



INTERACT
INFORM
INFLUENCE

July 2025

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

Consultation response from The Housing Forum

Response submitted by:

Anna Clarke, Director of Policy and Public Affairs

On behalf of [The Housing Forum](#), 1 Minster Court, Mincing Lane, London EC3R 7AA

Anna.clarke@housingforum.org.uk or info@housingforum.org.uk. 07442 405513.

info@
housingforum.org.uk

About The Housing Forum

The Housing Forum is the UK's cross-sector, industry-wide organisation that represents the entire housing supply chain. Our growing membership drawn from over 150 organisations across the public and private sectors and includes local authorities, housing associations, housebuilders, architects and manufacturers. All share our determination to drive quality in the design, construction and decarbonisation of UK homes. They have a commitment to partnership working and share in our vision of 'A Quality Home for All'.

In order to achieve this, we have advocate for policy change needed for everyone to live in a good quality, sustainable and affordable home. Our key [Housing Solutions](#) set out how we think this can be achieved.

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

Introduction

The Housing Forum welcomes DEFRA's consultation into changes to the biodiversity net gain system for smaller sites.

We are aware of quite a number of sites – and smaller sites in particular – where the costs and difficulties of meeting BNG requirements have rendered housing plans unviable. There are already a large number of factors that have hit the housebuilding sector in recent years – rising construction costs, higher borrowing costs, and weakening housing market, and costs associated with meeting new building safety requirements. When housing schemes are unviable and unable to go ahead, this contributes to the housing shortage, causing homelessness and young people unable to set up home of their own.

On top of this the Government wishes to prioritise social rented housing, maximising what can be delivered via S106 agreements, yet the funding available to cross-subsidise the social rented homes is directly related to the other calls on development.

We therefore urge the government to take a proportionate approach to dealing with the very small impact of new housing on biodiversity, compared with the much larger impact of farming methods and other factors. The current Government has made very public commitments to prioritising growth and the delivery of new homes, and should ensure that improvements to biodiversity are not constraining this unnecessarily.

We are therefore pleased to see this consultation on modifications to the BNG system. We are broadly supportive of the changes proposed, but would like to see the thresholds for when BNG applies, and when the simpler Small Site Metric is used based on the size of the site (and other factors) rather than the number of new homes proposed. The value of a site in terms of biodiversity is related to its size, but is not related to the number of new homes proposed for it. This is important to avoid creating perverse incentives to under-deliver new homes on sites with the potential for more new homes, in order to avoid BNG requirements.

Response to questions

Section 1: Improving exemptions

1. Question: Do you support the following statements (yes/no):

I. No changes should be made to exemptions

No

II. Some changes should be made (please state which options you support with thresholds were applicable)

The Housing Forum would support exemptions being made for all minor developments that are:

- Composed entirely of Affordable Housing

INTERACT
INFORM
INFLUENCE

info@
housingforum.org.uk

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

- Community led housing
- Rural exception sites
- Under 0.1 ha; OR
- Brownfield urban infill sites
- Sites of a current land use of low ecological value

And where there are no priority habitats included within the site.

III. All minor development should be exempt

No

2. **Question: 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?**

No. We would instead recommend a site size limit of 0.1 hectares. This would discourage under-use of sites with the capacity for more than one house and ensure that they can be used to their full potential.

info@
housingforum.org.uk

3. **Question: Do you agree with the proposal for a 0.1 hectare threshold?**

Yes

4. **Question: Do you agree the area de minimis threshold should be extended? If yes, which of the following thresholds do you think is most appropriate:**

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

We would like to see a 0.1ha (1000sqm) limit used, so as not to incentivise the under-use of sites with capacity for more than one house being used instead just for one house.

5. **Question: Do you think the BNG requirement should be removed for minor development (for example including up to 9 residential homes) please provide evidence for your response where possible.**

We would support the removal of BNG requirements for some minor developments, as set out in our answer to Q1.

This would help to reduce the administrative burden on smaller sites. Our members report that minor developments particularly challenging to make viable with the introduction of BNG. BNG requirements are making the planning process much more difficult and longer, due in part having to go back and forth between the landscape consultant and ecologist to find a solution to BNG. This process is very drawn out, as the ecologist cannot complete the BNG assessment without having a landscape plan

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

first which often will not capture what is needed ecologically. This back and forth is not only time consuming but incurs additional fees for amendments each time the layout is amended.

