# **Biodiversity Net Gain Guidance Note**

Interim Strategic Significance Guidance for Biodiversity Net Gain in Kent and Medway.









# Biodiversity Net Gain for Kent and Medway

January 2024

Prepared by Kent County Council, in consultation with Kent and Medway's Local Planning Authorities.

## **Prepared by:**



## In consultation with and reviewed by:



























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#### 1. Executive Summary

- 1.1. This Biodiversity Net Gain (BNG) Guidance Note (hereafter referred to as 'interim guidance') has been developed to help planning applicants and potential Biodiversity Net Gain (BNG) offset providers complete the strategic significance elements of The Biodiversity Metric<sup>1</sup> for area habitats and linear habitats (hedgerows and watercourses).
- 1.2. Where possible, this interim guidance has been developed using existing published strategies for Kent and Medway, which are evidence led and have previously gone through public consultation. Expert guidance has been sought from the Kent Nature Partnership, statutory agencies and the county's planning authorities. It is intended that this interim guidance will be superseded by a Local Nature Recovery Strategy for Kent and Medway (expected publication date spring/summer 2025).
- 1.3. BNG assessors should use Tables 1, 2 and 3 to assign high, medium or low strategic significance for each habitat parcel (each row of the metric spreadsheet) both for the habitat baseline, creation and enhancement tabs. Where a habitat parcel spans multiple strategic significance categories then that habitat parcel should be split, with the relevant categories assigned accordingly.
- 1.4. Table 1 sets out how strategic significance should be assigned for area-based habitats.
- 1.5. Table 2 sets out how strategic significance should be assigned for hedgerows units.
- 1.6. Table 3 sets out how strategic significance should be assigned for watercourse units.

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<sup>&</sup>lt;sup>1</sup> The most recent version of the Biodiversity Metric should always be used as specified by Defra/Natural England.

Table 1: Interim definition of strategic significance for area-based habitat units in Kent and Medway.

High (1.15)	<ul> <li>Kent Biodiversity Strategy<sup>2</sup> priority habitats (see Appendix B) located within a Biodiversity Opportunity Area<sup>3</sup></li> <li>Habitats of importance identified within Biodiversity Opportunity Area descriptions (see Appendix A)</li> <li>Widely dispersed habitats of importance identified within Biodiversity Opportunity Area descriptions located across the whole of Kent and Medway<sup>4</sup></li> <li>National and International statutory protected sites (Ramsar, SAC, SPA, SSSI, NNR)*</li> <li>Local Nature Reserves (LNRs)*</li> <li>Local Wildlife Sites (LWSs)*</li> <li>Roadside Nature Reserves (RNRs)*</li> <li>Irreplaceable habitats<sup>5*</sup></li> </ul>
Medium (1.1)	<ul> <li>Kent Biodiversity Strategy priority habitats outside of the Biodiversity Opportunity Areas</li> <li>Any Section 41 priority habitat that do not meet the criteria for high strategic significance</li> </ul>
Low (1.0)	All other area-based habitats

Note: the strategic significance score of individual trees should be assigned using the same methodology as for hedgerow units, i.e. the strategic significance category (high, medium or low) for individual trees should be the same as the distinctiveness score.

**Table 2:** Interim definition of strategic significance for hedgerow units in Kent and Medway.

High (1.15)	All very high and high distinctiveness hedgerows as defined by Statutory The Biodiversity Metric
Medium (1.1)	All medium distinctiveness hedgerows as defined by The Statutory Biodiversity Metric
Low (1.0)	All low and very low distinctiveness hedgerows as defined by The Statutory Biodiversity Metric

<sup>&</sup>lt;sup>2</sup> Kent Nature Partnership. (2020) *Kent Nature Partnership Biodiversity Strategy,* from: <u>Kent Biodiversity Strategy</u> | <u>Kent Nature</u>

<sup>&</sup>lt;sup>3</sup> Biodiversity Opportunity Areas via Appendix C.

<sup>&</sup>lt;sup>4</sup> Ponds and traditional orchards.

<sup>&</sup>lt;sup>5</sup> As defined in the National Planning Policy Framework (December 2023).

<sup>\*</sup> The deterioration in quality of statutory protected sites, LNRs, RNRs, LWSs and irreplaceable habitats below the condition recorded at the time of designation should not be used as justification for downgrading of strategic significance. This includes where deterioration in quality occurred prior to the relevant date as specified in the Environment Act 2021. Exceptions apply where it can be demonstrated that activities leading to the deterioration of habitats was carried out in accordance with a planning permission or any other permission of a kind specified by the Secretary of State by regulations.

**Table 3:** Interim definition of strategic significance for watercourse units in Kent and Medway. Habitats as defined by the Statutory Biodiversity Metric draft user guide.

