

CONSULTATION

Response Document



**Consultation on Improving the implementation of Biodiversity Net Gain for
minor, medium and brownfield development**

Closes on the 24th July 2025

1. Introduction

1.1 About CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM) is the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland.

CIEEM was established in 1991 and has over 8,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. It therefore has a considerable breadth and depth of professional expertise from which to draw upon, when for example, responding to Government consultations such as the one currently circulating.

CIEEM has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines. CIEEM was instrumental in helping to form and inaugurate the All-Party Parliamentary Group for Nature in 2019 which existed until 2023; its remit has now been incorporated into the APPG for the Environment which CIEEM is actively supporting.

CIEEM is a member of the following organisations/collaborative initiatives:

- Scottish Environment Link
- Wildlife and Countryside Link
- Northern Ireland Environment Link
- Wales Environment Link
- Environmental Policy Forum
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network
- Greener UK
- Irish Forum on Natural Capital (working group member)
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

1.2 Forward

[Government consultation on improving the implementation of BNG for minor, medium and brownfield development](#)

[Annex A - proposed BNG process changes](#)

The Government is looking for views on the current implementation of biodiversity net gain (BNG) for minor, medium and brownfield development. BNG is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

This consultation includes options around extending exemptions, simplifying the small sites metric and increasing ease of access to the off-site market. It also addresses specific challenges for brownfield developments.

The consultation document is attached above, as well as the annex containing BNG process changes.

1.Improving Exemptions

1.1 Improving exemptions

1. Which of the following statements do you most support:

- ☐ **No changes should be made to exemptions**
- ☒ **Some changes should be made (please state which options you support with thresholds where applicable)**
- ☐ **All minor development should be exempt**

Please provide further information:

Ideally, no flat exemptions should be made for any development as all will have some impact; compensation or mitigation must always apply when nature is impacted.

However, the current self-build exemption is difficult to verify and enforce, creating ambiguity and potential misuse. Replacing it with a clearer, area based exemption limited to small plots (e.g., under 0.1 hectares) and excluding sites with priority habitats would improve transparency, reduce administrative burden, and better reflect genuinely low-impact development.

Exemptions must never apply to developments affecting protected sites, irreplaceable habitats, Priority Habitats or Local Wildlife Sites, regardless of size, requiring a robust screening mechanism. Loopholes like splitting applications (so-called 'salami slicing') or adjusting boundaries to fall below exemption thresholds must be closed through clearer guidance and tighter enforcement to prevent regulatory gaming.

A narrowly defined exemption for genuine conservation-led developments (habitat restoration or species recovery) is also appropriate, provided these projects are independently verified to avoid misuse.

Analysis from the BNG in Small Developments Report¹ on Biodiversity Net Gain in Small Developments shows that reducing exemptions to only developments under 0.1 hectares (1000m²) (see scenario 2a in the report) would significantly reduce the number of planning applications that require BNG, but crucially increase the demand for biodiversity units and the area of land subject to BNG, thereby avoiding the main danger of undermining nascent habitat markets by killing demand but simultaneously easing the planning process for truly small developments. This threshold is administratively simple and ecologically credible, distinguishing minor developments (e.g., single dwellings, minor infill) from those with significant impacts, and eliminating much misuse of exemptions.

The current system, which relies heavily on subjective judgments of ecological impact, has allowed widespread avoidance of BNG. Reinstating a clear, area-based exemption threshold based on the site's red line (0.1 hectares) would provide clarity, predictability, and enforceability for developers, local authorities, and consultees alike. This approach removes ambiguity and better reflects the scale of ecological disruption caused by many small- to mid-size developments.

Even minor developments cumulatively affect habitat loss and connectivity, especially in urban or fragmented areas. Exemptions must consider ecological context, site footprint, and vegetation presence. Thresholds should be reviewed to prevent misuse and ensure proper valuation.

The exemption framework should be guided by a clear hierarchy of ecological sensitivity, with a standardised definition of 'significant impact' based on Habitat Management and Monitoring Plans and spatial criteria such as proximity to protected sites, Local Nature Recovery Networks, and Priority Habitats. This allows local planning authorities to apply discretion based on ecological context, safeguarding biodiversity assets effectively.

¹ [BNG in Small Developments Report - The Lifescope Project](#)

Summary of supported changes with thresholds:

- Replace self-build exemption with a single-dwelling exemption for sites under 0.1 hectares, excluding priority habitats.
- Reinststate an area-based exemption threshold at 0.1 hectares based on red line site size to replace impact-based exemptions.
- Minor sites (0.1-0.9 ha) to use an adjusted Small Sites Metric.
- All sites above 0.9 have to use the full BNG statutory metric.
- Robust screening to exclude developments impacting protected or irreplaceable habitats regardless of size.
- Close loopholes around “salami slicing” site splitting and boundary adjustments.
- Exempt genuine conservation-led developments with independent verification.

These reforms, supported by evidence from the Efttec report, would strengthen Biodiversity Net Gain implementation, ensure fair and predictable application of exemptions, and restore the policy’s core purpose of securing measurable net gains for nature.

1.2 Improving exemptions: a) Self and custom build development

Example A - Single dwelling currently subject to BNG that would be exempt under this option:

“An application to erect one 4-bedroom dwelling on a 900sqm site was required to purchase biodiversity units from the private off-site market to address a 0.13 unit deficit. The application did not claim the self/custom build exemption as it was for open market sale.

The developer secured fractional units of mixed scrub from a provider over 200 miles away from the development.

Under the proposal, this development would be exempt, removing the need for the developer to provide BNG information and the LPA to review for mandatory BNG. “

Do you agree that the self and custom-building exemption should be removed and that it should be replaced with an exemption for a single dwelling house?

- ☒ **Yes (please explain why)**
- ☐ **No - keep existing exemption in place (please explain why)**
- ☐ **Don't know/other (please explain)**

Please elaborate on your answer here:

Yes, the current self and custom-building exemption should be removed and replaced with a more narrowly defined single dwelling exemption with a threshold of 0.1 hectares.

The existing self/custom-build exemption is widely exploited, undermining Biodiversity Net Gain (BNG) policy and its ecological objectives. Evidence, including a spike in self-build claims noted by the Planning Portal and analyses by the Green Finance Institute², shows developers using this exemption to avoid biodiversity obligations without delivering genuine self-build outcomes. This misuse weakens both the Environment Act's intent and public confidence in planning.

² [Biodiversity Net Gain: A Roadmap for Action](#), [Biodiversity Net Gain: The Story So Far](#)

Replacing this with a clear exemption limited to one dwelling per application, restricted to small sites (e.g., under 0.1 hectares), and excluding developments on or near priority habitats, protected sites, or Local Nature Recovery Networks (LNRNs) would improve clarity and reduce abuse. This approach balances reducing administrative burdens for genuinely small-scale developments while maintaining ecological accountability, particularly important in rural, peri-urban, and ecologically sensitive areas where even minor developments cumulatively impact habitat connectivity and biodiversity.

Key considerations supported by CIEEM and ecological best practice include:

- Cumulative Impact: Small-scale developments contribute to habitat fragmentation and ecological disruption; therefore, exemptions must be carefully limited and context-sensitive.
- Ecological Sensitivity: Exemptions should be guided by a hierarchy of ecological sensitivity, ensuring developments near sensitive habitats remain fully subject to BNG.
- Local Flexibility: Empower Local Planning Authorities to make decisions based on local ecological contexts, ideally supported by screening tools or checklists.
- Urban Opportunity: In urban areas, sub-0.1 hectare sites provide chances to enhance biodiversity through thoughtful design and green infrastructure.

Overall, this targeted exemption approach ensures that small developments do not evade biodiversity responsibilities while acknowledging the practical challenges that small-scale projects face in delivering BNG. It maintains the ecological integrity of BNG, supports nature recovery, and provides a fair, enforceable framework that discourages misuse.

The BNG in Small Developments Report³ supports setting a 0.1 hectare threshold as a clear, simple, and ecologically credible boundary to distinguish genuinely minor developments suitable for exemption from those requiring full BNG compliance.

Replacing the self/custom-build exemption with a tightly defined single-dwelling exemption, capped by size and ecological sensitivity criteria, aligns with best practice, safeguards biodiversity, and improves policy clarity and enforcement.

³ [BNG in Small Developments Report - The Lifescope Project](#)

7. Do you agree with the proposal for a 0.1 hectare threshold?

- ☒ **Yes (please explain why)**
- ☐ **No - keep existing exemption in place (please explain why)**
- ☐ **Don't know**

Please elaborate on your answer here:

Yes, we agree with the proposal to remove the self and custom-building exemption, and support replacing it with a more targeted exemption of 0.1 hectares provided this is accompanied by appropriate ecological safeguards and regulatory mechanisms to ensure it is limited to 0.1 ha.

The current exemption for self and custom-build developments has been widely misused, allowing developers to circumvent Biodiversity Net Gain (BNG) obligations without delivering genuine self-build outcomes. Removing this exemption is necessary to close this loophole and maintain the integrity of the BNG system.

We support replacing it with a clear, size-based exemption for single dwellings under 0.1 hectares. This approach maintains ecological accountability while easing administrative burdens for genuinely small developments.

The 0.1 ha threshold offers a practical, enforceable, and ecologically sound basis for exemption. It aligns with recommendations in the BNG in Small Developments Report⁴, which found that a 0.1 ha threshold (Scenario 2a) would exempt 66% of the smallest applications (primarily single dwellings and urban infill), increase annual BNG market demand by 82%, and lead to a 79% increase in land subject to BNG (18,294 hectares more annually). This demonstrates that such a change can deliver significant biodiversity benefits while still providing fair relief for the smallest

⁴ [BNG in Small Developments Report - The Lifescape Project](#)

projects. Moreover, this threshold avoids the arbitrariness and greater abuse potential of a larger (e.g. 0.5 ha) cut-off and prevents the segmentation of larger developments to exploit exemptions.

