

# Navigating Ecology, Biodiversity and Development in 2025



# 1 Introduction

In the ever-evolving landscape of UK development, ecology continues to be a central, and often contentious, issue in planning and construction. For those of us who work in the development sector, understanding the delicate balance between environmental responsibility and project timelines is now more crucial than ever.

With the recent surge of reforms and new regulations aimed, in theory at least, at streamlining the planning process and promoting sustainability, the role of ecological consultants has become increasingly pivotal in ensuring that development aligns with the UK's ambitious environmental targets. The question is: Given that we all have a role to play in tackling the joint biodiversity and climate crises, how can we best leverage ecological expertise in delivering projects that meet the needs of people and nature?

## 2 A Seismic Shift

The past few years have seen a seismic shift in the role of ecological consultants in supporting developers through the planning process. Amid concerns over biodiversity loss and climate change, the UK government introduced **Biodiversity Net Gain (BNG)**, which, as of early 2024, makes it a legal requirement for the vast majority of new developments in need of planning permission in England to deliver at least a 10% increase in biodiversity.

For many developers this has meant new obligations, not only in terms of planning deliverables (a Biodiversity Gain Plan is now required to discharge the mandatory pre-commencement BNG condition), but also in terms of cost (lower building densities to reduce onsite impact; purchasing/creating off-site Biodiversity Units). As a result of BNG, ecological input has become an essential part of site selection and due diligence. Ecologists are needed far earlier in the planning process than has traditionally been the case, to help developers understand the financial risk associated with meeting BNG targets, and how that risk can be mitigated to preserve project viability.

Naturally there are concerns: the ultimate success of Biodiversity Net Gain will depend heavily on effective implementation, enforcement, and market development, but it remains a fact that in enshrining BNG into English law, the UK has positioned itself as a trailblazer on the international stage, and that is something to be proud of.

Importantly, whilst its detractors might see BNG as an unwanted hurdle, it is important to remember that, when approached in the right way, BNG can significantly tip the planning balance in *favour* of development. On site, increasing the quality and availability of green/blue infrastructure has the potential to deliver valuable **ecosystem services** (surface water attenuation, ground-cooling, improved air quality, pest control), and provide **habitat corridors**/stepping stones that connect to the wider landscape, as well as contributing to **social value** (through placemaking), providing **equal access to nature** and promoting our **health and wellbeing**. Off site, the enhancement, restoration and creation of habitat in the right places can strengthen and connect our nature networks, providing habitats for declining species and opportunities for gene flows between isolated populations.

These **nature-positive outcomes** are entirely within our reach if, as design teams, we can adopt the right mindset and see BNG as an opportunity, and not a barrier. To my mind, BNG is about **placemaking** - we need to think about development in terms of people *and* nature, not people *or* nature. Perhaps this will be the next seismic shift?

## 3 A Strategic Approach

As part of its broader plans to accelerate housing and infrastructure development, the government has recently proposed a set of reforms, laid out in the **Planning Reform Working Paper on Development and Nature Recovery**. The government’s aim is to strike a balance between economic growth and environmental protection, which has the potential to fundamentally reshape the development landscape. The premise of the proposals is to “use funding from development to deliver environmental improvements at a scale which will have the greatest impact – moving us from an unacceptable status quo that can hold up development without improving nature, to a win-win for both.” The government intends to use the **Planning and Infrastructure Bill** “to make the necessary legislative changes to establish a more efficient and effective way for Habitats Regulations and other environmental obligations to be discharged.”