We are aware of quite a few projects which BNG requirements have rendered unviable and in times can seem excessive. For example, on a minor development project where the removal of seven trees was proposed, this required having to put back 121 trees on site, or £55k of off-site contributions. Affordable housing developments are particularly cost-sensitive and many of our social landlord members own sites that they would like to take forward for housing but are currently unable to develop because of viability. Costs associated with BNG requirements for affordable housing will ultimately need to be met by Government (via funding for the Affordable Homes Programme), and there may instead be more effective ways to use that funding for the benefit of nature that do not have the heavy bureaucratic burden of BNG.

Removing at least some of the 'minor development' category would help considerably in getting smaller projects off the ground where we are finding meeting BNG criteria particularly challenging and costly.

The current size limit of 25sqm is very small and we are aware of a number of projects that just fall over the exemptions in terms of being over 25 sqm are therefore applicable to BNG, some of which have been rendered unviable by BNG requirements.

Focussing the exemptions on the smallest sites would therefore be welcomed and would increase viability for SME developers, improve the speed of delivery and allow Local Planning Authorities (LPAs) to focus their limited resources on sites of higher ecological value.

Removing all minor developments from BNG rules may disrupt the emerging market of BNG credits.

6. Question: 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?

The 0.1ha site limit could be applied, regardless of how many new homes are to be provided on the site. This would help avoid applications for nine homes being made to avoid BNG requirements, which would mean that some sites are not delivering their full potential in terms of new housing.

7. Question: Do you agree that parks, gardens and playing fields development, as defined above, should be partially exempt from BNG? Please give evidence where possible.

Parks, gardens and playing fields are well-placed to deliver biodiversity gains on-site so we can see little reason for exempting them.

8. Question: Do you agree that development whose sole or primary objective is to conserve or enhance biodiversity should be exempt from

INTERACT
INFORM
INFLUENCE

info@
housingforum.org.uk

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

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

Yes. This would help to reduce the bureaucracy associated with BNG.

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

No

10. Question: Do you agree that temporary planning permission should be exempt from BNG? Please provide evidence where possible, including examples of developments that you think would be exempted. If yes, do you agree with the 5-year time limit?

Yes. This is really important to avoid excessive costs associated with BNG for very little long-term gain.

INTERACT
INFORM
INFLUENCE

Section 2: Streamlining the BNG metric process

info@
housingforum.org.uk

11. Question: Do you think the SSM should be used for medium development?

Yes. This would help to streamline the process ensure a more proportionate impact on smaller sites.

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

No. These sites already require specialist ecological input so the main metric is appropriate.

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

No. These sites already require specialist ecological input so the main metric is appropriate.

14. Question: 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?

We would like to see the SSM used for all sites under 1 hectare, regardless of the number of new homes being proposed. This would reduce the perverse incentive to under-utilise sites with the potential for more new homes. The value of a site in terms of biodiversity is related to its size, but is not related to the number of new homes proposed for it.

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

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

Yes. This would provide more flexibility for SMEs. The market for fractional off-site purchases is problematic currently.

There is also a need to improve coordination between BNG assessment and tree maintenance. We are aware of schemes where it is apparent that the BNG requirements conflict with those from the arborist. For example, the arborist surveys an existing tree and considers it for removal due to poor health or for safety reasons. The BNG assessment will not take this condition assessment into account and considers the tree as baseline habitat regardless of its arboriculturally assessed condition. This places additional pressure on the developer to retain a tree often in poor health and in detriment to the development proposals. Potentially this could be addressed by reviewing the BNG classification and compensation approach to align more with the existing tree survey condition assessment. This conflict is likely to worsen over time as there will be situations where an ill or dangerous tree has already been removed before a planning application was made yet will still form part of the BNG calculation. One way to resolve this would be for the BNG tree values to be aligned with Tree value aligned with British Standard BS5837.

INTERACT
INFORM
INFLUENCE

info@
housingforum.org.uk

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

Yes

17. Question: 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?

Habitat types could be simplified so that they can be assessed by a non-ecologist.

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

Yes. This would help to simplify the process.

