

Report of the Portfolio Holder for Sustainable Growth and Economy

Subject: Response to Government Technical Consultation – Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development

Date: 23rd July 2025

Author: Assistant Director – Development

Wards Affected

Borough-wide

Purpose

To gain Portfolio Holder endorsement of Gedling Borough Council’s proposed response contained in **Appendix 1** to the Government consultation on proposed reforms to the implementation of Biodiversity Net Gain. The consultation response is required to be submitted by 24th July 2025

Key Decision

This is not a Key Decision

Recommendation(s)

THAT:

The Portfolio Holder approves the proposed response to the consultation on proposed reforms to the implementation of Biodiversity Net Gain (BNG) – as set out under the relevant questions reproduced in Appendix 1.

1 Background

1.1 The Environment Act 2021 introduced a mandatory Biodiversity Net Gain (BNG) requirement in England for most new developments under the Town and Country Planning Act 1990, requiring them to deliver a 10% increase in biodiversity. Following a two-year transition period, BNG has

	<p>been mandatory for most major developments from 12th February 2024, and for minor development (small sites) from 2nd April 2024, except for those developments that meet certain BNG exemptions criteria. The Government considers that small residential sites have a cumulatively significant impact on the delivery of housing and will be key to meeting their objective of building 1.5 million homes during this parliament. The purpose of this consultation is to seek ways to improve the implementation of BNG in the context of wanting to reduce process burdens for developers while still delivering measurable gains for nature.</p>
1.2	<p>The consultation acknowledges that planning decisions are principally made locally, and states that the government recognises that planning committees have an ‘integral role in providing local democratic oversight of planning decisions’. However, the consultation says it is vital that ‘planning committees operate as effectively as possible, focusing on those applications which require member input and not revisiting the same decisions’.</p>
	<p><u>Proposed Changes to the Implementation of BNG</u></p>
1.3	<p>The Government has been working with stakeholders to gather feedback and evidence on how BNG is being implemented. Early information suggests BNG implementation has been broadly successful for larger developments, with a greater number of developers seeking ecological advice earlier in the process and designing their site layouts to avoid impact to biodiversity and seek to deliver more habitat onsite. However, there is emerging evidence nationally that some smaller developments and specific types of development are finding the operation of BNG is not as effective as could be. Based on this stakeholder feedback, the Government’s consultation on improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development sets out proposals that aim to: – ensure proportionality in the application of BNG - improve the implementation of BNG for small- and medium-sized developers to deliver benefits both for development and nature - address specific challenges for some brownfield development</p>
1.4	<p>The purpose of this consultation is to inform potential changes to the BNG regulations, the small sites metric and guidance, and to improve the implementation of BNG more widely</p>
1.5	<p>The consultation provides the Council with opportunities to influence future Government policy regarding the implementation of biodiversity net gain, which has the potential to impact directly on the way in BNG is implemented locally in decision-making on planning applications.</p>
2	<p>Proposal</p>

2.1	It is proposed that the Council responds to the Government consultation on improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development with the responses to the questions on changes to plan making as set out in Appendix 1.
3	Alternative Options
3.1	The alternative options are for Gedling Borough Council not to respond to the consultation or to amend the drafted response. There is no requirement for the Council to respond to this public consultation but doing so will inform the Government's BNG reform proposals from the Council's perspective. The draft response provided has been informed by the relevant Council Officers and can be amended if the Portfolio Holder considers it necessary to do so.
4	Financial Implications
4.1	No financial implications. Cost of officer time drafting the response is met from existing budgets. Given the proposed changes are draft, it is not possible to quantify the financial implications of the proposals at this time.
5	Legal Implications
5.1	None. This is an opportunity to comment on potential BNG implementation reforms, which have not yet come into force.
6	Equalities Implications
6.1	None. This is an opportunity to comment on potential planning reforms which have not yet come into force.
7	Carbon Reduction/Environmental Sustainability Implications
7.1	None. This is an opportunity to comment on potential planning reforms, which have not yet come into force.
8	Appendices
8.1	Appendix 1 - Proposed consultation response to the Government Consultation on improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development
9	Background Papers
9.1	DEFRA - Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development https://consult.defra.gov.uk/defra-biodiversity-net-gain/improving-the-

	implementation-of-biodiversity-net-g/
10	Reasons for Recommendations
10.1	To inform the Government of the Council's perspective on proposed reforms to the implementation of BNG.

Statutory Officer approval

**Approved by: Scott Anderson
(Deputy S151 Officer)
Date: 23/07/2025
On behalf of the Chief Financial Officer**

**Approved by: Natalie Osei (Deputy
Monitoring Officer)
Date: 23/07/2025
On behalf of the Monitoring Officer**