High (1.15)	<ul> <li>Rivers (priority habitat)</li> <li>All other rivers and streams (including all ephemeral streams)</li> <li>Ditches/Canals within statutory and non-statutory designated sites and priority habitats</li> <li>All culverts, channels or mill leats that link high priority rivers, streams, ditches and canals</li> </ul>
Medium (1.1)	Ditches and canals without designations
Low (1.0)	All other flow paths and dry drainage channels

#### 2. Introduction

- 2.1. This Biodiversity Net Gain Guidance Note (hereafter referred to as 'interim guidance') has been produced by Kent County Council (KCC), under consultation with the Kent Nature Partnership (KNP).
- 2.2. The Environment Act 2021 includes a specific duty to 'have regard' to the relevant Local Nature Recovery Strategy when determining the 'strategic significance' score that is part of the Biodiversity Metric calculation. KCC, along with other local partners across the county, are committed to preparing a full Local Nature Recovery Strategy for Kent and Medway over the next two years, which will help to determine where best to target areas for BNG in the county.
- 2.3. Therefore, in the absence of a county-wide Local Nature Recovery Strategy, this document has been prepared with the aim of:
  - providing interim guidance to be adopted by Local Planning Authorities, and adapted as appropriate, ahead of the publishing of a Local Nature Recovery Strategy for Kent and Medway,
  - supporting professional ecologists, working on behalf of applicants, to complete the 'strategic significance' section of the Statutory Biodiversity Metric (or any subsequent update) that will form part of a planning application; and
  - supporting landowners and BNG offset providers looking to potentially put forward land for off-site BNG that may be required to go through the planning process.
- 2.4. Where possible, this interim guidance has been developed using existing published strategies for Kent and Medway, which are evidence led and have previously gone through public consultation. In addition, expert guidance has been sought from the Kent Nature Partnership, statutory agencies and the county's planning authorities.
- 2.5. This interim guidance will be reviewed periodically and will eventually be replaced by a published Local Nature Recovery Strategy for Kent and Medway (expected publication date spring/summer 2025).

#### 3. Overview of Strategic Significance

- 3.1. The draft user guide for the Statutory Biodiversity Metric (hereafter referred to as the 'User Guide') sets out nine principles that should inform the use of the metric. Principle 8 states that "Created and enhanced habitats should seek, where practical and reasonable, to be local to any impact and deliver strategically important outcomes for nature conservation."
- 3.2. The User Guide defines strategic significance as a score that "describes the local significance of the habitat based on its location and the habitat type". Strategic significance helps to incentivise the creation and enhancement of the right habitat in the right place. This principle supports the widely accepted Lawton Principles that there is a requirement for habitats to be "more, bigger, better and joined" in order to achieve nature's recovery<sup>6</sup>.
- 3.3. Within the Biodiversity Metric, strategic significance seeks to promote the delivery of habitat creation and enhancement within areas which are strategically important for nature's recovery. It also seeks to discourage the loss of strategically significant habitats. Strategic significance forms one of three components of the metric which assess habitat quality, alongside habitat distinctiveness and habitat condition.
- 3.4. There are three broad types of biodiversity units, which are calculated in three separate 'modules' of the metric:
  - Area units (e.g. grassland, woodlands, wetland etc)
  - Hedgerow units
  - Watercourse units
- 3.5. These different types of biodiversity units are unique and cannot be summed, traded or converted (see Box 1 for an example).

#### Box 1

Applicants must achieve the minimum BNG requirement (10% unless specified otherwise by the LPA) in all three types of biodiversity units; 10% for area units, 10% for watercourses and 10% for hedgerows.

Where one of these types of habitats is not present on site pre-development then the applicant is not required to achieve BNG for this type of unit as 10% of zero is zero.

It would not be acceptable for an applicant to achieve 15% on area based habitats but only 5% on hedgerow units and claim to have delivered an average of 10% BNG. The minimum BNG requirement must be delivered across each unit type individually.

3.6. The draft user guide for the Statutory Metric required that BNG assessors should assign a strategic significance category (Table 4) for each individual habitat parcel (each row of the metric spreadsheet) both at baseline and post-intervention.

<sup>&</sup>lt;sup>6</sup> Lawton, J.H., Brotherton, P.N.M., Brown, V.K., Elphick, C., Fitter, A.H., Forshaw, J., Haddow, R.W., Hilborne, S., Leafe, R.N., Mace, G.M., Southgate, M.P., Sutherland, W.J., Tew, T.E., Varley, J., & Wynne, G.R. (2010) Making Space for Nature: a review of England's wildlife sites and ecological network. Report to Defra.

- 3.7. The assigning of a strategic significance category should be justified in the user comments of the metric spreadsheet for **each habitat parcel**.
- 3.8. Habitat parcels should be split, and strategic significance categories assigned accordingly, into separate rows within the metric spreadsheet in instances where the parcel is intersected by:
  - a boundary between two areas of different strategic significance
  - a planning authority boundary
- 3.9. The strategic significance multiplier (Table 4) is applied in the same way for all three types of biodiversity unit (habitat units, hedgerow units and watercourse units) with a multiplier of high, medium or low assigned for each habitat feature.

**Table 4:** Metric strategic significance categories, multipliers and descriptions (Adapted from Table 7 in the draft user guide for the Statutory Metric – descriptive text is as per the user guide and has not been modified)

Strategic significance category	Strategic significance multiplier	Description
High	1.15	Where there is no published Local Nature Recovery Strategy and the
iligii	1.13	habitat type is mapped and described as locally ecologically important within a specific location, within documents specified by the relevant planning authority.
		If your project delivers the mapped measure set out in the Local Nature Recovery Strategy or alternative strategy (where the Local Nature Recovery Strategy is not yet available) you should:  • record strategic significance as low in the
		baseline
		<ul> <li>record strategic significance as high in post intervention sheets</li> <li>record which plan you have used in the user comments</li> </ul>
Medium	1.10	This category cannot be applied where the Local Nature Recovery Strategy is published, or where the habitat and location is included within other strategic documents specified by the relevant planning authority.
		Users should:
		explain how the habitat type is ecologically
		important within a specific location
		demonstrate the importance of that habitat in
		providing ecological linkage to other strategically
		significant locations
		use professional judgement
Low	1	Where the definitions for high and medium strategic significance are not met.
		Even if your project is within a plan area, if it does not deliver the specific
		actions outlined in these plans you should:
		record strategic significance as low in the
		baseline
		record strategic significance as low in post-intervention sheets

