

# Biodiversity Planning Guidance Note

July 2025

## Contents

1. Introduction .....	2
2. Local Validation List: Ecology and Biodiversity Net Gain Requirements .....	2
3. Mitigation and compensation for impacts to protected species .....	3
4. 10% BNG Exemptions .....	3
5. 10% BNG Required .....	3
6. Habitat Degradation .....	5
7. Strategic Significance .....	5
8. Management, Monitoring and fees.....	5
9. Once the application has been permitted.....	6
10. Monitoring .....	8

## 1. Introduction

This document contains the practical information needed by applicants to understand their ecology and biodiversity net gain obligations under the Environment Act 2021, the Wildlife and Countryside Act 1981 as amended, the National Planning Policy Framework and the Policies of Eastleigh Borough Council (EBC) Local Plan.

Further information about Biodiversity Net Gain and definitions of terminology can be found at [www.gov.uk/guidance/biodiversity-net-gain#about-biodiversity-gain](http://www.gov.uk/guidance/biodiversity-net-gain#about-biodiversity-gain).

## 2. Local Validation List: Ecology and Biodiversity Net Gain Requirements

The local list can be found at:

<https://www.eastleigh.gov.uk/planning-and-building/planning-permission/apply-for-planning-permission>

Local List Items 6, 7 and 8 explain the ecology and biodiversity information which must be submitted **before** an application can be validated.

### 3. Mitigation and compensation for impacts to protected species

3.1 Protected species and their habitats are still covered under the Conservation of Habitats and Species Regulations 2017 (as amended), The Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006 and The Countryside and Rights of Way Act 2000. Mitigation and compensation for impacts to protected species are considered in the Preliminary Ecological Appraisal and Phase 2 ecology reports which are required for all applications and considered separately from the biodiversity net gain (BNG) information.

3.2 A Biodiversity Mitigation and Enhancement Plan (BMEP) or a Landscape Environmental Management Plan (LEMP) are usually required to show the location and specifications of mitigation and/or enhancements for protected species. These documents will cover anything not addressed in the 10% BNG requirements. They can also be used to provide biodiversity enhancement information for applications which are exempt from providing 10% BNG. A BMEP or LEMP can be conditioned.

### 4. 10% BNG Exemptions

4.1 Exempt applications do not have to provide 10% biodiversity net gain. They do need to demonstrate **some biodiversity net gain and no net loss** to comply with Local Plan Policy DM11 and National Planning Policy Framework (NPPF) paragraph 180.

4.2 The statutory guidance on 10% BNG exemptions can be found here: [Biodiversity net gain: exempt developments - GOV.UK](#)

4.2.1 Self-build/custom build applications: The applicant must submit a metric with the baseline habitat. If it is unclear whether the application meets the criteria for self-build and custom applications, the metric can be used to support the discussion. It is also required in case the application is later considered not eligible for this exemption.

### 5. 10% BNG Required

5.1 Full applications (developments above the threshold), outline applications and phased applications are required to provide 10% Biodiversity Net Gain either on site, partly on site and partly off site, or off site.

5.2 All options for delivering biodiversity net gain on site must be evaluated before consideration of offsite options and the mitigation hierarchy must be followed.

5.3 EBC requires more Biodiversity Net Gain information at the validation stage than the national guidelines.

5.3.1 In particular, the [EBC Biodiversity Gain Strategy form](#) is required at **validation stage** and not after planning permission has been granted. This must be submitted on the form, which is different from the post-permission Biodiversity Gain Plan template provided by DEFRA on the [www.gov.uk](http://www.gov.uk) website.

5.3.2 The EBC Biodiversity Net Gain Strategy must provide the following information quantifying the pre- and post-development biodiversity value of the site, not just the pre-development information.

5.3.3 The following documents are required to be submitted with the EBC Biodiversity Net Gain Strategy:

- the Statutory Metric spreadsheet in Excel format (as a macro disabled file, .xlsx),
- condition assessment spreadsheets, and
- the pre-and post-development UKHab data in electronic plan format.
- If shape files are available, they should also be submitted.

