

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 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.

This document is CIEEM's shorthand response, containing simple answers to the questions posed within the consultation. Click [here for CIEEM's full response to the consultation](#).

1.Improving Exemptions

1.1 Improving exemptions

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

- **Some changes should be made (please state which options you support with thresholds where applicable)**

Please provide further information:

- Replace self-build exemption with a single-dwelling exemption for sites under 0.1 hectares, excluding priority habitats.
- Reinstate 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.

1.2 Improving exemptions: a) Self and custom build development

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 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 (1000m²)

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

- Yes

Please elaborate on your answer here:

Yes, should be replaced 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.

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

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

- Yes

Yes, adopt a clear, enforceable, red-line area threshold of 100 m² (0.01 hectare)

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

- 100 Square Metres

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 Report¹ and is the most appropriate option, provided it comes with important caveats and safeguards.

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

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)

- No

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?

- No

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?

- No

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

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

- No

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

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

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

- No

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

- No

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?

- No

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

- No

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

- No

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?

- No

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

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

- No

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)?

- No

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

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?

- No

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 - See [CIEEM's full response.](#)

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

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

- No

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

- No

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?

- No

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

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

3.6 Streamlining the BNG metric process - Watercourse metric

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

- Yes

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

- Yes

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?

- No

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?

- See [CIEEM's full response](#).

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?

- No

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

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

- Yes

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.

- No

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

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

- No

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

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 - with caveats.

See [CIEEM's full response](#) for caveats and more detailed reasoning.

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

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

- No

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

See [CIEEM's full response](#).

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?

See [CIEEM's full response.](#)