However, we note that very small sites can still contain or affect priority habitats, be linked to ecological networks or form part of essential green infrastructure. The loss of numerous small sites can collectively fragment habitats or degrade connectivity, particularly in urban or peri-urban areas. Engaging an ecologist early in the planning process, even if only for high-level strategic advice, would allow for any such impacts to be assessed.

Therefore, exemptions must not apply where the site supports priority habitat or habitat of high distinctiveness; lies within or adjacent to a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar Site, Local Nature Reserve (LNR), or other protected area; or contributes to green corridors or key ecological connectivity zones.

Local Planning Authorities (LPAs) should retain some discretion to assess ecological context and require evidence from applicants in ecologically sensitive areas. This complements CIEEM's emphasis on context-aware ecological assessment, ensuring biodiversity decisions are not made in isolation from the broader ecological network.

In summary, we support removing the current self and custom-build exemption and replacing it with an exemption for a single dwelling on a site under 0.1 ha, only if the site does not contain or adjoin sensitive habitats, and LPAs retain discretion to screen for ecological significance. This proposal strikes a fair balance—supporting small-scale development while ensuring all parts of the built environment contribute to nature recovery and uphold the objectives of the [Environment Act 2021](#).

1.3 Improving exemptions: b) Development below the 'de minimis' threshold

Example B - Development where the De minimis exemption currently applies:

"An application to build two 2-bedroom dwellings with adjoining gardens solely on an existing sealed surface is exempt from the BNG requirement under the de minimis exemption as there is no impact on existing habitats and no priority habitat onsite."

Example C - Development where the De minimis exemption could apply

"50 meters squared - An application for six car parking spaces at a village hall, removing 36 square metres of closely mown amenity grassland. Due to site constraints, onsite is not achievable and a very small amount, 0.02, of off-site habitat units must be purchased.

100 meters squared – An application to alter an existing residential site and construct an additional dwelling will result in the loss of 100 square metres of vegetated garden. The developer was unable to deliver BNG on-site and will source 0.01 low distinctiveness habitat units from the private off-site market."

"250 meters squared – An application for the development of a terrace of three two-bedroom houses on an infill urban site, the development is mainly on sealed surfaces or bare land with 215 square meters of mixed scrub lost. A short section of existing low distinctiveness hedgerow will be retained and enhanced. Onsite opportunities were maximized however due the site size, 0.11 units of mixed scrub were required to meet the 10% net gain."

8. Do you agree the area de minimis threshold should be extended?

☒ **Yes**

☐ **No**

We agree that the *de minimis* threshold should only be extended with strict, conditional safeguards rather than through a simple, broad increase in area. The current situation, as highlighted by the evidence and consistent with guidance from CIEEM and other ecological bodies, shows that the exemption is being widely misapplied beyond its original intent, which risks undermining biodiversity net gain (BNG) objectives.

Extending the threshold without controls would ignore important ecological realities. Even small developments or areas under a certain size can contain valuable habitats, mature trees, water features, or function as wildlife corridors, all of which contribute significantly to biodiversity and ecosystem health. A purely area-based exemption risks allowing incremental habitat losses that, when aggregated, produce substantial negative cumulative effects, weakening nature recovery efforts and ecological networks such as those promoted by Local Nature Recovery Strategies (LNRS).

CIEEM's ecological principles emphasize the need to consider habitat quality, connectivity, and landscape context, not just size, when determining impact thresholds. Therefore, any *de minimis* exemption should only apply if the development:

- Does not affect overland flood flow,
- Does not remove or interfere with mature trees, water bodies, or watercourses,
- Does not infringe on wildlife corridors,
- Is not located on or within close proximity (e.g., 5 meters) of habitats of principal importance or critical linear features,
- And is limited to a genuine single-dwelling self-build on an appropriately sized plot.

Data from the BNG in Small Developments Report⁵ confirm widespread misuse of the current exemption, with many developments much larger than 25 m² claiming the *de minimis* rule, including some over 0.5 hectares. This misuse highlights enforcement challenges and threatens the delivery of measurable biodiversity gains.

⁵ [BNG in Small Developments Report - The Lifescape Project](#)

A pragmatic way forward, supported by these studies and consistent with ecological best practice, is to adopt a clear, enforceable, red-line area threshold of 100 m² (0.01 hectare) defined by site size. This approach improves clarity and reduces gaming of the system, maintaining policy integrity while still exempting genuinely minor works.

Modelled scenarios show that enforcing BNG for all developments over 0.1 hectares significantly increases biodiversity net gain outcomes, almost doubling demand for biodiversity units and expanding land under BNG obligations, while still exempting most truly minor projects. This balance addresses administrative efficiency without sacrificing ecological outcomes.

We support extending the *de minimis* threshold only with strict, ecologically informed conditions, strong monitoring, and clear limits, aligning with CIEEM's recommendations and supporting long-term biodiversity enhancement and habitat protection goals.

9. If you answered yes to the previous question, which of the following thresholds do you think is the most appropriate?

- ☐ 50 square metres
- ☒ 100 square metres
- ☐ 250 square metres
- ☐ Other threshold

10. Please use this space to elaborate on your answer to the previous question

A moderate increase of the *de minimis* threshold to 100 m² is supported by the recent BNG in Small Developments Report⁶ and is the most appropriate option, provided it comes with important caveats and safeguards. The current 25 m²

⁶ [BNG in Small Developments Report - The Lifescape Project](#)

threshold has proven overly restrictive, especially for minor urban infill or extensions, imposing disproportionate burdens on small developers and local authorities. Increasing the threshold to 100 m² would better reflect the practical realities of delivering Biodiversity Net Gain (BNG) on very small sites with negligible ecological impact, easing administrative burdens while still protecting biodiversity.

However, exemptions must not apply where priority habitats, protected species, or ecologically sensitive areas are present. Baseline ecological surveys should remain mandatory to ensure no significant habitats or species are adversely affected, recognising that even small plots can have high ecological value, particularly in urban and peri-urban contexts. This approach aligns with CIEEM guidance, which stresses that biodiversity protection should consider habitat quality, connectivity, and ecological function.

While some have argued for a larger threshold—over 100 m²—this risks undermining biodiversity networks and strategic nature recovery plans such as Local Nature Recovery Strategies (LNRS). Larger thresholds increase the risk of habitat fragmentation, loss of small but valuable green spaces, and potential manipulation by developers aiming to circumvent BNG requirements.

Therefore, increasing the *de minimis* threshold to 100 m² represents a balanced and ecologically informed compromise. It reduces unnecessary burdens on small-scale developers while maintaining robust protection for biodiversity, especially when combined with conditions excluding priority or sensitive habitats and requiring ecological assessments.

1.4 Improving exemptions: c) Full exemption for all minor development

11. Do you think the BNG requirement should be removed for minor development (for example including up to 9 residential homes)

- ☐ Yes
- ☒ No
- ☐ Don't know

12. Please provide evidence for your response to the previous question here

Please provide evidence here

No, we do not agree that Biodiversity Net Gain (BNG) requirements should be removed for minor developments, including those with up to 9 residential homes. Removing BNG for these smaller-scale projects would undermine the policy's core objectives to halt biodiversity loss, promote nature recovery, and support climate resilience. It is also contrary to the Government's position that BNG should apply to "most development".

Key reasons include:

- **Cumulative Ecological Impact:**

While individual minor developments might seem to have minimal impact, collectively they cause significant habitat loss, fragmentation, and degradation of ecological networks. This erosion of habitat connectivity compromises species survival and recolonisation, counteracting Local Nature Recovery Strategies (LNRS).

A 9 unit threshold is sufficiently large that developers of much larger schemes could divide their site up into parcels of 9 units to avoid BNG requirements

entirely. This risk is far less likely with a 0.1ha threshold, as it would then require many planning applications and couldn't cover the common infrastructure and utilities.

- **Significance of Small Habitat Patches:**

Every habitat patch matters, particularly in urban and peri-urban areas where green space is limited but ecologically valuable.

- **Private Investment and Policy Implications:**

Minor developments account for around 80% of biodiversity unit (BU) market transactions. Removing BNG from this segment risks collapsing demand for biodiversity offsets and destabilising the biodiversity economy. Research suggests exempting developments under 1 hectare could reduce BU demand by over 11%, resulting in thousands of hectares of lost habitat restoration annually.

- **Ecosystem Service Co-benefits:**

BNG encourages integration of green infrastructure (trees, ponds, wildflower meadows) that provides ecosystem services such as urban cooling, flood attenuation, human wellbeing benefits and carbon sequestration—benefits that would decline without BNG in minor developments.

- **Missed Opportunities for Nature Recovery:**

Every development, regardless of size, offers an opportunity to improve habitats and strengthen ecological networks. Exempting minor developments removes these cumulative benefits, especially in fragmented urban landscapes.

- **Support for Strategic Biodiversity Goals:**

Maintaining BNG across all developments supports LNRS implementation by

ensuring habitat gains contribute to local biodiversity priorities and landscape-scale networks.

- **Need for Clear and Enforceable Exemptions:**

- Defining clear, area-based *de minimis* thresholds (e.g., 100m² or 0.01 hectare).
- Applying strict conditions to exemptions, such as no impact on priority habitats, protected species, mature trees, water bodies, or wildlife corridors.
- Requiring baseline ecological surveys to confirm absence of sensitive ecological features.