# 4. Process of establishing an Interim Strategic Significance approach for Kent and Medway

- 4.1. The User Guide sets out that published plans, strategies or policies should be used to assign the correct strategic significance category. The User Guide states that "If an LNRS has not yet been published, a relevant planning authority should specify alternative documents for assigning strategic significance whilst an LNRS is put in place. For example:
  - Draft Local Nature Recovery Strategies
  - Local Plans and Neighbourhood Plans
  - Local Planning Authority Local Ecological Networks
  - Tree Strategies
  - Area of Outstanding Natural Beauty Management Plans
  - Biodiversity Action Plans
  - Species conservation and protected sites strategies
  - Woodland strategies
  - Green Infrastructure Strategies
  - River Basin Management Plans
  - Catchment Plans and Catchment Planning Systems
  - Shoreline management plans
  - Estuary Strategies"
- 4.2. Until a Local Nature Recovery Strategy for Kent is published, this interim guidance sets out a standardised approach to applying strategic significance across Kent. At their discretion, Local Planning Authorities may be minded to specify additional plans, strategies or policies for their area that BNG assessors can use to inform and evidence the chosen strategic significance multiplier.
- 4.3. Wherever possible, the interim guidance for Kent has been be based on existing plans, policies and strategies, which are evidence based and have previously been subject to public consultation. Where existing plans, policies or strategies are not available for a particular habitat type then expert advice has been sought from the Kent Nature Partnership (KNP) BNG Task and Finish Group, statutory agencies and the county's planning authorities.

#### Local Nature Recovery Strategies

- 4.4. The <u>local nature recovery strategy statutory guidance (2023)</u> was published by Defra in March 2023. The statutory guidance describes Local Nature Recovery Strategy as "a system of spatial strategies for nature and environmental improvement required by law under the [Environment] Act<sup>7</sup>."
- 4.5. Wherever possible, this interim guidance will seek to align with principles set out within the Local Nature Recovery Strategy Statutory Guidance, which describes five steps to creating a Local Nature Recovery Strategy:
  - Step 1: Map areas of particular importance for biodiversity.
  - Step 2: Map areas where nature recovery action has been taken.
  - Step 3: Describe the strategy area, its biodiversity and opportunities for recovery.
  - Step 4: Agree priorities and identify potential measures.
  - Step 5: Map areas that could become of particular importance.

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<sup>&</sup>lt;sup>7</sup> The Environment Act 2021

4.6. This interim guidance should not be referred to as a Local Nature Recovery Strategy or an interim Local Nature Recovery Strategy. Is not intended to replicate the creation of a Local Nature Recovery Strategy and it is acknowledged that it represents a greatly simplified approach in comparison to the approach that will be informed by the Local Nature Recovery Strategy.

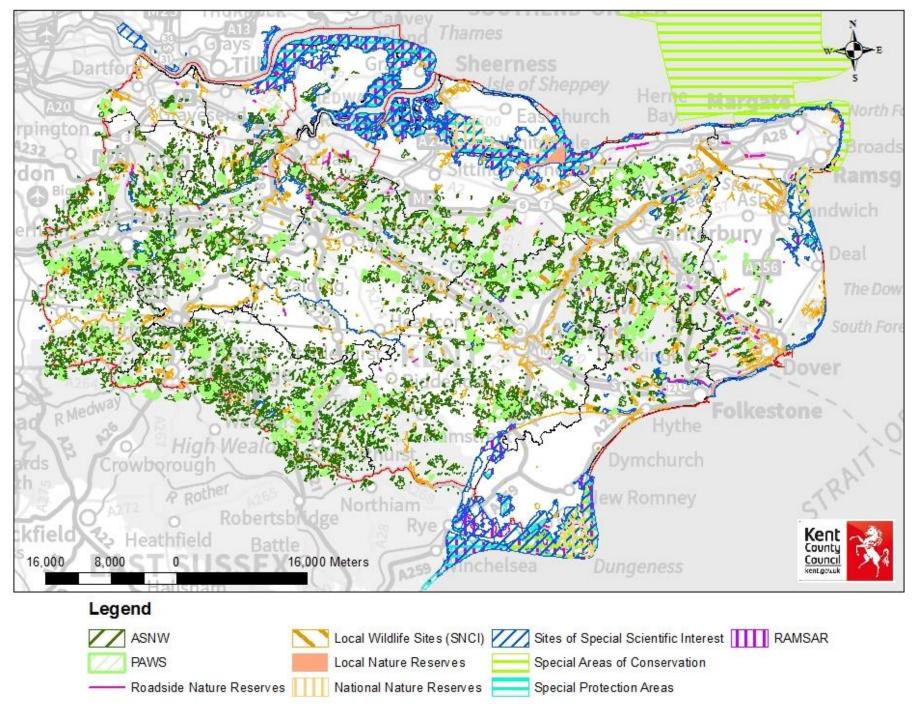
#### Step 1: Areas of particular importance for biodiversity

