat Management and Monitoring Plan (HMMP) may not be required, at the discretion of the LPA.

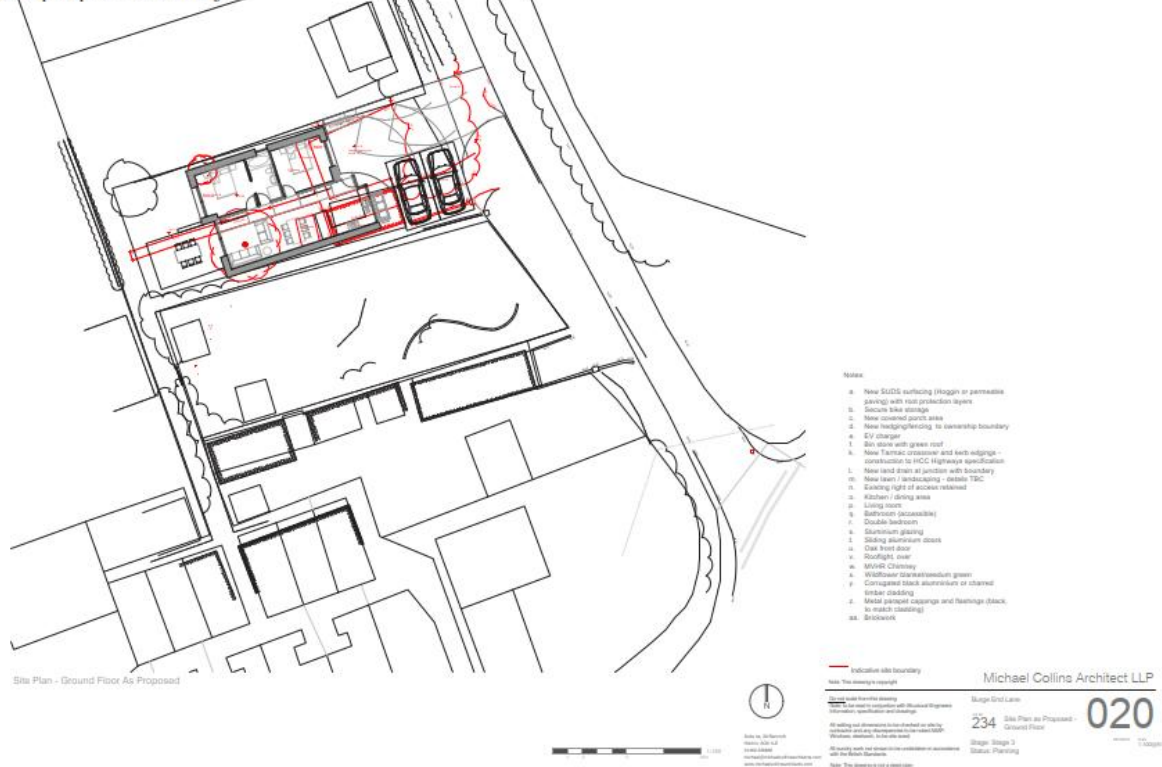
4.6 Additional Ecological Constraints

A PEA/PRA was completed by Bat Tree Surveys (2025) and relevant information on protected and notable species including precautionary measures for nesting birds and badger was included. The PEA/PRA should be read in conjunction with this report.