- **Practical Support for Small Developers:**

Providing guidance and capacity-building for small developers to implement cost-effective on-site BNG (e.g., habitat retention, enhancement, or creation) would facilitate compliance and biodiversity benefits.

- **Nature Connectedness and Good Placemaking**

Retaining biodiversity onsite aids good placemaking and allows for local communities to connect with nature and greenspace.

Removing BNG from minor developments would undermine biodiversity conservation, the biodiversity offsets market, and climate resilience efforts. A balanced approach that retains BNG for all developments, clarifies and tightens exemptions, and strengthens enforcement will maximise biodiversity gains, support sustainable development, and align with national and local environmental strategies.

13. If minor development were to be exempted from BNG, do you agree that the *de minimis* threshold should be extended to cover other types of development outside of the minor development category having little or no impact on biodiversity?

- ☐ Yes
- ☒ No
- ☐ Don't know

14. Please elaborate on your answer to the previous question

No, we do not support extending the *de minimis* threshold beyond the scope described in our response above. We strongly oppose exempting minor development from Biodiversity Net Gain (BNG). BNG must apply to all development types, including minor developments, because:

- Minor developments represent a substantial portion of planning activity, and their combined effect—particularly in urban, peri-urban, and edge-of-settlement areas—is significant in terms of habitat loss, fragmentation, and degradation.
- The Government’s stated intention, supported by ministerial statements, is for BNG to apply to “most development.” Exempting minor development, or expanding *de minimis* exemptions to other development types, contradicts this intent and risks undermining the ecological effectiveness and public credibility of BNG.
- The notion that some developments have “little or no impact” on biodiversity is difficult to assess objectively and risks misuse. Analysis from recent reports shows that broad exemptions, such as removing BNG from all sites under 1 hectare, could reduce the spatial footprint of development subject to BNG by over 20,000 hectares per year—resulting in the loss of over a third of biodiversity compensation opportunities.

- Over 50% of BNG exemptions are currently claimed under the *de minimis* provision, often on large sites where the exemption is ecologically implausible. Expanding this threshold would likely exacerbate evasion, placing an unmanageable enforcement burden on local planning authorities tasked with policing vague impact-based criteria.
- Larger thresholds risk the loss of important habitat patches, especially in fragmented or sensitive landscapes.
- Broader exemptions create incentives for developers to avoid BNG responsibilities through boundary manipulation or misleading claims.
- The aggregation of many seemingly “minor” exempted developments can cause significant uncompensated biodiversity declines over time. We reiterate our previously stated point that loopholes like splitting applications (so-called ‘salami slicing’) or adjusting boundaries to fall below exemption thresholds must be closed through clearer guidance and tighter enforcement to prevent regulatory gaming.

Rather than broadening exemptions, we advocate for maintaining BNG requirements across all development types to uphold biodiversity and ecological network integrity, implementing clear, an area-based *de minimis* threshold (100m²) with strict safeguards, requiring ecological surveys to confirm no adverse impacts on priority habitats or protected species, developing streamlined approaches or guidance to support genuinely minor developments with limited capacity to deliver BNG, and enhancing enforcement and monitoring to prevent misuse of exemptions and maintain public trust.

Extending the *de minimis* threshold beyond minor developments would significantly weaken the BNG framework, create regulatory loopholes, undermine the biodiversity offsets market, and diminish biodiversity conservation efforts. Stronger

controls, clear definitions, and robust enforcement are essential to ensuring BNG delivers meaningful, measurable biodiversity gains in line with national environmental commitments.

2. Creating new exemptions for certain types of development

2.1 Creating new exemptions for certain types of development: a) Parks, public gardens and playing fields development

15. Do you agree that parks, gardens and playing fields development, as defined above, should be partially exempt from BNG?

- ☐ Yes
- ☒ No
- ☐ Some but not all
- ☐ Don't know

16. Please elaborate on your answer to the previous question

No, we do not agree that there should be a blanket, partial exemption for parks, gardens, and playing fields from Biodiversity Net Gain (BNG). Exempting such developments would undermine the mitigation hierarchy, a cornerstone of sustainable development, which prioritises avoiding harm, minimising impact, and only then compensating through measures like BNG. Removing BNG requirements for parks and similar spaces eliminates accountability for compensating biodiversity losses where harm cannot be avoided or mitigated.

Furthermore, a partial exemption conflicts with environmental principles emphasising precaution and responsible stewardship. It risks normalising unquantified biodiversity loss in valued green spaces, shifting responsibility away

from developers, and disregarding the ecological uncertainty common to many urban and recreational green areas.

2.2 Creating new exemptions for certain types of development: b) Development whose sole or primary objective is to conserve or enhance biodiversity

17. Do you agree that development whose sole or primary objective is to conserve or enhance biodiversity should be exempt from BNG?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

There are several areas where this exemption could be appropriate, such as offsite BNG provision, nature-based rewilding projects, wetland and heathland restoration, and the restoration or creation of ponds, rivers and other water bodies. Waterway restoration projects, including naturalisation of river channels, reconnecting floodplains, creating backwaters, and installing habitat features, often require planning or regulatory consent, yet their principal purpose is to deliver measurable biodiversity uplift and improved ecosystem function. In such cases, the projects are not just likely to meet the 10% BNG requirement, and imposing additional metric assessments may introduce unnecessary burdens that risk deterring important nature recovery work.

Similarly, conservation infrastructure within such schemes, such as boardwalks, scrapes, bird hides, fencing, or small-scale interventions to improve ecological access or management, may trigger development controls despite being ancillary to a primary biodiversity objective. These types of developments should also be considered within the scope of a carefully defined exemption.

Strict conditions for any such exemption:

- **Evidence of Ecological Benefit:** Any exempted project must deliver clear ecological benefits and demonstrate a genuine intent for nature conservation. The BNG metric, even if not for calculating a "gain," can serve as an important record to prove no net loss or indeed, enhancement.
- **No Loss of Priority Habitats:** Crucially, there should be no loss of **priority habitats** resulting from the development.
- **Compatibility with Designated Sites:** Projects must be compatible with existing designated site protections.
- **Transparency and Monitoring:** There needs to be transparency regarding the temporal nature of such schemes. Voluntary monitoring or recognised stewardship (e.g. Environmental Land Management Schemes, Peatland Code) should be in place to ensure long-term habitat quality and prevent schemes from falling short of their stated conservation goals.
- **Prevention of Loopholes:** Care must be taken to prevent the BNG mechanism from being exploited by land owners/managers maximising saleable units without genuine follow-through on long-term habitat quality, connectivity, or public benefit. The pursuit of "maximising units" should not compromise true biodiversity benefits within a development's green spaces.

18. If yes, do you think there should be an upper size limit?

- ☐ Yes
- ☒ No
- ☐ Don't know

19. Please provide evidence to your answer where possible, including examples of developments that you think would be exempted.

2.3 Creating new exemptions for certain types of development: c) Temporary development

Example D - Temporary planning permission

“An application submitted for a temporary haulage road needed for construction traffic to serve a residential site already permitted. Onsite BNG is not possible, so the development must secure 0.25 area habitat units and 0.06 hedgerow units from an off-site BNG unit provider to achieve a 10% net gain.”

Under the proposal, this development would be exempt from BNG.

20. Do you agree that temporary planning permission should be exempt from BNG?

- ☐ Yes
- ☒ No
- ☐ Don't know

21. Please provide evidence where possible, including examples of developments that you think would be exempted.

We do not support a blanket exemption of all temporary planning permissions from BNG. While temporary developments inherently differ from permanent ones—often having shorter durations and potentially lower long-term impacts—it is essential that BNG requirements continue to apply proportionately, based on the scale, duration, and ecological impact of each case.

Key considerations include:

- Genuinely short-term, small-scale temporary developments (e.g., under 0.1 hectares and less than five years duration) that can be fully reinstated to original or better habitat without affecting priority habitats might justifiably be exempted from full BNG compliance. In such cases, administrative inefficiencies arise from attempting to calculate negligible BNG units (e.g., <0.0001 units). However, this exemption should not imply no responsibility for nature restoration. A robust restoration and monitoring plan should be submitted and audited post-occupation.
- Larger-scale or longer-duration temporary developments, such as infrastructure projects lasting several years, must remain subject to full BNG obligations. These can cause substantial habitat loss, soil compaction, disturbance, and fragmentation, leading to legacy biodiversity damage if not properly mitigated or compensated.
- There is a risk that developers may misuse “temporary” status to evade BNG obligations indefinitely if clear time limits and enforcement mechanisms are not in place. A maximum duration of five years for any temporary exemption is a sensible threshold to distinguish genuinely short-term projects from those that may become quasi-permanent.
- The cumulative ecological impact of repeated or prolonged temporary uses can be significant and undermine the objectives of the Environment Act 2021 to secure measurable biodiversity improvements. Even temporary permissions must therefore align with the mitigation hierarchy and environmental stewardship principles.
- A nuanced, case-by-case approach is recommended rather than blanket exemptions. This includes:

- Baseline ecological recording using the BNG metric to maintain accountability and ecological data.
- Clear timeframes and planning reviews.
- Encouragement of interim biodiversity gains (e.g., greening urban sites, wildlife-friendly temporary habitat enhancements).
- Use of mitigation measures to minimize habitat damage during temporary works (e.g., raised platforms to protect soil and vegetation).
- Ensuring temporary developments do not cause irreversible biodiversity harm or lose opportunities for net gain aligns with the core aims of BNG and national biodiversity strategies.