- 4.7. Kent (including the unitary authority of Medway) is one of the largest counties in England by area and has greatly varied and complex topography, soils, geology and other environmental conditions. These conditions have influenced the variety of habitat types in Kent and, it is important to consider key habitats within defined geographical areas.
- 4.8. Identifying areas of particular importance for biodiversity is considered to form a fundamental part of this interim guidance. For the purposes of this document, habitats considered equivalent to 'areas of particular importance for biodiversity are:
  - International and European conservation sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar Wetlands of International Importance (Ramsar sites)
  - National conservation sites (Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs)
  - Local Nature Reserves (LNRs)
  - Irreplaceable habitats as specified in the National Planning Policy Framework (NPPF) (December 2023)
  - Local Wildlife Sites (LWSs)
  - Roadside Nature Reserves (RNRs)

Further description of each designation is available in Appendix B.

- 4.9. It should be noted that marine designations have not been included in this interim guidance as they are not included within the Statutory Biodiversity Metric.
- 4.10. Map 1 shows terrestrial sites and habitats that this guidance considers to be equivalent to 'areas of particular importance for biodiversity'. It is recommended that these layers be interrogated in greater detail using The <u>Kent Landscape Information System</u> (KLIS), which is an interactive map showing a variety of spatial information about Kent's biodiversity and landscapes.

Map 1. Terrestrial sites and habitats considered to equivalent to 'areas of particular importance for biodiversity.



#### Step 2: Areas where nature recovery action has been taken:

4.11. The Secretary of State will tell responsible authorities when they must review and republish their Local Nature Recovery Strategy (every 3 – 10 years). Reviews should show what actions for nature have been done since the strategy was last published. Given that a Local Nature Recovery Strategy is still to be prepared, implemented and reviewed, it is not considered appropriate to embed this step the creation of this interim guidance for strategic significance. Step 2 will form a fundamental part of ongoing revisions to the Local Nature Recovery Strategy and will therefore inform strategic significance guidance in the future.

# Step 3: Strategy area, its biodiversity and opportunities for recovery and Step 5: Areas that could become of particular importance:

- 4.12. The Local Nature Recovery Strategy statutory guidance sets out the need to describe the range and general distribution of habitats in the strategy area, paying particular attention to priority habitats and habitats of local importance. It also sets out the need to assess trends in, and pressures on, these habitats. It is advised that this step should draw on other relevant spatial plans.
- 4.13. The following Kent based spatial plans / strategies have been used to inform this interim guidance:

#### The State of Nature in Kent (2022)

- 4.14. The Kent Nature Partnership published The State of Nature in Kent<sup>8</sup> report which provides a review of trends in and pressures on biodiversity in Kent over the last 10 years. The aims of this report include to "provide an evidence-base for underpinning our Local Nature Recovery Strategy". It is therefore considered appropriate that this review informs the development this interim strategic significance guidance.
- 4.15. On the basis that the Statutory Biodiversity Metric does not include an assessment of net gain for species, instead using habitats as proxies for overall biodiversity value, it is deemed appropriate to only consider habitats in Kent for this interim guidance. It is anticipated that the Local Nature Recovery Strategy will incorporate species specific data and therefore future guidance on using the strategic significance multiplier is likely to make reference to species recovery and indicator species.

<sup>&</sup>lt;sup>8</sup> Tinsley-Marshall, P., Skilbeck, A., Drake, C. Edwards, C., Allen, G., Atkinson, K., Baker, J., Ball, L., Bauer, K., Beale, S., Bleet, R., Bloor, R., Breeze, L., Britton-Williams, N., Buckingham, S., Butler, M., Clemons, L., Colver, E., Easterbrook, M., Fitzmaurice, A., Griffiths, A., Hadaway, P., Harding, R., Hazlehurst, G., Hayes, M., Heath, M., Hedley, S., Henderson, A., Hewitt, K., Hodges, R., Howard, R., Hunt, J., Hunter, I., Johnson, A., Kitchener, G., Mason-Baldwin, L., Moxey, T., Orchard, M., Parr, A., Pateman, B., Peckham, S., Phillips, M., Rainey, M., Reid, H., Russell-Smith, T., Ruyter, A., Shaw, I., Shenton, D., Simmons, H., Smith, H., Smith, S., Still, R., Swinnerton, K., Taylor, P., Thompson, S., Tittley, I., Tuson, D., Walker, D., Weeks, S., Witts, T., & Young, J. (2022) The State of Nature in Kent 2021. Kent Nature Partnership. Available: State of Nature | Kent Nature

4.16. It is stated in the State of Nature in Kent (2021) report that "Kent is one the UK's most wildlife-rich counties, a result of its varied geology, long coastline, landscape history, southerly location and proximity to mainland Europe." The distribution of habitats and species varies greatly between Kent's districts due to the varied geology and landscape characteristics.

#### Kent Habitat Survey 2012

4.17. The Kent Habitat Survey 2012<sup>9</sup> serves as the most recent Kent wide habitat survey which provides ecological information on habitat type and potential importance for nature conservation. The location and extent of habitats were mapped for Kent and Medway using aerial photography, previous survey data and targeted field surveys.