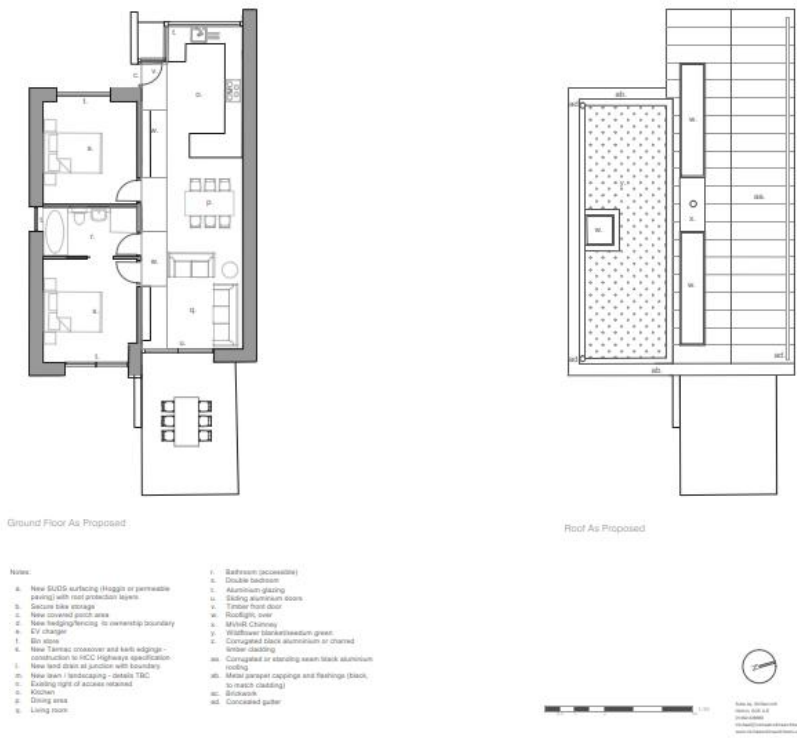
Appendix 1: Proposed Plans

September 2025 | Burge End Lane

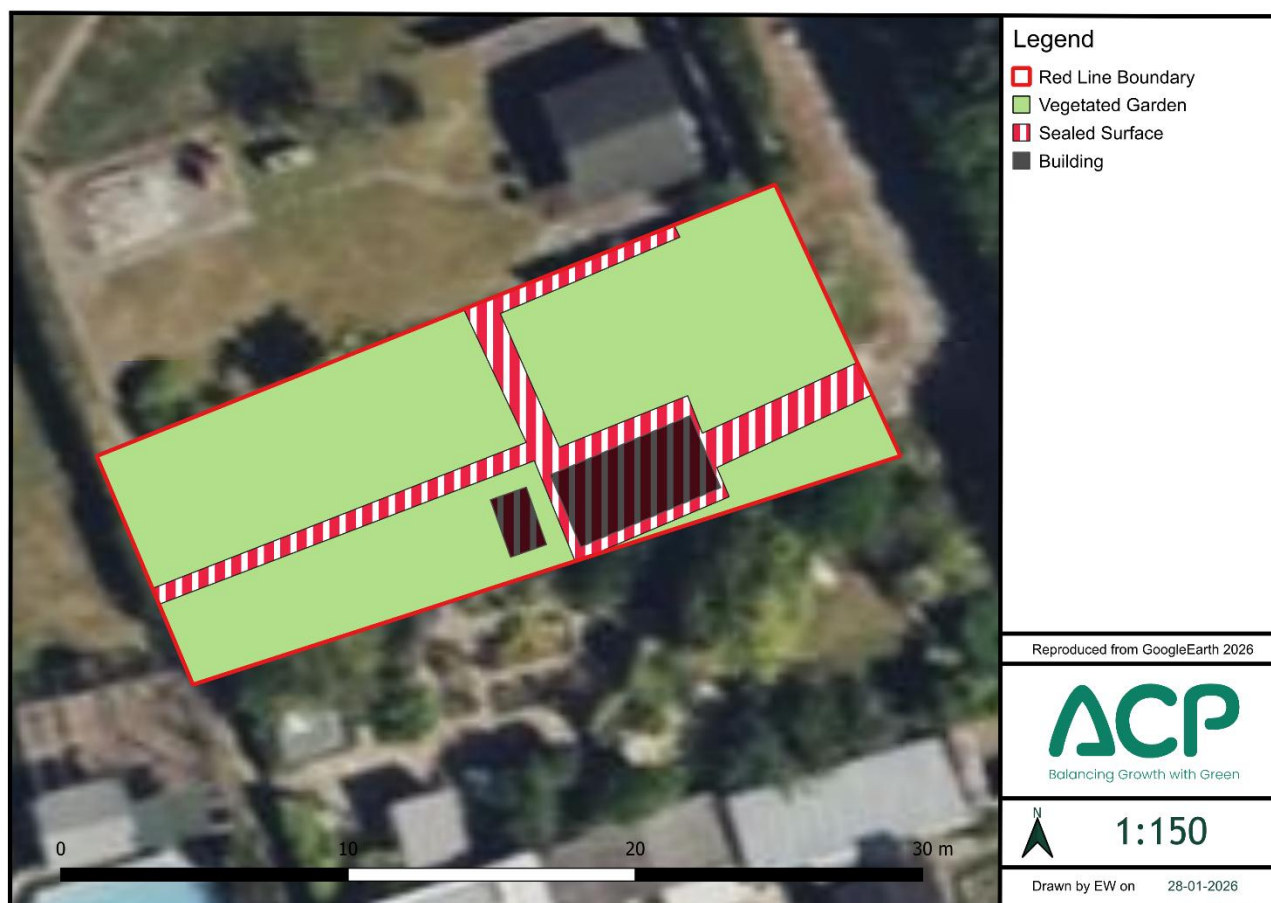
4.1 Proposed plans - with downtakings



September 2025 | Burge End Lane



Appendix 2: Baseline Habitat Plan



Appendix 3: Post-Development Habitat Plan



Appendix 4: Headline BNG Results

Burge End Lane

Headline Results

Scroll down for final results ▲

Return to results menu

On-site baseline	Habitat units	0.04		
	Hedgerow units	0.00		
	Watercourse units	0.00		
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	0.01		
	Hedgerow units	0.00		
	Watercourse units	0.00		
On-site net change (units & percentage)	Habitat units	-0.02	-62.61%	On-site net gain is less than target set ▲
	Hedgerow units	0.00	0.00%	
	Watercourse units	0.00	0.00%	
Off-site baseline	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Off-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Off-site net change (units & percentage)	Habitat units	0.00	0.00%	
	Hedgerow units	0.00	0.00%	
	Watercourse units	0.00	0.00%	
Combined net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-0.02		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Spatial risk multiplier (SRM) deductions	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
FINAL RESULTS				
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-0.02		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-62.61%	Total net gain achieved is less than target set ▲	
	Hedgerow units	0.00%		
	Watercourse units	0.00%		
Trading rules satisfied?	No - Check Trading Summaries ▲			
Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.04	0.04	0.03
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.00	0.00	0.00
No additional hedgerow units required to meet target ✓				
No additional watercourse units required to meet target ✓				

Appendix 6: Relevant Legislation & Policy

Environment Act (2021)

Effective 2024, the statutory mandate for Biodiversity Net Gain (BNG), as established by Schedule 14 of the Environment Act 2021, requires all developments subject to Schedule 7A of the Town and Country Planning Act 1990 to provide a minimum +10% gain in biodiversity value. This requirement is a mandatory condition of planning permission, applicable to all new developments except those expressly excluded under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Pursuant to the statutory framework established by Schedule 14 of the Environment Act 2021, every grant of planning permission is