Temporary planning permissions should only be exempted from full BNG in tightly defined cases involving very short durations, small footprints, and guaranteed full habitat restoration without impact to priority habitats. Larger or longer temporary developments must comply fully with BNG to prevent biodiversity loss and support nature recovery. This proportionate, risk-based approach balances administrative efficiency with the need to uphold ecological integrity, in line with best practice guidance from CIEEM.

22. If yes, do you agree with the 5 year time limit?

☐ **Yes**

☒ **No**

☐ **Don't know**

23. Please give reasons

While we do not agree that temporary development should have a blanket exemption from BNG, if an exemption was brought in, a 5-year time limit is appropriate, but only if it remains the absolute maximum duration, and is caveated by our comments above. This limit helps clearly separate genuinely low impact, short-term developments from quasi-permanent or long-term uses that could undermine biodiversity goals.

Key points include:

- The BNG statutory metric supports temporary habitat loss being recorded as “retained” if restoration happens promptly, making the 5-year cap with two years for restoration reasonable.
- Short-term developments (e.g., community gardens, temporary play areas) often have minimal lasting ecological impact but face disproportionate BNG costs without exemption.
- Restoration commitments and financial guarantees (such as bonds) are essential to ensure habitats are fully restored within two years after use ends.
- No impact should occur on priority habitats, ancient woodland, or protected sites.
- The exemption must lapse if the temporary use becomes permanent.
- Monitoring and enforcement are critical to avoid “legacy” biodiversity losses and ensure compliance with environmental stewardship principles.

Extending exemptions beyond five years increases the risk of permanent ecological damage and enforcement challenges. A proportionate, case-by-case approach with

clear restoration requirements and robust oversight best protects biodiversity while allowing some flexibility for temporary developments.

The 5-year limit should be strictly enforced with conditions to ensure temporary permissions do not cause lasting harm, maintaining the integrity and ambition of BNG policy.

3. Streamlining the BNG metric process

3.1 Streamlining the BNG metric process - Development which can use the Small Sites Metric

24. Do you think the SSM should be used for medium development?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

CIEEM does not support extending the Small Sites Metric (SSM) for medium development. The SSM was designed for minor developments with limited biodiversity impact and lacks the rigour required for larger or more ecologically complex projects.

Medium developments typically affect a greater area and involve more complex habitats, which require detailed condition assessments and professional ecological input. The SSM's fixed assumptions and lack of site-specific surveys risk underestimating ecological value and biodiversity loss, and in some cases, overestimating ecological value, over inflating ecological value to compensate for the lack of professional ecological input, such that small developers relying on it end up with larger BNG bills. This could undermine the effectiveness of

Biodiversity Net Gain (BNG) and lead to legal and reputational risks for developers and authorities.

The simplified nature of the SSM already carries the risk that assessments may be carried out by individuals without adequate ecological training. Allowing the SSM to be used on such sites could result in poor-quality submissions, inaccurate impact evaluations, and insufficient mitigation, ultimately compromising biodiversity conservation goals.

Additionally, many ecologists already avoid using the SSM due to its incompatibility with habitat banks and off-site unit providers, which creates practical delivery barriers.

Instead:

- Require medium developments to use the full statutory Biodiversity Metric, accompanied by:
 - Detailed habitat condition assessments.
 - Clear application of the Mitigation Hierarchy.
 - Oversight by professionally competent ecologists, as defined in CIEEM's Competency Framework.
- Avoid creating new metric categories (e.g., separate small and medium tools), and instead explore a single, scalable BNG metric that adjusts its requirements proportionately based on site size, habitat value, and development impact.
- Develop and apply a formal Competency Hierarchy (in partnership with CIEEM and others) to define clearly who is qualified to use each metric or undertake each type of assessment. This should include training and accreditation opportunities, supported by training providers such as CIEEM, to ensure ecological competence at all levels.

25. Do you think the SSM should be able to be used on sites with European protected species present?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

CIEEM strongly advises against the use of the Small Sites Metric (SSM) on sites where European Protected Species (EPS)—such as bats, great crested newts, dormice, and reptiles—are present. These species are subject to strict legal protections under UK legislation, requiring thorough, species-specific assessments and mitigation strategies.

We note that neither the simplified SSM, nor the statutory metric, takes protected species into account - both Metric versions are to be implemented in addition to any required protected species assessment and mitigation.

However, given the reduced ecological input currently required to use the SSM, we recommend that the SSM is not used on sites where protected species are present.

CIEEM also has significant concerns around competency. The simplified SSM increases the likelihood of being used by individuals without adequate ecological expertise, potentially leading to poor assessments, insufficient mitigation, and non-compliance with conservation legislation.

26. Do you think the SSM should be able to be used on sites with protected sites present?

- ☐ Yes

☒ **No**

☐ **Don't know**

Please elaborate on your answer here

We strongly advise against the use of the Small Sites Metric (SSM) for developments affecting statutory protected sites, including Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites. These sites hold the highest ecological value and legal protection in the UK, requiring detailed, site-specific assessment. The SSM, designed for minor developments with low ecological risk, is not suitable for the complexity of such sensitive areas.

The SSM's standardised assumptions—such as fixed habitat condition values and lack of on-site surveys—are insufficient for understanding biodiversity impacts on protected sites. Developments in these areas should use the full statutory biodiversity metric (e.g. Metric 4.0), supported by detailed ecological surveys and analysis. This ensures that any impacts are properly assessed and that mitigation and enhancement measures meet legal and ecological requirements.

CIEEM also warns of the risks associated with insufficient ecological expertise. The simplified nature of the SSM could allow under-qualified individuals to conduct assessments on protected sites, increasing the risk of inaccurate evaluations and legal non-compliance. All such assessments must be led by competent professionals, as outlined in CIEEM's Competency Framework, to ensure rigorous and lawful practice.

Inappropriate use of the SSM could lead to breaches of the Habitats Regulations or the Wildlife and Countryside Act, and undermine the credibility of the Biodiversity Net Gain (BNG) policy. While national and international designations should be excluded from SSM use, the status of locally designated sites (e.g. Sites of Importance for Nature Conservation (SINCs)) remains unclear and needs further clarification.

All designated protected sites should be excluded from the SSM, instead using the standard metric for developments affecting these areas. Ensuring assessments are led by qualified ecologists is essential to protect irreplaceable biodiversity and uphold the integrity of BNG policy.

27. If these changes are taken forward, and the SSM is re-badged as a low impact metric. Do you think there should be any other restrictions on use of the SSM?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please state what further restrictions you think there should be on the use of the SSM, or why you believe no further restrictions are required

CIEEM does not support this change. We emphasise throughout our response that the SSM must be solely limited to sites under 0.9ha, which one could describe as “small sites”.

Changing the name to Low Impact Metric risks confusing its purpose. For example, a relatively large site could be deemed to be low impact and hence argue for using the Low Impact Metric. Retaining the current name maintains its purpose for small sites only.

3.2 Streamlining the BNG metric process - SSM removal of the trading rules)

Example E – removal of the trading rules

“A developer is planning a minor residential development for 5 dwellings on ~0.4ha (4030m²). They choose to use the Small Sites Metric to calculate their BNG. They have a 10% BNG requirement and there is ~0.1ha (980m²) of bramble and mixed scrub on the site which will be lost to the development.”

Current

Under the current trading rules, the developer must replace the lost scrub with the creation of medium distinctiveness scrub onsite, or through the purchase of offsite units for medium distinctiveness scrub or a higher distinctiveness habitat (generated through the creation or enhancement of a priority habitat).

The developer does not have space in their site plan to create enough scrub habitat, due to the high proportion of developed land and vegetated garden being created. They are planning a small community green space as part of the development, but a high proportion scrub is not suitable for this area. To satisfy the trading rules, the developer has to purchase 0.4 scrub units from a local habitat bank.

Proposed

With the amended SSM, without trading rules, the developer could compensate for the loss of scrub with any habitat.

The developed land and vegetated garden would not create enough units to satisfy the 10% gain, but the developer is planting some individual trees, a small area of hawthorn scrub, creating a non-priority pond and some other neutral grassland in the community green space area. This allows the developer to meet the 10% requirement, with no need to purchase offsite units.

28. Do you think the trading rules should be removed in the SSM (which contains only medium and low distinctiveness habitats)?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

We strongly advise against removing trading rules from the Small Sites Metric (SSM), even where only medium and low distinctiveness habitats are present. These rules are a fundamental component of the Biodiversity Net Gain (BNG) framework, ensuring that habitat losses are replaced with ecologically equivalent or appropriate alternatives. They safeguard against "trading down" to lower-value habitats and help maintain ecological function, habitat diversity, and connectivity—particularly critical in urban and fragmented landscapes.

Medium and low distinctiveness habitats still offer vital ecological services, such as pollination support and wildlife corridors. Removing trading rules risks degrading these functions and could undermine public confidence in the BNG process. Such a move would contradict the principle of BNG as a mechanism to deliver measurable biodiversity improvements across all development types and scales, not just the most ecologically sensitive sites.

Removing trading safeguards could create incentives for habitat misclassification, leading to inconsistencies, weaker outcomes, and increased pressure on local planning authorities—especially where ecological expertise or resources are limited. It may also encourage habitat choices based solely on cost or simplicity, rather than ecological appropriateness, further reducing biodiversity outcomes.

Rather than removing trading rules, CIEEM recommends improving them to ensure habitat replacements are of the same or higher distinctiveness, and remain aligned with wider biodiversity policies. These rules are especially important in constrained or urban environments, where every biodiversity unit has value and fewer opportunities exist for on-site gains.

Trading rules are not a technical detail but a core principle of delivering meaningful biodiversity outcomes. Retaining and refining them within the SSM is essential to preserve ecological integrity, support consistent planning decisions, and uphold the long-term goals of the BNG policy.