#### Priority Habitats and Species

- 4.18. The NPPF (December 2023) describes Priority habitats and species as: "Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006."
- 4.19. As above, on the basis that The Biodiversity Metric uses habitats as a proxy for overall biodiversity value, only habitats (and not species) are accounted for within this guidance.
- 4.20. The following is a list of the 36 habitats of principal importance (also known as Priority Habitats) in Kent which are identified in the UK Biodiversity Action Plan:
  - 1. Arable field margins
  - 2. Blue mussel beds on sediment
  - 3. Coastal and floodplain grazing marsh
  - 4. Coastal saltmarsh
  - 5. Coastal sand dunes
  - 6. Coastal vegetated shingle
  - 7. Fragile sponge and anthozoan communities on subtidal rocky habitats
  - 8. Hedgerows
  - 9. Honeycomb worm (Sabellaria alveolata) reefs
  - 10. Intertidal chalk / Subtidal chalk
  - 11. Intertidal mudflats
  - 12. Intertidal underboulder communities
  - 13. Lowland beech and yew woodland
  - 14. Lowland calcareous grassland
  - 15. Lowland dry acid grassland
  - 16. Lowland fen
  - 17. Lowland heathland
  - 18. Purple moor grass and rush pasture
  - 19. Lowland meadow
  - 20. Lowland mixed deciduous woodland
  - 21. Maritime cliffs and slopes

<sup>&</sup>lt;sup>9</sup> Brennan, A., 2012. *Kent Habitat Survey*. Available: <u>Kent-Habitat-Survey-2012-section-1-executive-summary.pdf</u>

- 22. Mud habitats in deep water (?)
- 23. Open mosaic habitats on previously developed land
- 24. Peat and clay exposures with piddocks
- 25. Ponds
- 26. Reedbeds
- 27. Rivers
- 28. Rossworm (Sabellaria spinulosa) reefs
- 29. Saline lagoons
- 30. Seagrass beds
- 31. Sheltered muddy gravels
- 32. Subtidal sands and gravels
- 33. Spoonworms and burrowing megafauna
- 34. Traditional orchard
- 35. Wet woodland
- 36. Wood pasture and parkland

#### Step 4: Identify priorities and potential measures:

- 4.21. The Local Nature Recovery Strategy statutory guidance suggests that the priorities identified should reflect local circumstances but also reflect what contribution the strategy area can make to national environmental objectives, commitments and targets, including those legally binding targets established by the [Environment] Act. It advises that priorities can be established by:
  - identifying the existing or potential habitats considered to be either locally or nationally important and the practicality of improving existing areas' condition, or creating new areas of these habitats.
  - identifying the existing or potential species (or groups of species) in the area that the strategy could make a particular contribution to enhancing or recovering, and assess the practicality of creating or enhancing habitats to support this.
- 4.22. The following existing strategies inform priorities for biodiversity recovery in Kent:
  - The Kent Biodiversity Strategy 2020 to 2045
  - Biodiversity Opportunity Areas
- 4.23. New evidence, strategies and guidance will be reviewed periodically, and this interim guidance document will be reviewed and update as appropriate.
- 4.24. In addition to the above list, there is scope for Districts to identify locally adopted strategies for natures recovery or for wider environmental benefits. Examples of such strategies include green and blue infrastructure strategies, neighbourhood plans, locally defined green corridors or ecological networks. These District specific strategies will not be referenced within the interim guidance for Kent and Medway but can be identified by Districts for consideration when assigning strategic significance.

Kent Nature Partnership Biodiversity Strategy - 2020 to 2045

- 4.25. The Kent Nature Partnership Biodiversity Strategy 2020 to 2045<sup>10</sup> "looks to protect and recover threatened species and enhance the wildlife habitats that Kent is particularly important for". The Kent Biodiversity Strategy focusses on restoration, enhancement and creation of habitats, and assumes that the current extent of Kent's existing priority habitats is being maintained. The Strategy provides a framework for the delivery of Biodiversity Net Gain, in providing a focus of priorities for recovery in Kent, and the Local Nature Recovery Strategy for Kent, in identifying areas for habitat management, enhancement and creation.
- 4.26. The Strategy identifies that "Kent is home to 36 priority habitats (see Appendix 2 for complete list) and 387 priority species. Whilst all remain important to the county, the Strategy has chosen to select 17 priority habitats and 13 species on which efforts should be specifically focussed and targets set."
- 4.27. Kent priority habitats were selected using the following criteria:
  - Habitats for which Kent is a stronghold at UK level.
  - Habitats for which there is sufficient data available relating to extent and quality of current resource.
  - Opportunity for the KNP to deliver gains for this target through joint working.
- 4.28. On the basis that the Statutory Biodiversity Metric does not include an assessment of net gain for species, instead using habitats as proxies for overall biodiversity value, it is deemed appropriate to only consider the priority habitats for Kent for this interim guidance. The Local Nature Recovery Strategy will incorporate specific species priorities and actions and therefore future guidance on using the strategic significance multiplier is likely to make reference to species recovery.
- 4.29. Habitats identified as a priority for Kent within the Kent Biodiversity Strategy are listed in Table 5 below. Table 5 also converts these habitats into habitats listed within the Statutory Biodiversity Metric.