5.3.4 The Statutory Metric spreadsheet must show no errors and that the trading rules have been satisfied.

5.3.5 The Small Sites Metric may be used instead of the Statutory Metric only if the proposal meets all of the guidelines in The Small Sites Metric User Guide (pages 6-8) available at:

[The Small Sites Metric Statutory Biodiversity Metric - User Guide 23.07.2024 .pdf.](#)

5.3.6 The Small Sites Metric cannot be used if there are any priority habitats on site (excluding hedgerows and arable field margins) or if off-site biodiversity net gain is proposed.

5.3.7 Once validated, your application will be reviewed by a planner and referred to an ecologist for further consideration. Additional information may be required.

5.3.8 Habitat connectivity, including integration with SuDS and landscaping, must be demonstrated within the site and with adjacent habitats.

5.3.9 A draft Habitat Management and Monitoring Plan (HMMP) will be required. This will provide an indication at application stage that any proposed habitat enhancement is feasible and deliverable e.g. details of changes in management or restoration/ uplift works.

5.3.10 Please note that the requirements for the EBC Tree Replacement Policy must first be satisfied. This is explained in the Tree Strategy 2022-2030, Appendix 1, [adopted-trees-and-development-spd-april-22.pdf](#). Replacement trees must be delivered on site and the remainder of trees required for 10% BNG can be delivered off site.

#### 5.4 Outline and phased applications

At the outline stage a Biodiversity Net Gain Strategy Report with a completed baseline assessment, the statutory metric with condition assessments and accompanying GIS files will be required.

## 6. Habitat Degradation

6.1 Habitats must not be degraded to lower their biodiversity value.

6.2 If habitats have been impacted so that their biodiversity value has been deliberately lowered between 30 January 2020 and the submission of a planning application the pre-development biodiversity value will be taken from before the habitat has been degraded.

6.3 If there is insufficient evidence, the value will be assumed to be *the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it*. Further information is available at: [www.gov.uk/guidance/biodiversity-net-gain](http://www.gov.uk/guidance/biodiversity-net-gain).

## 7. Strategic Significance

7.1 Until the Hampshire LNRS is approved, any relevant habitats created within the mapped Biodiversity Opportunity Areas and Priority Links in the previous EBC Biodiversity Action Plan 2012-2022 (available at: [biodiversity-action-plan-2012-22.pdf](#)) are considered to have high strategic significance.

7.2 The Priority Biodiversity links are listed on page 31, the Priority Biodiversity Areas are shown in the map on page 42 (2 maps seem to be missing on page 43) and the priority habitats are listed on page 47 and 48.  
7.3 If the baseline habitats are priority habitats in the strategic areas, they are of high strategic significance. If not, they should be entered into the metric as low strategic significance.

## 8. Management, Monitoring and fees

8.1 Biodiversity net gain habitats must be managed and monitored for 30 years.

8.2 A Habitat Management and Monitoring Plan (HMMP) will be required.

8.3 Monitoring fees for significant on-site habitat will be secured through a S106 agreement (to be completed prior to issue of planning permission).

8.3.1 Significant Habitat is defined by EBC as:

- All on-site creation and retention of habitats of medium or higher distinctiveness (as defined by the statutory metric).
- Any on-site enhancement where:
  - The resulting habitat has medium or higher distinctiveness
  - The habitat's condition or distinctiveness is increasing
- All off-site habitats

8.4 An S106 agreement is not required for use of off-site habitat bank units or statutory biodiversity credits. These will be managed and monitored by the provider.

8.5 Key monitoring points throughout the 30-year period will be set out in the S106 agreement. Monitoring reports will be required in years 1, 3, 5, 10, 15, 20, 25 and 30 (unless otherwise agreed) after the initial work to establish the habitats, with a total of eight monitoring years per site.