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

Yes. The UKHab definitions for habitat types is extensive and doesn't fully align with the habitat definition carried out as part of the preliminary ecological assessment. A more integrated simplified approach would be welcome in terms of habitat definition to align between the various baseline surveys and remove error for misidentification.

For SSM, habitat types could be simplified so that they can be assessed by a non-ecologist.

20. Question: 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?

All developments within the riparian zone of watercourse habitats should use the main metric tool. Watercourses are more complex and not really suitable for the SSM.

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

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

Yes. Guidance on the skills required to assess BNG would be helpful, as well as on how to identify habitats.

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

Providing a short accredited training course and materials would be very helpful in addressing this particular skills deficit.

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

Yes

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

Yes – a simplified survey is appropriate if there is no impact on the water course.

25. Question: 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

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

Digital tools would be a big improvement. They would make it easier for non-specialists to test early BNG options without using complex spreadsheets. Tools should incorporate:

- Interactive mapping and habitat identification tools.
- Auto-calculation of unit values and deficits.
- Examples of particular habitat types

There is a growing marketplace of digital tools assessing BNG requirements. A current PropTech Innovation Challenge, launched by Geovation in collaboration with MHCLG, may well support this. We would therefore suggest any digital version is designed in such a way as to simplify and utilise third-party tools, encouraging innovation and reducing duplication and costs.

27. Question: Do you think we should allow biodiverse features to be counted within vegetated gardens being created as part of a development? If yes, do you have any suggestions of how we should

INTERACT
INFORM
INFLUENCE

info@
housingforum.org.uk

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

account for biodiverse features in vegetated gardens being created as part of a development?

Yes. Features such as native hedgerows, ponds, and tree planting should be recognised within gardens, provided they are clearly defined and evidenced in site plans. This would incentivise biodiversity-friendly design in residential schemes. We recognise the concern that future residents may decide to do something different with their garden, but the flip side of this is that the trees planted by previous generations in their gardens are being taken into account when assessing the current biodiversity of a site, so it seems appropriate to balance this with the (likely, on average) benefits from future gardens.

INTERACT
INFORM
INFLUENCE

Section 3: Increasing flexibility to go off-site for minor development

28. Question: Do you agree the biodiversity gain hierarchy should be updated for minor development?

info@
housingforum.org.uk

Yes

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

Yes. The proposal for relaxation of the BNG hierarchy would be welcomed, particularly again on small sites where it is sometimes difficult to provide the same replacement habitat type.

30. Question: 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, this would provide more flexibility for smaller sites, where there is often less potential for on-site enhancements, without causing any overall reduction in biodiversity gain. Off-site delivery can often achieve higher, lasting improvements to habitats.

31. Question: Should the Spatial Risk Multiplier be disapplied for minor development purchasing off-site units?

Yes, see above answer

32. Question: 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. The requirement to remain with local authority boundaries is arbitrary in ecological terms and particularly challenging in London.

The Housing Forum Ltd
6 Floor, 1 Minster Court
Mincing Lane
London EC3R 7AA

Registered Company
Number 03785174

Section 4: Brownfield developments with Open Mosaic Habitat

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

Yes. This would help with identification of these habitat types.

34. Question: Should we allow alternative habitat delivery for the loss of Open Mosaic Habitat?

Yes. This would help with delivering BNG obligations.

35. Question: 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?

Suitable alternatives may include brownfield landscaping with a mix of bare ground, scrub, and seasonal wet features.

36. Question: 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?

Open mosaic sites are often common on brownfield sites. They can have high ecological value, but low value to the public as a place to enjoy nature. Maintaining the biodiversity of OMH is very difficult to design around and we are aware of situations where BNG requirements have rendered such sites unviable.

The definition could be reviewed to improve clarity and balance to the conflicting government agendas around brownfield infill sites that are also OMH. Ways to improve viability include allowing phased or partial compensation, or enabling pooled off-site contributions for OMH loss. Another alternative would be to ease the spatial risk multiplier of OMH units (and any off-site units) for a period of two or three years, so that it is cheaper and easier to go off-site for OMH/BNG needs while the supply side for BNG continues to build.

INTERACT
INFORM
INFLUENCE

info@
housingforum.org.uk