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<sup>&</sup>lt;sup>10</sup> Kent Nature Partnership. (2020) *Kent Nature Partnership Biodiversity Strategy,* from: <u>Kent Biodiversity</u> Strategy | Kent Nature

Table 5. Habitats identified as a priority for Kent within the Kent Biodiversity Strategy

Statutory Metric Habitat
Lowland beech and yew woodland
Other woodland mixed
Lowland mixed deciduous woodland
Other woodland broadleaved / other woodland
mixed
Lowland calcareous grassland
Lowland meadows
Other neutral grassland
Lowland dry acid grassland
Other lowland acid grassland
Lowland heathland
Species-rich native hedgerow habitats
Open Mosaic Habitat on Previously Developed Land (OMHPDL)
Traditional Orchards
Water course – Priority Habitat
And/or
Other rivers and streams
Water course – Priority Habitat
Ponds (priority habitat)
Floodplain wetland mosaic and CFGM
Littoral mud
Saltmarshes and saline reedbed
Wet woodland
Coastal vegetated shingle
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#### Biodiversity Opportunity Areas (BOAs)

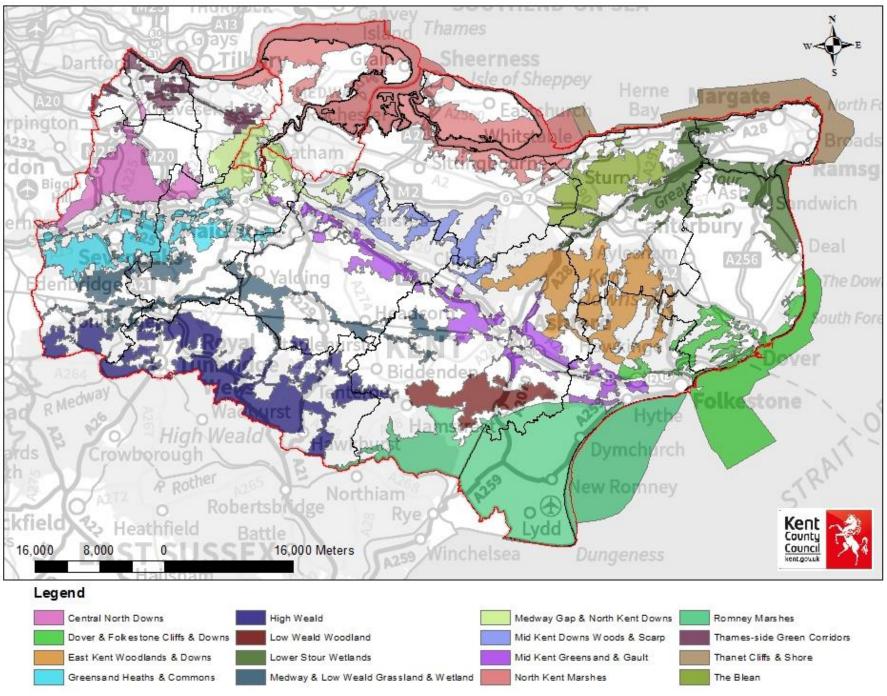
4.30. To provide a spatial element to this interim guidance the most recent opportunity mapping for Kent is the Biodiversity Opportunity Areas<sup>11</sup>. The BOA maps are a spatial reflection of the Kent Biodiversity Action Plan (BAP)<sup>12</sup>. They indicate where the delivery of Kent BAP targets should be focused in order to secure the maximum biodiversity benefits. The BOA maps also show where the greatest gains can be made from habitat enhancement, restoration and recreation, as these areas offer the best opportunities for establishing large habitat areas and/or networks or wildlife habitats. They were developed to support local

<sup>11</sup> Biodiversity Opportunity Areas via Appendix C.

<sup>&</sup>lt;sup>12</sup> Kent County Council, on behalf of the Kent Biodiversity Action Plan Steering Group., 1997. *Kent Biodiversity Action Plan*. Available to download here

- planning authorities in the development and delivery of positive nature conservation policy in line with national plans.
- 4.31. The BOA maps were not developed to be a planning constraint map and it was not intended that nature conservation become the primary land-use within the target areas. However, consideration should be given to ensuring that development within a BOA does not significantly increase the fragmentation of wildlife habitats within target areas or neutralise significant opportunities for habitat restoration or recreation.
- 4.32. There are 16 Biodiversity Opportunity Areas in Kent and their boundaries are not absolute (Map 2). They have been drawn to follow mapped boundaries wherever possible in order to facilitate spatial planning and decision-making.
- 4.33. Map 2 shows the distribution of Biodiversity Opportunity Areas across Kent and Medway. It is recommended that these designations can be interrogated in greater detail using The <a href="Kent Landscape Information System">Kent Landscape Information System</a> (KLIS), which is an interactive map showing a variety of spatial information about Kent's biodiversity and landscapes.

Map 2. Biodiversity Opportunity Areas within Kent and Medway.



- 4.34. Habitats for which the BOAs are designated are predominantly listed as KBS priority habitats. In addition to the KBS priority habitats the following are included in the BOA descriptions:
  - Arable field margins
  - Coastal sand dunes
  - Honeycomb worm (Sabellaria alveolata) reefs
  - Lowland fen and bog
  - Maritime cliffs and slopes
  - Reedbeds
  - Saline lagoon
  - Wood pasture
  - Intertidal habitats
  - Lakes
- 4.35. See Appendix A for a table of habitats identified within each BOA description, including both Kent Biodiversity Strategy priority habitats and additionally described habitats. Combined, this list forms the basis of the priorities for habitat recovery in Kent, and in the absence of a published Local Nature Recovery Strategy should direct conservation action, including through BNG delivery.