8.6 A one-time monitoring fee, based on a calculated 30-year resource demand, will be charged according to the following structure:

Category 1: <0.5 hectares = £13,485

Category 2: 0.5 to <1 hectare = £ 14,363

Category 3: 1 to <3 hectares = £16,797

8.6.1 For sites larger than 3 hectares staff will agree a bespoke fee based on habitat types, ecological complexity and site size.

8.6.2 The charging structure will be kept under review and may change over time. The current fees were approved by Cabinet on 5 December 2024.

[Agenda for Cabinet on Thursday, 5 December 2024, 6:30 pm - Meetings, agendas and minutes - Eastleigh Borough Council](#)

## 9. Once the application has been permitted

9.1 A final Habitat Management and Monitoring Plan (HMMP) must be submitted and approved by the LPA. Additional guidance is available at [Creating a habitat management and monitoring plan for BNG - GOV.UK](#). The Natural England Habitat Management and Monitoring Plan Template (JP058) is available at [Habitat Management and Monitoring Plan Template - JP058](#).

9.1.1 Soil survey data must be included in grassland enhancement and creation plans. Data should include soil pH, texture and standard soil laboratory test results for the following nutrients: phosphorus (P) using the Olsen method; available potassium (K); available magnesium (Mg) and total nitrogen (N) using the Dumas method.

Soil survey guidance is available in Natural England publications: [Soil sampling for habitat recreation and restoration - TIN035](#) and [Soil texture - TIN037](#).

9.2 A final Biodiversity Net Gain Strategy/Plan must be submitted and approved by the LPA. This will include the details of the purchase of biodiversity units or statutory credits.

9.2.1 Separate proof of purchase must be submitted to the LPA. For units, this must include the Biodiversity gain site register reference number. Further information is available at [Statutory biodiversity credits - GOV.UK](https://www.gov.uk/guidance/statutory-biodiversity-credits).

9.3 The LPA must be notified at the start and end of habitat enhancement and creation work so that the monitoring period can be started.

9.4 Examples of likely conditions:

1. The development must adhere to the Biodiversity Gain Strategy (dated xxx) which has been submitted and approved by the LPA in accordance with paragraph 14(2) of Schedule 7A of the Town and Country Planning Act 1990 and shall be implemented in accordance with the approved details unless otherwise agreed in writing with the LPA.
2. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the submitted Biodiversity Gain Plan, has been submitted to and agreed in writing by the LPA along with a timetable for implementation. Thereafter those habitats shall be managed and maintained in accordance with the approved details for a minimum period of 30 years following completion.
3. Notice in writing shall be given to the LPA when the:
  - a) habitat creation and enhancement works as set out in the HMMP have commenced, and
  - b) habitat creation and enhancement works as set out in the HMMP have been completed.

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified the approved Habitat Management and Monitoring Plan.

4. Evidence of purchase of the correct number of biodiversity credits or units for the development must be provided.

Reason for all of the above: To ensure the development delivers a biodiversity net gain on site in accordance with paragraph 2 Schedule 7A of the Town and Country Planning Act 1990 and policy DM11 and to accord with the Environment Act 2021, Schedule 14.

## 10. Monitoring

10.1 There are three types of triggers for the start of habitat monitoring. These depend on the habitat location and what is being created/enhanced.

10.2 Where BNG is provided within the redline boundary, year 0 is when the development has been completed (i.e. signed off).

10.3 Where BNG is provided off-site and capital works are required, year 0 is when capital works (seeding, fencing, pond creation for example) have been completed.

10.4 Where the BNG is provided off-site and no capital works are required, year 0 is defined as when there is a change in management directly connected to the BNG provision (changing mowing regimes, reducing grazing for example).

10.5 The LPA will provide the BNG provider with a certificate to show that we have agreed that year 0 can be evidenced. Year 1 monitoring would be due 12 months after the date the certificate was issued.

10.6 Monitoring reports will be submitted by the applicant or their ecologist in years 1, 3, 5, 10, 15, 20, 25 and 30 (unless otherwise agreed).

10.7 Any issues flagged up by monitoring must be resolved.