subject to a biodiversity gain condition under Schedule 7A of the Town and Country Planning Act 1990. This condition mandates that the biodiversity gain objective be satisfied via a minimum +10% net increase in biodiversity value relative to the pre-development baseline. This requirement serves as a condition precedent; accordingly, a Biodiversity Gain Plan must be submitted to and discharged by the Local Planning Authority (LPA) in writing prior to the commencement of development. Any material operations initiated in the absence of such approval shall constitute a breach of planning control under Section 171A of the Town and Country Planning Act 1990.

Statutory provision requires that significant on-site biodiversity enhancements be maintained for a duration of no less than 30 years following the development's conclusion. This requirement is satisfied through the imposition of a planning condition, a planning obligation, or a conservation covenant. Under the Town and Country Planning Act 1990, LPAs are empowered to utilise section 106 (s106) agreements to facilitate the delivery of on-site enhancements, the transfer of registered off-site biodiversity gains, or the use of statutory credits, while ensuring compliance through rigorous monitoring and reporting frameworks.

National Planning Policy Framework (NPPF; 2025)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. Paragraphs 187 to 201 of the NPPF outline measures to conserving and enhancing the natural environment. Notably, Paragraph 192 states that to protect and enhance biodiversity, plans should '*identify and pursue opportunities for securing measurable net gains for biodiversity*'.

BNG Regulations

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

These Regulations, which apply in England only, exempt certain developments from meeting the biodiversity gain requirement that would otherwise be imposed as a general condition of planning permission. The exemptions in these Regulations relate to:

- small developments where an application for planning permission is made or has been granted before April 2024,
- developments with no impact on priority habitat and where impacts on other habitat fall below specified thresholds,
- householder applications,
- the high-speed railway network,
- off-site gain developments i.e. developments which fulfil the biodiversity net gain requirement arising in relation to another development, and
- certain self-build and custom build developments.

