



# Biodiversity Net Gain regime: England (Real Estate)

## What's happening

- ESG drumbeat growing louder
- Increasing governmental focus on ESG including many new ESG laws and regulations
- New Biodiversity Net Gain (BNG) regime impacting new real estate development effective February 2024

## Why

- Increasing concerns regarding conservation of nature
- Seeking to balance recovery of nature and land development, and ensure improved biodiversity post development
- Provide clarity and certainty for developers and local planning authorities by implementing standardised, mandatory approach to BNG

## Why it matters

- Compliance with new BNG regime will apply to most new development in England, including local planning authority approval of BNG plan
- Significant financial and timing implications for developers
- New financial opportunities for landowners including sale of "biodiversity units" to developers

## How we can help

We can:

- Steer developers through the new regime and futureproof development strategies
- Help landowners take advantage of new market for biodiversity units – a new revenue stream
- Advise on how BNG regime affects different types of permissions (full, outline, phased and variations) and which developments are exempt
- Advise on options for delivering BNG – onsite or offsite mitigation, or purchasing credits
- Provide guidance on options for securing and enforcing delivery and maintenance of BNG
- Provide guidance on calculation tool for measuring pre- and post- development "biodiversity value", the Biodiversity Metric, including its impact on development strategies

## What we do

### Regulatory Compliance

- Advise on how to deliver a wide range of environmental compensatory measures
- Advise on ESG related planning requirements including BNG and conservation covenants
- Advise on new UK Sustainability Disclosure Requirements and compliance with Minimum Energy Efficiency Regulations

### Strategic Advisor

- Provide strategic advice to optimise returns at all stages of sustainable real estate development and investment lifecycle

## Key contacts



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