29. If you answered no, do you think the trading rules should be amended in the SSM to allow the losses of any medium distinctiveness habitat to be compensated for with any other medium distinctiveness habitat (but not with low distinctiveness habitats)?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please state why you think the trading rules should or shouldn't be amended in the SSM

No, we do not support amending the trading rules in the Small Sites Metric (SSM) to allow losses of any medium distinctiveness habitat to be compensated for by any other medium distinctiveness habitat, regardless of type. It weakens the principle of ecological equivalence at the heart of Biodiversity Net Gain (BNG) and could lead to a further erosion of biodiversity value in practice.

3.3 Streamlining the BNG metric process - SSM changing how habitat condition is fixed

Example F – fixing habitat condition in the Small Sites Metric

“A developer is planning a minor residential development on an 750m² site. They choose to use the Small Sites Metric (SSM) to calculate their BNG. They have a 10% BNG requirement and the existing habitat on the site is primarily modified grassland, with some other neutral grassland and mixed scrub.”

Current

With the current standardisation of condition in the SSM, all habitats on site would be considered moderate condition. This means the habitats are valued by the SSM as:

550m² modified grassland = 0.22 units

150m² other neutral grassland = 0.12 units

50m² mixed scrub = 0.04 units

The overall baseline value of the site is 0.42 units

The developer plans to enhance the existing other neutral grassland by condition and create some other neutral grassland, hawthorn scrub and two ponds, all targeted at good condition. This would generate the following unit outputs:

400m² developed land = 0 units

150m² enhanced other neutral grassland = 0.16 units

100m² created other neutral grassland = 0.08 units

50m² created hawthorn scrub = 0.04 units

50m² created non-priority pond = 0.05 units

The development has a -11% deficit and requires 0.08 units from an offsite provider. The post development value of the site is = 0.34 units.

Proposed

On the same site, where the condition of the baseline habitats is fixed to poor, the habitats would be valued by the SSM as:

550m² modified grassland = 0.11 units

150m² other neutral grassland = 0.06 units

50m² mixed scrub = 0.02 units

The overall baseline value of the site is 0.19 units

The developer plans to enhance the existing other neutral grassland by condition and create some other neutral grassland, hawthorn scrub and two ponds, all targeted at moderate condition. This would generate the following unit outputs:

400m² developed land = 0 units

150m² enhanced moderate condition other neutral grassland = 0.10 units

100m² created other neutral grassland = 0.06 units

50m² created hawthorn scrub = 0.02 units

50m² created non-priority pond = 0.02 units

The post development value of the is 0.20 units. The developer has a +3.4% increase in biodiversity value and would require 0.01 unit from an offsite provider or a small change their site plans to deliver this onsite (such as the planting of individual trees or provision of green roofs).

30. Do you think habitat conditions should be fixed at 'poor' for baseline habitats, and 'moderate' for the target condition of enhanced habitat in the SSM?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

We do not support fixing habitat condition scores at 'poor' for the baseline and 'moderate' for the target condition in the Small Sites Metric (SSM). We recognise the intent to simplify assessments for smaller-scale developments, but consider this approach fundamentally flawed, both ecologically and professionally. Setting default condition values disregards the actual biodiversity value of habitats present at a site and risks producing misleading BNG outcomes. Our members frequently report encountering small sites—particularly in urban or brownfield settings—that support habitats of moderate or even good condition. Automatically defaulting these to 'poor' introduces a systematic underestimation of baseline value, making it easier to claim a lower level of biodiversity value. This approach devalues ecological expertise and discourages the engagement of competent professionals. One of our key concerns, echoed across the profession, is that fixing conditions incentivises a box-ticking mindset and undermines the principle of evidence-led ecological assessment. It also increases the risk of pre-emptive habitat degradation, whereby developers may remove or alter moderate-value habitats knowing they will be recorded as 'poor' anyway. Fixing the target condition at 'moderate' similarly caps ambition and discourages creative, design-led approaches to urban habitat enhancement, despite growing evidence that small-scale, high-quality

interventions—such as biodiverse roofs, wetlands, and pollinator corridors—can deliver significant ecological benefits in built environments.

Fixing habitat conditions contradicts core environmental principles around precaution, proportionality, and scientific validity. It risks distorting the true net biodiversity impact of developments, limiting public trust and long-term ecological outcomes. Government must retain the requirement for site-specific habitat condition assessments, subject to appropriate professional competency and audit, rather than locking it into fixed values that ignore ecological nuance.

31. Are there any other changes to the SSM or metric process for minor and medium development that should be considered to overcome challenges or streamline the process?

Yes:

We recommend several targeted improvements to the Small Sites Metric (SSM) to ensure it remains both usable and ecologically robust. A priority is the introduction of a clear definition of “competent person.” The current lack of standards allows unqualified individuals to complete assessments, risking habitat misclassification and poor outcomes. We propose a tiered competency framework, with training or accreditation requirements, to uphold professional and ecological standards. We also strongly support digitising the SSM—creating an online tool with GIS mapping, built-in guidance, and scenario testing—to reduce errors and support small developers and LPAs.

Improved guidance is also essential. Illustrated habitat ID tools and clear templates would help reduce misclassification, particularly for urban or degraded habitats. While defaults may simplify assessments, professional ecologists must be allowed to override them where justified. The metric should also better reward small-scale, high-value features such as rain gardens, biodiverse roofs, hedgerows, and wildlife ponds—critical in constrained or urban

sites. These elements, when properly managed, contribute significantly to local biodiversity and should be better recognised in scoring and trading rules.

It is critical to avoid over-simplifying habitat categories, which risks losing ecological nuance. The SSM must not be used on sites with protected species or statutory designations—these require detailed assessment using the statutory metric.

Additionally, many habitat banks do not accept SSM outputs, forcing duplication of effort. This incompatibility must be addressed.

3.4 Streamlining the BNG metric process - Simplifying and amalgamating SSM habitats

Example G – simplifying and amalgamating SSM habitats

Current

“A competent person using the SSM currently would have to identify and record individual scrub types present on the development site as their individual habitat types: ‘mixed scrub’, ‘blackthorn scrub’ and ‘gorse scrub’.”

Proposed

“If this change was enacted the developer would instead be able to record these habitat types under a broader ‘scrub’ category (medium distinctiveness). The same would apply for any scrub being created as part of the development.”

32. Do you think some habitats of the same broad type with the same value should be amalgamated in the SSM?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

CIEEM does not support amalgamating habitats of the same broad type in the Small Sites Metric. Even within broad categories like grassland or scrub, different subtypes

have distinct ecological characteristics, species assemblages, and functions. Merging these risks inappropriate offsetting and undermines the principle of ecological equivalence. It would also reduce the accuracy of monitoring and habitat delivery and increase the likelihood of poor classification and system misuse.

Rather than simplifying by amalgamating habitat types, we recommend improving user support through clearer guidance, training, and digital tools. Maintaining ecological detail is essential to ensure the metric remains scientifically robust and supports meaningful biodiversity outcomes.

33. Do you think the habitats in the SSM should be reviewed, to ensure they are easily identified by non-ecologists?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

The habitats in the SSM should not be simplified or altered just to make them easier for non-ecologists to identify. While some habitat types can be challenging for non-specialists, simplifying categories risks losing ecological accuracy and could lead to misclassification or the overlooking of important habitats. Instead, the focus should be on supporting users—such as landscape architects and other professionals—with clearer guidance, better visual tools, training, and access to digital resources. This approach maintains ecological integrity while broadening the pool of competent assessors.

To ensure robust biodiversity net gain outcomes, professional ecological oversight must remain, especially for complex or sensitive sites. Introducing minimum training requirements and providing supporting evidence, like photos and design notes, can improve accountability

and accuracy. Overall, improving clarity and support rather than changing habitat definitions will help the SSM remain both accessible and ecologically sound.

We reiterate our position that the definition of a competent person needs to be more clearly defined (see responses to questions 31 and 36).

34. Do you think there should be a watercourse module in the SSM, or should all developments within the riparian zone of watercourse habitats use the main metric tool?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

All developments within riparian zones of watercourse habitats should use the main biodiversity metric tool rather than a separate watercourse module in the SSM.

Watercourses and their riparian zones are ecologically complex, high-value environments often supporting priority habitats and protected species. The SSM's simplified structure and lack of detailed condition assessments mean it is not suited to capture the ecological nuances critical to these habitats.

Introducing a watercourse module risks normalising the use of an inappropriate, simplified tool in sensitive areas, undermining the mitigation hierarchy and meaningful biodiversity net gain (BNG). Instead, developments near watercourses should always use the main metric, supported by professional ecological input, ensuring robust, site-specific assessment and enhancement.

This approach is vital given the UK's current freshwater crisis—facing pollution, poor management, and climate impacts—and helps prevent developers from avoiding responsibilities by excluding watercourses from site boundaries. Watercourses are

key blue-green assets critical for landscape connectivity, nature recovery, and climate resilience. The main metric aligns with legislation such as the Environment Act 2021 and supports sustainable drainage systems (SuDS), ensuring integrated water and biodiversity management.

3.5 Streamlining the BNG metric process - Competency, habitat identification and guidance

35. Do you think providing additional guidance on the identification and management of habitats in the small site metric would be helpful?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Yes, providing additional guidance on the identification and management of habitats in the Small Sites Metric (SSM) would be highly beneficial. Accurate habitat identification is crucial for maintaining the credibility and effectiveness of the SSM, especially since many small sites can be ecologically complex or degraded, making classification challenging. Clear, illustrated guidance—including photos, step-by-step instructions to distinguish similar habitats, and worked examples of common small site types—would support users, including non-ecologists, in producing more reliable baseline assessments. This would help bridge the “green skills” gap seen in some local authorities and improve the consistency and fairness of planning decisions.