#### 5. Interim Strategy for applying for strategic significance in Kent and Medway:

- 5.1. The plans, policies, strategies and designations reviewed in this document have been used to define strategic significance multipliers for Kent. Where plans are not available then expert guidance has been sought from the Kent Nature Partnership BNG Task and Finish Group, statutory agencies and the county's planning authorities.
- 5.2. BNG assessors should use Tables 1, 2 and 3 to assign high, medium or low strategic significance for each habitat parcel (each row of the metric spreadsheet) both for the habitat baseline, creation and enhancement tabs. Where a habitat parcel spans multiple strategic significance categories, or across Local Planning Authority boundaries, then that habitat parcel should be split, with the relevant categories assigned accordingly.
- 5.3. Table 1 sets out how strategic significance should be assigned for area-based habitats. The criteria are based on existing published strategies for Kent and Medway, which are evidence led and have previously gone through public consultation.

**Table 1 (repeated from executive summary):** Interim definition of strategic significance for area-based habitat units in Kent and Medway.

Strategic Significance Category (and multiplier)	Kent and Medway approach to assigning Strategic Significance for area based habitats
High (1.15)	<ul> <li>Kent Biodiversity Strategy priority habitats (see Appendix B) located within a Biodiversity Opportunity Area</li> <li>Habitats of importance identified within Biodiversity Opportunity Area descriptions (see Appendix A)</li> <li>Widely dispersed habitats of importance identified within Biodiversity Opportunity Area descriptions located across the whole of Kent and Medway<sup>13</sup></li> <li>National and International statutory protected sites (Ramsar, SAC, SPA, SSSI, NNR)*</li> <li>Local Nature Reserves (LNRs*)</li> <li>Local Wildlife Sites (LWSs)*</li> <li>Roadside Nature Reserves (RNRs)*</li> <li>Irreplaceable habitats<sup>14*</sup></li> </ul>
Medium (1.1)	<ul> <li>Kent Biodiversity Strategy priority habitats outside of the Biodiversity Opportunity Areas</li> <li>Any Section 41 priority habitat that do not meet the criteria for high strategic significance</li> </ul>
Low (1.0)	All other area-based habitats

Note: the strategic significance score of individual trees should be assigned using the same methodology as for hedgerow units, i.e. the strategic significance category (high, medium or low) for individual trees should be the same as the distinctiveness score.

5.4. Table 2 sets out how strategic significance should be assigned for hedgerow units. Hedgerows are identified as a priority habitat by the Kent Biodiversity Strategy 2020 – 2045. Hedgerows are a widely distributed habitat across Kent and Medway, and therefore it is not deemed appropriate to assign spatial constraints for strategic significance. Instead, the strategic significance of hedgerows is defined by their distinctiveness, as defined by The Statutory Biodiversity Metric.

<sup>&</sup>lt;sup>13</sup> Ponds and traditional orchards.

<sup>&</sup>lt;sup>14</sup> As defined in the National Planning Policy Framework (December 2023).

<sup>\*</sup> The deterioration in quality of statutory protected sites, LNRs, RNRs, LWSs and irreplaceable habitats below the condition recorded at the time of designation should not be used as justification for downgrading of strategic significance. This includes where deterioration in quality occurred prior to the relevant date as specified in the Environment Act 2021. Exceptions apply where it can be demonstrated that activities leading to the deterioration of habitats was carried out in accordance with a planning permission or any other permission of a kind specified by the Secretary of State by regulations.

**Table 2 (repeated from executive summary):** Interim definition of strategic significance for hedgerow units in Kent and Medway.

Strategic Significance Category (and multiplier)	Kent approach to assigning Strategic Significance for hedgerow units
High (1.15)	<ul> <li>All very high and high distinctiveness hedgerows as defined by The Statutory Biodiversity Metric</li> </ul>
Medium (1.1)	All medium distinctiveness hedgerows as defined by The Statutory Biodiversity Metric
Low (1.0)	All low and very low distinctiveness hedgerows as defined by The Statutory Biodiversity Metric

**5.5.** Table 3 sets out how strategic significance should be assigned for watercourse units. Rivers and chalk streams are identified as priority habitats by the Kent Biodiversity Strategy 2020-2045. Several statutory and non-statutory designated wildlife sites are defined by, or include, features of natural, semi-natural and manmade watercourses.

**Table 3 (repeated from executive summary):** Interim definition of strategic significance for hedgerow units in Kent and Medway

Strategic Significance Category (and multiplier)	Kent approach to assigning Strategic Significance for watercourse units
High (1.15)	<ul> <li>Rivers (priority habitat)</li> <li>All other rivers and streams (including all ephemeral streams)</li> <li>Ditches/Canals within statutory and non-statutory designated sites and priority habitats</li> <li>All culverts, channels or mill leats that link high priority rivers, streams, ditches and canals</li> </ul>
Medium (1.1)	Ditches and canals without designations
Low (1.0)	All other flow paths and dry drainage channels

Appendix A. Habitats identified within the Biodiversity Opportunity Area (BOAs) descriptions and targets.

