

The Operation and Impact of Biodiversity Net Gain funding

Policy and Performance Committee - Build a Greener Swindon

Date: 17th July 2025

Lead Member:	Cabinet Member for Planning and Placemaking
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Wards:	All Wards
Parishes Affected:	All Parish Areas

1. Purpose and Reasons

- 1.1 This report provides an update on the operation and impact of Biodiversity Net Gain funding.
- 1.2 Delivering Biodiversity Net Gain supports the Council's Greener Swindon Mission.

2. Recommendations

The Committee is recommended to:

- 2.1 To note the report and provide feedback on how the Council can best maximise the opportunities arising from delivering Biodiversity Net Gain.

3. Detail

- 3.1 The Environment Act 2021 mandates Biodiversity Net Gain for most development projects in England, requiring a 10% increase in biodiversity compared to pre-development conditions.
- 3.2 The Act mandates that major developments were required to comply from February 2024, and small sites from April 2024. From these dates' significant on-site habitats and all off-site habitats must be secured for at least 30 years, either through planning conditions, obligations, or conservation covenants.
- 3.3 Biodiversity Net Gain can be achieved on-site, off-site (through buying "biodiversity units" from other locations), or via a national biodiversity credits scheme.
- 3.4 Local Planning Authorities have the responsibility of enforcing Biodiversity Net Gain requirements through the planning application process.

The Biodiversity Gain Hierarchy

- 3.5 There is a requirement that developers follow a 'Biodiversity Gain Hierarchy' to achieve Biodiversity Net Gain. The priority order is as follows:
 - 3.5.1 Providing Biodiversity Net Gain on-site;

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- 3.5.2 Purchasing Biodiversity Units from a “registered biodiversity gain site” (or creating Biodiversity Units on a new registered gain site);
- 3.5.3 Purchasing National Credits.
- 3.6 The ‘Biodiversity Gain Hierarchy’ means that opportunities to deliver Biodiversity Net Gain on the development site should be achieved first. It is the role of the Local Planning Authority to ensure that onsite opportunities are properly assessed and subsequently secured through the planning application process.
- 3.7 If it is not feasible to deliver the Biodiversity Net Gain on site, the developer can purchase biodiversity units on a ‘registered biodiversity gain site’. The Government’s biodiversity metric incentivises the purchase of biodiversity units on registered biodiversity gain sites that are close to the development sites. A national register of biodiversity gain sites has been created for this purpose.
- 3.8 As a last resort a developer could purchase ‘National Credits’. This option would not be a good outcome for the Borough as it would mean that Biodiversity Net Gain funding is not secured for use in the Borough.
- 3.9 For this reason, it is proposed that the Council works with Parish Councils and partners to establish a network of ‘registered biodiversity gain sites’ across the Borough to which biodiversity net gain monies that have been secured from development schemes in the Borough can be channelled.

Registering a Site as a Biodiversity Gain Site

- 3.10 There is a strict process for registering a site as a biodiversity gain site. The key steps comprise:
 - 3.10.1 An ecologist would be commissioned to carry out a biodiversity survey of the site to provide a baseline figure for its biodiversity value. The biodiversity value is measured in standardised biodiversity units (the Government has created a ‘biodiversity metric’ for this purpose).
 - 3.10.2 The Ecologist would then prepare a Habitat Management Plan which sets out how the site’s biodiversity can be improved.
 - 3.10.3 The Ecologist would use the Government’s biodiversity metric to work out the biodiversity uplift that would be generated from the improvement works. This uplift is measured in biodiversity ‘units’. Each unit has a financial value. This value changes over time.

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3.10.4 The site can then be registered as a biodiversity gain site. This means that the owner of the site will then be able to access funding through developers purchasing biodiversity units.

3.10.5 The biodiversity improvements would need to be maintained for 30 years. This would be secured through a conservation covenant.

Use of Offsite Biodiversity Net Gain Monies Received to Date

3.11 The above describes the mandatory approach to securing Biodiversity net gain from development sites post February 2024 (for major development schemes), and post April 2024 (for minor development schemes).

3.12 The Council has had some flexibility on how it could deploy the biodiversity net gain monies that were secured pre-2024.

3.13 The Council received circa £5.8 million of biodiversity monies before February 2024. The bulk of these monies were secured from the Panattoni scheme (£5.6m).

3.14 The £5.6m of Panattoni monies are proposed to be allocated to delivery biodiversity enhancements across the Borough's country parks. The scope of these improvements would be guided by the Country Parks Strategy.

3.15 £0.2m of biodiversity monies have been used for biodiversity enhancement schemes along the River Ray and at Mouldon Hill and to part-fund the Forest Meadows Programme being delivered by WWT.

Future Use of Offsite Biodiversity Net Gain Monies (Biodiversity Units)

3.16 Going forward, only registered biodiversity gain sites will be able to access offsite biodiversity net gain monies.

3.17 Hence it is important, if we are to retain Biodiversity net gain funding within the Borough, that the Council, the Parish Councils and other partners identify and register multiple biodiversity gain sites.

3.18 To inform which locations should be considered as biodiversity gain sites, it is recommended that the Local Plan (both the adopted Local Plan and emerging Local Plan), the Green Infrastructure Strategy and the Local Nature Recovery Strategy provide strategic direction.

3.19 To future proof these sites as biodiversity sites, any locations with development potential would be avoided.

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3.20 Sites that benefit from public access, such as Country Parks and Large public green spaces, should also be prioritised to increase opportunities for our residents to access nature.

3.21 Similarly, smaller site opportunities identified by the Parish Councils and other partners should be welcomed where these sites benefit from public access.

4. Alternative Options

4.1 The Council can choose to not be proactive in working with partners to identify suitable Biodiversity Gain Sites to which Biodiversity net gain funding can be channelled. However, if there are not available Biodiversity net gain sites in the Borough, funding for biodiversity enhancements could be channelled to locations outside of the Borough.

5. Implications, Equality Impact Assessment and Risk Management

Financial and Procurement Implications

5.1 This is a policy discussion report. There are no direct financial implications arising.

Legal and Human Rights Implications

5.2 The Council's legal obligations with respect to Biodiversity Net Gain are set out in the Environment Act and summarised in the body of the report.

Climate Change Impact

5.3 Biodiversity enhancements can have a positive impact with respect to mitigating climate change.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

5.4 Biodiversity enhancements can deliver a wide range of social and environmental benefits.

Equalities Impact Assessment

5.5 Equalities Impact Assessments have been prepared to support the Local Plan, the Green Infrastructure Strategy and the Local Nature Recovery Strategy.

Risk Management

5.6 No significant risks have been identified.

6. Consultees

6.1 The Director of Finance and Audit (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

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7. Background Papers

7.1 None.

8. Appendices

8.1 None.