Beyond identification, practical guidance on realistic, achievable habitat management tailored to small sites is vital to ensure that biodiversity gains are delivered and sustained. Advice on habitat creation (e.g., wildflower areas, hedgerow enhancements), post-development monitoring, and long-term

maintenance would help non-specialist users and small developers implement effective stewardship. Integration with existing digital tools and platforms could further improve confidence and streamline the process. Additionally, enhancing biodiversity gain information and planning templates to require more rigorous, evidence-based information—including stronger emphasis on the mitigation hierarchy, species impacts, target dates for habitat creation, and alignment with Local Nature Recovery Strategies—would promote transparency and robustness. Clear protocols for monitoring and remedies in cases of non-delivery are also necessary to uphold enforceability.

Ultimately, detailed, accessible guidance tailored for the SSM would reduce errors, support ecological integrity, and ensure that biodiversity net gain delivers genuine and lasting benefits on small development sites.

36. Do you think more clarity is required within the definition of a competent person undertaking a BNG assessment using the SSM, and reviewing the completed SSM?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

If yes, do you have any suggestions as to how competency could be defined for the SSM?

Yes, greater clarity is urgently needed regarding the definition of a competent person for undertaking and reviewing Biodiversity Net Gain (BNG) assessments using the SSM. While the SSM is designed as a simplified tool, it still requires nuanced judgment around habitat classification, enhancement potential, and long-term management. The assumption that non-specialists—such as "gardeners"—can carry

out these assessments without formal training introduces significant risk of inconsistent or poor-quality submissions. This places an additional burden on already under-resourced Local Planning Authorities to scrutinise assessments that may lack ecological rigour, undermining the credibility and effectiveness of the BNG process.

A clear, formal definition of competency is therefore essential. A competent person should possess demonstrable qualifications and experience in habitat assessment, ecological surveying, and habitat management. This should ideally include membership of a recognised professional body such as CIEEM. At a minimum, individuals completing or reviewing SSM assessments should be required to undertake accredited training - developed by relevant stakeholders including Natural England and CIEEM - to ensure baseline competence and understanding of the tool's requirements.

3.6 Streamlining the BNG metric process - Watercourse metric

Example H - a minor development with no negative impacts to the riparian zone

"A developer is planning a minor residential development where a small area of the 10m riparian zone of a watercourse falls within the red line boundary of the development site. The development will retain the habitat in the riparian zone and there are no impacts to the watercourse riverbank or channel (the watercourse falls outside the red line boundary for the site)."

Current

"As part of the riparian zone falls within the red line boundary of the development, the developer is required to undertake a river condition assessment survey of the watercourse (undertaken by a qualified assessor) and complete the watercourse part of the metric to demonstrate how the proposal will deliver a 10% gain in habitat and watercourse biodiversity units."

Proposed

“The developer can approach the relevant local planning authority with details of the minor development with evidence of no impact to riparian zone habitat. Should the local planning authority have no ecological concerns with the development, under these circumstances, the developer and planning authority can agree an RCA survey and completion of the watercourse part of the metric is not required for the development, and it does not need to deliver 10% BNG for watercourses but must deliver 10% BNG for area habitats, and hedgerows where present.”

37. Should a different watercourse condition survey be employed for minor development using the watercourse metric?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

Yes, we support the development of a proportionate alternative watercourse condition survey for minor developments—provided it maintains ecological rigour and does not compromise the quality of Biodiversity Net Gain (BNG) assessments. While the existing linear watercourse metric may not always be practical for smaller schemes, any new survey method must still detect meaningful ecological impacts and be developed with input from qualified ecologists and statutory bodies.

Given the diversity of watercourses—from low-value ditches to high-value priority habitats—a single, uniform approach is inappropriate. CIEEM recommends that Defra introduce a clear hierarchy of watercourse distinctiveness, with corresponding survey and assessment requirements. This would support proportionality while ensuring that more ecologically significant water bodies are assessed with appropriate detail.

Crucially, any streamlined method must avoid becoming a ‘tick-box’ exercise, and the role of competent ecological input should remain central, even on smaller sites.

38. Should a different watercourse condition survey be employed for minor development using the watercourse metric when there is no impact?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

Yes, we support the use of a simplified or desk-based approach to watercourse condition assessment in cases where minor development demonstrably has no direct or indirect impact on a watercourse. However, this should be applied cautiously and only when robust evidence—such as site plans, hydrological data, and habitat mapping—clearly shows no likely effect on adjacent or connected watercourses.

Crucially, this judgment must be made by a competent ecologist and agreed in advance with the relevant planning authority. Even where impacts seem unlikely, a precautionary approach should be maintained, considering potential indirect effects such as runoff, pollution, or hydrological disruption.

However, diffuse pollution, particularly from domestic sources like septic tanks can have a significant impact. The cumulative impacts of minor developments—especially within riparian zones—can significantly affect water quality at a catchment scale. Therefore, exemptions from the full watercourse condition survey must not create policy loopholes or weaken accountability.

Where developments are within or near sensitive or designated watercourses, the full linear watercourse metric may still be appropriate, regardless of development scale. CIEEM advocates for holistic, place-based water management, and stresses

the need for any simplified approach to be embedded within a clear framework of ecological competence, site-specific evaluation, and national water quality priorities.

39. Do you think that minor developments should be able to agree with the relevant planning authority that they do not need to complete the watercourse module of the metric when there is no impact?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

No, we do not support allowing minor developments to opt out of completing the watercourse module of the Biodiversity Net Gain (BNG) metric—even where no immediate impact is perceived.

While we acknowledge the intention to streamline processes for low-risk developments, we believe this approach introduces unacceptable risk to ecological integrity and undermines the principle of robust, evidence-based assessment. Watercourses are ecologically sensitive, linear habitats that often support high biodiversity and play a critical role in wider catchment-scale ecological function.

CIEEM's position is informed by several key concerns:

- **Cumulative Impacts:** Even small-scale or seemingly isolated developments can contribute to significant diffuse pollution issues, particularly from domestic sources like septic tanks. These impacts may be indirect or delayed but are no less damaging.
- **Loss of Oversight:** Allowing minor developments to bypass the watercourse module removes a key layer of professional ecological scrutiny at a time when many local authorities lack the resources to investigate potential risks in depth.

- False Assumptions of 'No Impact': The assumption that a minor development poses no risk may ignore hydrological connections or ecological dependencies not immediately visible without expert survey and analysis.
- Missed Opportunities for Biodiversity Enhancement: The BNG framework is not just about avoiding harm—it also provides an opportunity to improve ecological networks. Exempting developments risks losing these gains.

Instead of exemptions, CIEEM advocates for a proportionate but mandatory approach: the watercourse module should be completed in all cases where a watercourse is present within or near the site. Where impacts are clearly negligible, this should be recorded through the metric with minimal burden, but not omitted entirely.

We urge that any decisions to exclude modules from BNG assessments be based on competent ecological judgment, supported by formal guidance and oversight, and framed within a precautionary, catchment-based management ethos that reflects the interconnectedness of water systems.

3.6 Streamlining the BNG metric process - all development (improving the tool)

40. What specific features or improvements would you like to see in a digital version of the metric tools?

- We Strongly support an improved digital BNG metric tool that enhances accuracy, usability, and transparency, with built-in validation to flag inconsistent data and reduce errors.
- Incorporate interactive mapping and habitat selectors (inspired by tools like MAGIC and NBN Atlas) to improve spatial accuracy and support strategic planning.
- Enable a design-led workflow integrating landscape plans and construction details, fostering collaboration between ecologists, planners, and designers, following examples like CIRIA's SuDS Manual tools.
- Provide clear definitions, guidance, and scenario modelling to prevent confusion, explore biodiversity outcomes, and generate automated planning reports.
- Ensure compatibility with planning portals and integration with existing environmental data systems (similar to ArcGIS Online) for streamlined submissions and ongoing monitoring.
- Maintain transparency through audit trails and regularly update the tool with the latest scientific standards.
- Offer accessible training resources to support users with varying ecological expertise, particularly for minor and medium developments.
- A non-online version of the Metric should be made available, to improve accessibility and the resilience of the system, this should include the option to both complete and submit assessment offline.
- Overall, the tool should support robust biodiversity gains through user-friendly, accurate, and collaborative digital workflows informed by established ecological and design platforms.

3.7 Streamlining the BNG metric process - all development (incentivising the inclusion of biodiverse features)

41. Do you think we should allow biodiverse features to be counted within vegetated gardens being created as part of a development?

- ☐ Yes
- ☒ No
- ☐ Don't know

If yes, do you have any suggestions of how we should account for biodiverse features in vegetated gardens being created as part of a development?

No. We do not support allowing biodiverse features within vegetated gardens to count towards Biodiversity Net Gain (BNG). While gardens can contribute to urban biodiversity, many provide limited ecological value, and including them risks inflating biodiversity credits without delivering meaningful gains. Additionally, enforcement of such features within vegetated gardens would be exceptionally difficult and time-consuming for overstretched local authorities, for little gain.

4. Increasing flexibility to go off-site for minor development

4.1 Increasing flexibility to go off-site for minor development - relaxing the biodiversity gain hierarchy

42. Do you agree the biodiversity gain hierarchy should be updated for minor development?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

We support updating—but not relaxing—the biodiversity gain hierarchy for minor developments. While the current hierarchy plays a critical role in embedding biodiversity into site design and avoiding off-site overreliance, its rigid application can create practical challenges for smaller developments that often have limited space for meaningful on-site delivery. Updating the hierarchy should focus on improving flexibility within a clearly defined framework that still prioritises on-site delivery wherever feasible.

