

Biodiversity Net Gain - Onsite Significant Enhancement Guidance Note 2025



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1 Introduction

The GOV PPG defines significant enhancements as areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development. As per the PPG, the maintenance of these significant enhancements must be secured with a [legal agreement](#) or planning condition for 30 years.

CWAC have developed thresholds for significant onsite biodiversity net gain. These aim to qualify the wide-ranging PPG guidance by applying unit thresholds to four of the five different elements of the significance definition in the PPG. This ensures that the significance threshold is applied proportionally and secures those habitats that are of value to the ecological network in CWAC.

Once an application is confirmed as having significant onsite BNG, there are further securing thresholds. This means that a HMMP condition is applied, or if the habitats are of a higher value, a HMMP condition and a Unilateral Undertaking agreement to secure a BNG regulatory and reporting fee is required. A Unilateral Undertaking Section 106 agreement combined with a condition, rather than a full bi-lateral Section 106 agreement, is the chosen securing route, to ensure applications are not subject to unnecessary delays. There is a draft Unilateral Undertaking template available, with restricted fields for population by the applicant, which is based on the PAS S106 template.

The regulatory and reporting fee covers the costs for time spent over a 30 year period of recording, monitoring and assessing the significant BNG provided on site. This includes tasks such as site visits at monitoring intervals, assessing monitoring reports, negotiating any remedial actions required and keeping information up-to-date on a database. This work is over and above what is expected within a standard condition, for which the cost is usually absorbed by the LPA. An LPA has a statutory duty to report on BNG under the Environment Act 2021. A matrix of fees has been developed, to ensure fees are tailored as much as possible to specific developments and are proportionate.

2 Defining significant onsite enhancement

The below provides a guide for defining significant onsite enhancements within typical development sites in Cheshire West and Chester, as submitted following the enactment of the Environment Act 2021. Therefore, this guide may not be applicable to all development sites, with onsite significant enhancements in some circumstances being identified on a case-by-case basis. This guide will be regularly reviewed.

Where the following conditions are met on a site, a significant onsite enhancement has been reached:

Please note that 'units' refer to Habitat Units, Hedgerow Units and Watercourse Units.

Also please note that unit thresholds must be considered in combination e.g. where a site creates 0.2 units of medium distinctiveness habitats and also enhances medium distinctiveness habitats resulting in an increase of 0.05 units, the proposals would be considered to meet the onsite significant enhancement threshold.

1. Habitats of medium or higher distinctiveness in the biodiversity metric:

- o All onsite creation of high and very high distinctiveness habitats.
- o All onsite enhancement in condition of high and very high distinctiveness habitats.
- o The onsite creation of 0.25 or more units of medium distinctiveness habitats.
- o The onsite enhancement in condition of medium distinctiveness habitats that results in an increase of 0.25 or more units.

2. Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development:

- o The onsite creation of 1.5 or more units of low distinctiveness habitats.
- o The onsite enhancement in condition of low distinctiveness habitats that results in an increase of 1.5 or more units.

3. Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development:

- o An increase in the distinctiveness of an onsite habitat to high or very high distinctiveness.
- o 0.25 or more units formed through the creation or enhancement of a lower distinctiveness habitat to medium distinctiveness.
- o 1.5 or more units formed through the creation or enhancement of a very low distinctiveness habitat to low distinctiveness.

4. Areas of habitat creation or enhancement which are significant in area relative to the size of the development:

- o The significance in area of onsite habitat creation or enhancement relative to the size of the development site would vary widely due to the range in planning site sizes received by Cheshire West and Chester.
- o Relative significance will therefore be considered on case-by-case basis using the above thresholds as a guide.

5. Enhancements to habitat condition, for example from poor or moderate to good:

- o All onsite enhancement in condition of high and very high distinctiveness habitats.
- o The onsite enhancement in condition of medium distinctiveness habitats that results in an increase of 0.25 or more units.
- o The onsite enhancement in condition of low distinctiveness habitats that results in an increase of 1.5 or more units.

Notwithstanding the above defined thresholds, where habitats are significant relative to the baseline habitat units or area of a development site, these thresholds may be adjusted. This will be decided on a case-by-case basis.

The creation and/or enhancement of vegetated gardens is not considered significant in any circumstance.

Rationale

Due to the valuable nature of high and very high distinctiveness habitats, they tend to provide significant net gains in habitat units within development sites. Therefore, creation and/or enhancement of high and very high distinctiveness habitats will typically be considered significant.

Some medium distinctiveness habitats have been found to commonly occur in typical development sites within Cheshire West and Chester, such as mixed scrub and other neutral grassland. These habitats are low in difficulty to create and/or enhance and where created and/or enhanced in small amounts they are typically not considered significant in the context of the borough. For example, the creation of <0.25 habitat units, equivalent to <0.038 ha, of moderate condition mixed scrub and other neutral grassland in areas not formally identified in local strategy.

The creation and/or enhancement of low distinctiveness habitats, in areas not formally identified in local strategy, is typically not considered significant in the context of Cheshire West and Chester. For example, the creation of <1.5 habitat units, equivalent to <0.43ha, of moderate condition modified grassland, is not considered significant in the context of the borough.

3 Securing onsite significant enhancements

Significant onsite enhancements will require the securing of a 30 year habitat management and monitoring plan as per the following thresholds and mechanisms:

1. Creation and/or enhancement of onsite habitats of high and above distinctiveness will be secured by a planning condition and a monitoring fee will be secured via a Unilateral Undertaking.
2. Medium distinctiveness habitats will be secured as follows:
 - o Onsite creation and/or enhancement of 0.5 units or above of medium distinctiveness habitats will be secured by a planning condition. And a monitoring fee will be secured via a Unilateral Undertaking.
 - o Onsite creation and/or enhancement of 0.25 up to 0.49 units of medium distinctiveness habitats will be secured by a planning condition. No monitoring fee will be required.
3. Onsite creation and/or enhancement of 1.5 units or above of low distinctiveness habitats will be secured by a planning condition and a monitoring fee will be secured via a Unilateral Undertaking.

Exceptions may be made in some circumstances, for example urban habitats with specialised management and monitoring requirements.

Where onsite habitat creation and/or enhancement is not significant but habitats proposed are complex and/or require additional efforts to establish, the habitats shall be secured through the condition of a timetable that shall be submitted for approval with the Biodiversity Gain Plan.

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at **equalities@cheshirewestandchester.gov.uk**

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Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਵੋ।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

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