Habitats identified within the BOA description and targets  Biodiversity Opportunity Areas (BOAs)	Lowland beech and yew woodland	Lowland mixed deciduous woodland	Other woodland broadleaved / Other woodland mixed	Lowland calcareous grassland	Lowland meadow	Other neutral grassland	Lowland dry acid grassland	Other lowland acid grassland	Lowland heathland	Open Mosaic Habitat on Previously Developed Land (OMHPDL)	Coastal and floodplain grazing marsh	Coastal saltmarsh	Wet woodland	Coastal vegetated shingle	Intertidal mudflats	Intertidal chalk	Coastal sand dunes	Sabellaria alveolata reefs	Fens (Upland and lowland) / Lowland raised bog	Maritime cliffs and slopes	Reedbeds	Coastal lagoons	Wood pasture and parkland	Lakes (all high and very high distinctiveness lakes)
Central North Downs	x	x	х	х	x	x					х												х	
Dover & Folkestone Cliffs & Downs	x	x	x	x	x	x							x	x		x		x	x	x				
East Kent Woodlands & Downs	х	х	х	х	х	х	х	х															х	
Greensand Heaths and Commons		х	х		х		х	х	х														х	
High Weald		х	х		х	х	х	х	х				x										х	
Low Weald Woodlands		х	х		х	х																		
Lower Stour wetlands		х	х		х		х	х			х	х	х		х		х		х	х	х			
Medway and Low Weald Wetlands and Grasslands		х	х		х	х					х		х						х		х			
Medway Gap and North Kent Downs	x	х	х	х	х	х				х	х	х			х				х		х			
Mid Kent Downs, Woods and Scarp	х	х	х	х	х	х																	х	
Mid Kent Greensand and Gault		х	х		х	х	х	х	х	х	х		х						х				х	х
North Kent Marshes		х	х		х	х					х	х		х	х					х		х		
Romney Marshes and Rye Bay					х	х	х	х			х	х		х					х		х	х		
Thames-side Green Corridors		х	х	х			х	х	х	х	х	х												
Thanet Cliffs and Shore		х	х		х	х														х		х		
The Blean		х	х		х	х	х	х	х										х					

#### **Appendix B. Designated Sites**

Ramsar sites, SPAs and SACs afford the highest level of protection to habitats and species. These sites support internationally important habitats and populations of species. These sites are designated under the Ramsar Convention and the Conservation of Habitats and Species Regulations 2017 (as amended).

#### Nationally protected sites

Sites of Special Scientific Interest (SSSI) are designated by Natural England under the Wildlife and Countryside Act 1981 (as amended). These sites represent the best sites for nature conservation and are designated to conserve species, habitats or geological features. In Kent there are 99 SSSIs covering a vast range of habitats, of which only 69% are in favourable condition.

There are 11 National Nature Reserves (NNRs) in Kent which are designated under section 35 of the Wildlife & Countryside Act 1981. NNRs are owned by or managed through agreements with Natural England.

#### **Local Nature Reserves**

Local Nature Reserves (LNRs) are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949. LNRs are designated by the local authority for being locally important for wildlife, geology, education and enjoyment (without disturbing wildlife). The local authority must have control over the LNR either through ownership, lease or legal agreement with the owner. Kent has 42 LNRs many of which are also covered by other designations.

#### **Roadside Nature Reserves**

The Kent and Medway Road Verge Project was established in 1994 as a partnership between Kent County Council Highways and Kent Wildlife Trust. Roadside Nature Reserves (RNRs) are selected to identify, protect and manage road verges which contain threatened habitats or wildlife.

#### Local Wildlife Sites

Local Wildlife Sites (LWSs) in Kent and Medway are designated at the count level to support threatened habitats and species. They act as buffers, stepping stones and corridors between nationally-designated wildlife sites. In Kent, there are over 460 Local Wildlife Sites, covering a total area of over 27,500 hectares (~68,000 acres) (roughly 7% of the county). They vary greatly in size ranging from a 0.12 ha churchyard important for its orchids, to grazing marsh sites of over 1,000 ha.

Unlike SSSIs, LWSs are not afforded statutory protection and the owner of land which has been designated as a LWS is not obliged to maintain the site's wildlife interest. However, the Local Planning Authorities in Kent recognise the importance of LWSs, and provide protection for them through planning policy and guidance documents. Generally, planning policies protect against development which would damage the wildlife interest of any LWS, except where the need for development is so great that it is judged to override that interest.

#### <u>Irreplaceable Habitats</u>

The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 provides a list of habitats considered to be irreplaceable:

Ancient woodland

- Ancient and veteran trees
- Blanket bog
- Lowland fens
- Limestone pavements
- Coastal sand dunes
- Spartina saltmarsh swards
- Mediterranean saltmarsh scrub

#### **Appendix C. Kent Biodiversity Opportunity Areas (BOAs)**

It is advised that you access the BOA maps via the Kent Landscape Information System (KLIS) which allows you to view an interact map of each of the BOA areas.

The BOA Statements can be access via the links embedded in the list below:

Central North Downs

Dover & Folkestone Cliffs & Downs

East Kent Woodlands & Downs

**Greensand Heaths and Commons** 

High Weald

**Low Weald Woodlands** 

**Lower Stour wetlands** 

Medway and Low Weald Wetlands and Grasslands

Medway Gap and North Kent Downs

Mid Kent Downs, Woods and Scarp

Mid Kent Greensand and Gault

**North Kent Marshes** 

Romney Marshes and Rye Bay

**Thames-side Green Corridors** 

**Thanet Cliffs and Shore** 

The Blean