Any update must:

- Preserve the principle that on-site biodiversity gains are preferable and foundational, so as not to exacerbate degradation of local ecological systems and contribute to cumulative impacts, whilst also ensuring that local communities are not disadvantaged through ecological harms whilst the benefits are delivered elsewhere.
- Align with and support the delivery of Local Nature Recovery Strategies (LNRS), ensuring that off-site contributions—when necessary—are spatially and strategically targeted.

- Avoid enabling routine or distant offsetting that undermines ecological connectivity and local outcomes.
- We also caution against allowing developers to sell excess on-site biodiversity units to other developments, as this introduces risks of market distortion and shifts focus away from designing ecologically integrated sites. Instead, updated guidance should:
 - Provide clearer support tailored to urban and constrained contexts.
 - Increase the recognised value of viable urban habitats (e.g., green roofs, swales, street trees).
 - Invest in local habitat banks and ensure that any off-site mitigation is demonstrably needs-led and contributes to coherent ecological networks.

Updating the hierarchy should be an opportunity to refine its application in minor development contexts—while reinforcing its core ecological principles, supporting effective place-based design, and maintaining public trust in biodiversity net gain (BNG) as a policy tool.

43. Would relaxing the biodiversity gain hierarchy for minor development support small developers to deliver BNG more easily?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

Yes, relaxing certain elements of the biodiversity gain hierarchy for minor development could support small developers and wider, strategic nature recovery along with the emerging offsites market.

However, we only support this relaxation with the caveat that the spatial risk multiplier is relaxed only to the extent outlined in our response to question 45, which means that biodiversity gains are kept as near to the development site as possible.

44. Do you think placing off-site habitat enhancements with the same preference as onsite habitat enhancements for minor development would deliver better outcomes for nature?

Please provide evidence to support your answer where possible.

- ☐ **Yes**
- ☒ **No**
- ☐ **Don't know**

Please elaborate on your answer here (with evidence where possible)

Placing off-site habitat enhancements on equal footing with on-site enhancements for minor developments is not likely to deliver better overall outcomes for nature and should be approached with caution. While strategically planned off-site enhancements—particularly those aligned with Local Nature Recovery Strategies (LNRS)—can support wider landscape-scale restoration, they should not replace on-site biodiversity delivery as a first principle. Our key concerns with this approach would be:

- Each small site might not be significant alone, but cumulative loss might erode local ecosystem functionality if all compensation is directed elsewhere.
- Reduced access to nature: Prioritising off-site enhancements can further disconnect communities—especially in urban areas—from everyday contact with nature, undermining goals set out in the 25 Year Environment Plan and Levelling Up agenda, which seek to increase access to green space and its associated benefits.
- Urban biodiversity opportunities: On-site interventions such as biodiverse planting, rain gardens, green roofs, and swales provide proven ecological value in urban

environments. Studies like Baldock et al. (2019) show these features can effectively support pollinators and enhance ecological connectivity at the local level.

- Fragmentation and missed design opportunities: Shifting focus to off-site delivery risks poorly integrated developments that lack meaningful green infrastructure, leading to fragmented ecosystems and reduced long-term biodiversity value.
- Ecological mismatch: Most off-site units are situated in rural areas and do not address the specific needs or ecological challenges of urban or peri-urban environments where many minor developments occur.
- Weakened policy integrity: Treating off-site enhancements as equivalent to on-site delivery would undermine the biodiversity gain hierarchy, which is fundamental to delivering measurable and locally relevant biodiversity improvements.

Instead, to better support small developers and deliver effective biodiversity net gain (BNG), the focus should be on:

- Recognising the value of small-scale urban habitats within the BNG metric.
- Allowing shared or communal green spaces to contribute to BNG where long-term management is secured.
- Recording both on-site and off-site enhancements in the biodiversity gain register to improve accountability.
- Investing in locally accessible and strategically aligned habitat banks to offer suitable off-site options only where on-site delivery is not feasible.

Overall, maintaining a clear preference for high-quality, well-integrated on-site biodiversity enhancements is essential to achieving ecological, social, and place-based outcomes. Off-site delivery should remain a carefully controlled secondary option—not a replacement.

4.3 Increasing flexibility to go off-site for minor development - disapplying spatial risk multiplier

Example I - disapplying the Spatial Risk Multiplier for minor development

“A minor commercial development, using the main metric tool, needs a further 4.5 high distinctiveness ‘open mosaic habitat’ units in order to satisfy their BNG requirement and meet the trading rules. This must be compensated for with the same habitat type.”

There are no ‘open mosaic habitat’ off-site habitat units available within the same LPA or NCA, but these unit types are available for purchase nationally.

Current

“To meet 10% BNG and the trading rules, the developer would need to purchase 9 units of OMH from the off-site market. This is due to the SRM increasing the required units by x2 when being purchased nationally (the provider is not within the same or neighbouring LPA).”

Proposed

“If the SRM is disappplied, to meet 10% BNG and the trading rules, the developer would need to purchase 4.5 units from the off-site market.”

45. Should the Spatial Risk Multiplier be disappplied for minor development purchasing off-site units?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here:

The Spatial Risk Multiplier (SRM) should not be disappplied for minor developments purchasing off-site biodiversity units, but rather amended to provide a more proportionate and ecologically coherent approach. While the SRM plays a vital role in ensuring that biodiversity gains are delivered close to the site of

impact—reinforcing the principles of the Environment Act 2021—there is growing recognition that its blanket application can disproportionately affect small-scale developers, especially when local offset options are unavailable.

Disapplying the SRM entirely would risk undermining core objectives of Biodiversity Net Gain (BNG), including:

- Undermining spatial relevance: Removing the SRM could encourage biodiversity units to be sourced from cheaper, remote sites with limited ecological or social relevance to the development locations.
- Eroding public trust: Locally inaccessible biodiversity gains may reduce public support for development and the BNG policy more broadly.
- Reducing funding for local nature recovery: Minor developments, while small individually, make up a significant proportion of all planning activity. Disapplying the SRM across these schemes could significantly reduce investment in local habitats.

Instead of removing the SRM, a more balanced approach is recommended:

- Apply a reduced SRM (e.g. 1.1x instead of 1.3x or 2x) for qualifying minor developments, recognising their limited footprint and reduced capacity for on-site mitigation.
- Remove the multiplier altogether when off-site units are delivered within the same Local Nature Recovery Strategy (LNRS) area, to support strategically aligned, ecologically coherent gains.
- Encourage pooled contributions into accredited local habitat banks that deliver high-priority, needs-led restoration projects, ensuring both efficiency and alignment with spatial planning goals.

This approach maintains the intent of the SRM—to steer biodiversity delivery toward locally relevant and connected habitats—while addressing practical barriers faced by small developers. It also ensures BNG continues to support nature recovery at scale without compromising fairness or ecological value.

4.4 Increasing flexibility to go off-site for minor development - spatial risk multiplier amendment

Example J – assessing strategic significance based on Local Nature Recovery Areas

“A major residential development needs 0.65 ‘species rich hedgerow’ units and 4.0 ‘lowland meadow’ habitat units to meet their 10% requirement and trading rules. They cannot deliver this onsite.”

There are no ‘species rich hedgerow’ units or ‘lowland meadow’ habitat units available for purchase within the same LPA or NCA. However, there are units available to purchase within a neighbouring LPA, which within is in the same LNRS area.

Current

“To meet 10% BNG and the trading rules, the developer would need to purchase 0.86 ‘species rich hedgerow’ units and 5.32 ‘lowland meadow’ units. This is due to the SRM for neighbouring LPAs increasing the required units by x1.33.”

Proposed

“To meet 10% BNG and the trading rules, the developer would need to purchase 0.65 ‘species rich hedgerow’ units and 4 ‘lowland meadow’ units.”

46. Should the Spatial Risk Multiplier assessment methodology be amended, so that it is based on Local Nature Recovery Strategy and National Character areas rather than Local Planning Authority and National Character areas?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

Yes, while we agree in principle that the Spatial Risk Multiplier assessment methodology should be amended to use Local Nature Recovery Strategy (LNRS) areas instead of Local Planning Authority (LPA) boundaries, while continuing to incorporate National Character Areas (NCAs), this does come with some significant caveats:

- While LNRS objectives are based on local ecological principles, LNRS boundaries are not. They are based on large, administrative boundaries, not ecological contexts, so they will not inherently ensure that any offsets within them are ecologically relevant to the original habitat lost from development, nor will they be located in such a way as to ensure that offsets strengthen the same complex habitat that was originally depleted. Additionally, LNRSs and NCAs are much bigger areas than LPAs and this poses the risk that BNG delivery could be much further from the development.
- As an example, the Hampshire LNRS area covers both vast swathes of Priority chalk grasslands (in the South Downs) and the best acid grasslands in England (the New Forest). A development could be in either of these areas, and still not be penalised by the SRM for locating its BNG offset in the other. Additionally, compensating for the loss of habitats in the South Downs with new habitat in the New Forest would not have been possible without an SRM

penalty under the current system, as it would involve crossing both LPA and NCA area boundaries.

- Therefore, basing the SRM on LNRS areas, without further guidance, could make the BNG offset location less likely to be located in an ecologically relevant area, and greatly increases the chance that it will be further away from the development site accelerating the loss of local biodiversity for the people who live in the LPA areas worst affected by development.