The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024

Schedule 7A to the Town and Country Planning Act 1990 makes provision for grants of planning permission in England to be subject to a condition to secure that a biodiversity gain objective is met. These Regulations define “irreplaceable habitat” for the purposes of Schedule 7A of the Town and Country Planning Act 1990 and modify its application in respect of habitat falling within the definition. Under the revised terms, the mandatory biodiversity gain percentage is waived. In its place, alternative provisions are required to mitigate the adverse effects of development on onsite habitats classified as irreplaceable. Phased developments are excluded from these modifications. Equivalent requirements for such developments are instead governed by regulations made under Schedule 7A, paragraph 19 of the Town and Country Planning Act 1990.

The Biodiversity Gain Site Register Regulations 2024

These Regulations make provision for and in relation to a register of biodiversity gain sites (“the biodiversity gain site register”). “Biodiversity gain site” is defined in section 100(2) of the Environment Act 2021. These Regulations implement the biodiversity gain requirements of Schedule 7A to the Town and Country Planning Act 1990. The core objective is to ensure that the post-development biodiversity value exceeds the pre-development value by at least +10%. This calculation incorporates both onsite habitat value and any allocated enhancements officially recorded in the biodiversity gain site register

The Biodiversity Gain Site Register (Financial Penalties and Fees) Regulations 2024

These Regulations make provision in connection with the biodiversity gain site register established under the Biodiversity Gain Site Register Regulations 2024 and maintained by Natural England as the designated register operator under those Regulations. Under Regulations 3 through 11, the register operator may impose a financial penalty of £5,000 for the submission of false or misleading data in connection with land registration applications. In line with the Biodiversity Gain Site Register Regulations 2024, this penalty is applied based on the balance of probabilities. The enforcement process provides a statutory window for the recipient to lodge an objection.

Appendix 7: Bibliography

- Baker, J., Hoskin, R., & Butterworth, T. (2019). *Biodiversity net gain. Good practice principles for development*. Construction Industry Research and Information Association (CIRIA). <https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain.-Good-practice-principles-for-development.-A-practical-guide-web.pdf>
- British Standards Institution (2021). *BS8683:2021 Process for designing and implementing Biodiversity Net Gain – Specification*. BSI Standards Ltd. <https://standardsdevelopment.bsigroup.com/projects/2018-02413>
- Chartered Institute of Ecology and Environmental Management (CIEEM) (2018). *Guidelines for ecological impact assessment in the UK and Ireland: terrestrial, freshwater, coastal, and marine*. Chartered Institute of Ecology and Environmental Management. <https://cieem.net/wp-content/uploads/2019/02/Combined-EclA-guidelines-2018-compressed.pdf>
- Chartered Institute of Ecology and Environmental Management (CIEEM), Construction Industry Research and Information Association (CIRIA), & Institute of Environmental Management and Assessment (IEMA) (2016). *Biodiversity Net Gain Good practice principles for development*. <https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/>
- Department for Environment, Food, and Rural Affairs (DEFRA) (2026). *Local nature recovery strategies: responsible authorities*. <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Department for Environment, Food, and Rural Affairs (DEFRA) (2025). *The Statutory Biodiversity Metric Calculation Tool*. <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Department for Environment, Food, and Rural Affairs (DEFRA) (2025). *The Statutory Biodiversity Metric Condition Assessments*. <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Department for Environment, Food, and Rural Affairs (DEFRA) (2025). *The Statutory Biodiversity Metric User Guide*. <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>
- Google (n.d.). *[Satellite view of the site]*. Google Earth. Retrieved 22 January 2026 from <https://earth.google.com/web>
- Hertfordshire Nature Recovery Partnership (2025). *Local Nature Recovery Strategy*. <https://www.hertfordshire.gov.uk/about-the-council/how-the-council-works/partnerships/herts-nature-recovery-partnership/local-nature-recovery-strategy.aspx>
- Natural England (n.d.). *National Character Area Map*. Retrieved 22 January 2026 from <https://nationalcharacterareas.co.uk/>
- North Hertfordshire County Council (2022) *North Herts Local Plan (2011-2031)* <https://www.north-herts.gov.uk/sites/default/files/2022-12/North%20Hertfordshire%20Local%20Plan%202011-2031.pdf>
- UKHab Ltd (2023). *UK Habitat Classification Version 2.0*. <https://www.ukhab.org/>