So while the amendment could in theory result in a more ecologically meaningful and spatially coherent approach to BNG with larger boundaries providing more flexibility for developers in terms of increasing the number of habitat banks they can buy into without incurring a Spatial Risk Multiplier penalty, and the risk of inappropriate offsets is mitigated to a degree by the trading rules in the Metric, we strongly believe that these issues could be resolved through further guidance or through modifications to the SRM. Such as:

- Guidance could outline that where an offset is located outside of the original LPA boundary but within the LNRS boundary, there should be no SRM penalty **provided that the offset habitat is the same as the habitat lost** (or similar, depending on how distinctive the original habitat was); or
- The SRM could become a multifactorial multiplier based on spatial relevance (so for example the maximum 100% SRM penalty could be reduced to 75% if the offset is within the LNRS area, 50% if the offset is within the NCA area and 25% if the offset is within the LPA area – or whatever numbers were considered appropriate after testing/modelling. CIEEM would be happy to work with the Government on how this system could best be managed and achieved.

With those caveats in mind, LNRs are designed to identify and prioritise nature recovery at the strategic landscape scale, making them far more appropriate than administrative boundaries for guiding biodiversity outcomes.

- LNRs and NCAs are more ecologically relevant: Unlike LPAs, these area objectives (not boundaries) are defined by natural features and ecosystem processes, which makes them more suitable for spatial biodiversity planning.
- The change would align SRM with national biodiversity policy goals, by ensuring BNG delivery supports strategically important nature recovery actions that reflect local ecological conditions.
- LNRs and NCAs are underpinned by strong evidence bases: NCAs provide well-maintained environmental data, while LNRs incorporate detailed baseline information, often building on existing Biodiversity Opportunity Areas.
- Using LNRs promotes cross-boundary collaboration: It would facilitate shared planning and delivery across multiple LPAs, leading to more consistent and joined-up BNG implementation.
- The shift would encourage local habitat delivery: Aligning SRM with LNRs would incentivise the development of habitat banks and restoration projects in priority areas, maximising biodiversity benefits close to the communities impacted by development.
- LNR officers often have specialist ecological expertise, meaning they are well placed to guide strategic BNG delivery if properly resourced and supported.

However, this change should only be implemented once the LNR framework is fully established and functioning smoothly across England. Rushing the amendment without a consistent and operational LNR network could create confusion and weaken delivery.

Overall, we agree that amending the SRM to align with LNRS and NCA boundaries would strengthen the ecological logic of BNG, support national nature recovery goals, and improve the spatial effectiveness of biodiversity investments—provided further guidance or modification of the SRM is implemented, alongside a well timed and supported transition, considering the implications on local communities if biodiversity is moved further away.

5. Brownfield developments with Open Mosaic Habitat

47. Should we review the metric habitat definition, condition assessment criteria and guidance to assist with the correct identification and classification of OMH?

- ☒ **Yes**
- ☐ **No**
- ☐ **Don't know**

Please elaborate on your answer here

Yes, the metric habitat definition, condition assessment criteria, and associated guidance for Open Mosaic Habitats (OMH) should be thoroughly reviewed. OMH is a highly valuable but often misunderstood and inconsistently assessed habitat type, particularly prevalent on brownfield and post-industrial sites. Given its complex and heterogeneous nature, it requires clearer, more precise treatment within the BNG metric framework.

A review is essential for several key reasons:

- **OMH is challenging to identify and assess:** Its transitional nature—between early successional stages and degraded or engineered land—makes it prone to

misclassification. It is often oversimplified or incorrectly described as low-value vegetation (e.g., “nettles and brambles”), despite potentially supporting a rich and specialised invertebrate fauna and other species of conservation concern.

- **Clearer definition and condition criteria are needed:** Definitions should be aligned with [UKHab terminology](#) and supported by robust condition benchmarks. This would help ensure consistency and accuracy in habitat classification across practitioners and local planning authorities.
- **Field guides and diagnostic tools should be developed:** Practical identification tools, supported by photographic examples and habitat profiles, would assist ecologists in correctly recognising OMH on the ground—particularly important for less experienced surveyors or in data-poor situations.
- **Distinguishing OMH from other habitat types is essential:** Guidance must differentiate between genuinely valuable OMH and more ephemeral or ruderal early successional habitats. Without this, there is a risk of losing ecologically significant OMH to development, due to poor baseline assessments or undervaluation in the metric.
- **OMH supports irreplaceable ecological value:** Many OMH sites have formed under unique historical or industrial processes, making them difficult or impossible to recreate. A failure to recognise this in the metric risks undermining long-term biodiversity outcomes and contravenes the BNG principles of avoiding net loss.
- **Supports design-led, ecologically meaningful interventions:** With better guidance and clearer classification, landscape professionals can more effectively retain, enhance, or compensate for OMH, supporting biodiversity while enabling context-sensitive development.

Aligning OMH treatment within the metric with current ecological knowledge and best practice would not only improve BNG delivery but also ensure that OMH receives the protection and recognition it deserves within England's nature recovery framework.

48. Should we allow alternative habitat delivery for the loss of Open Mosaic Habitat?

- ☐ Yes
- ☒ No
- ☐ Don't know

Please elaborate on your answer here

Allowing alternative habitat delivery for the loss of Open Mosaic Habitat should only be under specific circumstances. OMH is ecologically valuable and incredibly hard to recreate. However, if development is unavoidable, any replacement must mimic the heterogeneity and disturbance-based ecology of OMH, aiming to replace the particular elements of OMH that are present at the original development site (e.g. habitat for Black Redstart or aculeates etc.).

49. Do you have any suggestions as to the habitat mosaic which may provide the same ecological benefits as OMH or the key considerations we should be incorporating?

Please state suggestions and considerations

Alternative habitat delivery for the loss of OMH should be permitted only in specific, justified circumstances where like-for-like replacement is demonstrably unfeasible. OMH is ecologically rich and exceptionally difficult to recreate due to its reliance on

disturbance, heterogeneity, and unique substrates. Its protection and retention must remain the priority.

However, in situations where development is unavoidable, carefully designed alternatives—such as brown roofs, rubble mosaics, or ephemeral wildflower-scrub mixes—may deliver comparable biodiversity value, especially for invertebrate species. Research from Buglife and studies like Baldock *et al.* (2019)⁷ support this potential under the right conditions.

Key considerations for allowing alternatives include:

- Demonstrable infeasibility: Like-for-like OMH delivery must be shown to be impossible on- or off-site.
- Ecological equivalence: Substitute habitats must mimic OMH's key ecological functions.
- Long-term management: Bespoke plans must ensure sustained habitat value.
- Evidence-led guidance: National guidance should clarify what constitutes acceptable alternatives and promote collaboration between ecologists and landscape professionals.

OMH loss must never be the default outcome. Substitution should be a last resort and subject to rigorous ecological assessment, in line with CIEEM guidance and the BNG Metric. A cautious, evidence-based approach ensures that ecological integrity is maintained while enabling practical solutions in constrained urban contexts.

⁷ Baldock, K. C. R., Goddard, M. A., Hicks, D. M., Kunin, W. E., Mitschunas, N., Morse, H., Osgathorpe, L. M., Potts, S. G., Robertson, K. M., Scott, A. v., Staniczenko, P. P. A., Stone, G. N., Vaughan, I. P., & Memmott, J. (2019). A systems approach reveals urban pollinator hotspots and conservation opportunities. *Nature Ecology & Evolution* 2019 3:3, 3(3), 363–373. <https://doi.org/10.1038/s41559-018-0769-y>

50. Do you have any further suggestions of how we could improve the viability of brownfield sites with Open Mosaic Habitat present, in relation to their BNG requirement?

Improving the viability of brownfield sites with Open Mosaic Habitat (OMH) in relation to their Biodiversity Net Gain (BNG) requirements calls for a strategic, ecologically informed approach that balances habitat conservation with development practicality. OMH supports diverse and often rare species but is under-recognised and challenging to recreate, which complicates BNG compliance.

To enhance viability while safeguarding ecological value, the following suggestions are recommended:

- Develop a standard OMH assessment protocol and decision-support tool to ensure consistent, accurate identification and classification across planning authorities.
- Revise habitat condition scores or multipliers within the biodiversity metric to better reflect OMH biodiversity importance and restoration difficulty, preventing undervaluation in BNG calculations.
- Encourage collaborative management approaches involving developers, local planning authorities, conservation groups, and land managers to retain or enhance OMH on-site. This can include sympathetic design, phased development, or habitat buffering to reduce impacts while enabling development viability.

- Support access to high-quality off-site habitat enhancement or compensation clearly aligned with Local Nature Recovery Strategies (LNRS), ensuring off-site measures contribute meaningfully to wider ecological networks.
- Provide targeted technical advice and financial mechanisms—such as funding for ecological assessments, management plans, or habitat banking focused on OMH—to assist developers with specialist restoration and management needs.
- Broaden acceptable habitat substitutes to include functionally similar mosaics like brown roofs, rubble grasslands, disturbed ground, or seasonal wetlands, supported by research from organisations like Buglife and RSPB.
- Promote design-led integration of OMH features into mixed-use and community landscapes, drawing on successful examples like those from practitioners in green roof development.
- Introduce transitional credit support, such as reduced OMH credit rates or partial contributions for smaller sites where full OMH recreation is impractical but ecological function can still be achieved.
- Publish clear, image-based guidance for OMH identification to reduce misclassification and improve baseline accuracy.
- Fund urban OMH creation trials to expand knowledge on effective restoration techniques in brownfield settings.

By adopting these measures, brownfield regeneration can proceed in a way that preserves OMH ecological value, aligns with national policy frameworks such as the NPPF, and supports local nature recovery ambitions through LNRSs. This approach helps balance development needs with biodiversity conservation, making brownfield sites with OMH more viable under BNG requirements.