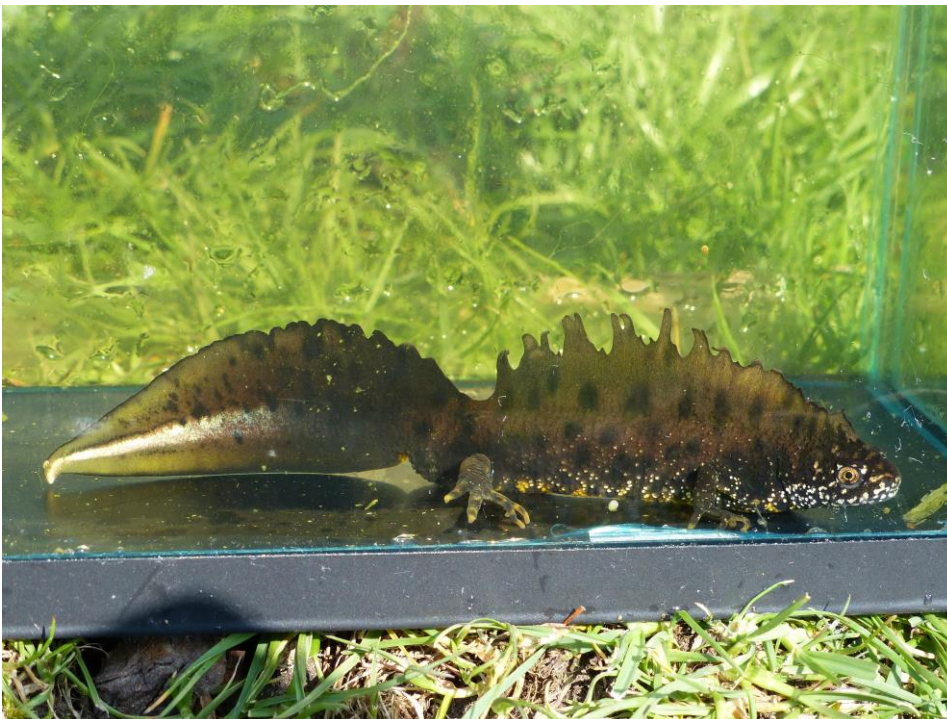
This all sounds very admirable, but what is actually being proposed? The Working Paper identifies three steps that will be underpinned by the Planning and Infrastructure Bill:

1. Moving responsibility for identifying actions to address environmental impacts away from multiple project-specific assessments in an area to a single strategic assessment and delivery plan.
2. Moving more responsibility for planning and implementing these strategic actions onto the state, delivered through organisations with the right expertise and with the necessary flexibility to take actions that most effectively deliver positive outcomes for nature.
3. Allowing impacts to be dealt with strategically in exchange for a financial payment that helps fund strategic actions, so development can proceed more quickly. Project-level environmental assessments are then limited only to those harms not dealt with strategically.

A modular framework is proposed that would enable the government “to identify an issue related to a specific environmental obligation and task a delivery body with addressing it strategically.” The relevant delivery body would then produce a **Delivery Plan**, which would then need to be approved by the Secretary of State. Where a Delivery Plan has established “a robust delivery pathway”, the government will create a mechanism to secure developer contributions to fully fund the actions it identifies. The Working Paper including three example scenarios where it claims this approach could be applied to ‘unlock’ development: Scenario A – Mitigation of harm from diffuse pollution; Scenario B – Compensation for harm to a protected site; and Scenario C – Species licensing.

The case for Scenario A is clear: If the numbers are to be believed, over 100,000 new homes have been blocked by the requirement to demonstrate **nutrient neutrality**. If the government could front-load funding into a viable mitigation solution that developers could subsequently pay into, thereby offsetting the nutrient load of their developments, then that would have a significant impact; removing the need for developers to consider the impact of pollution in their **Habitats Regulations Assessment (HRA)**. The concern is whether or not such a solution is even viable in the catchments affected; and if it is, whether sufficient safeguards will be put in place to ensure that the impact is indeed mitigated, as opposed to resulting in major detriment to some of our most precious conservation sites.

Scenarios B and C are of greater concern, as they both deal with species mitigation at a larger spatial scale. The issue here is that a blanket approach simply cannot work for all species that are affected by development. Ironically, despite Chancellor Rachel Reeves insistence that we "focus on getting things built and stop worrying over the bats and the newts", newts have become the poster-child for landscape-scale conservation in England, thanks to the apparent success of the **District Level Licensing (DLL)** scheme. The DLL has largely removed the need for traditional surveys for great crested newts to inform planning applications, as developers can now simply assess the number of ponds and extent of newt habitat within their site's zone of influence and pay into a scheme that delivers appropriate compensatory ponds and habitat in strategic locations where newts have a stronghold. On paper this is a perfect solution, and one which the Working Paper is quick to use as a case in point. However, the reason the DLL scheme has worked for newts is largely an artifact of newt ecology: newts are amphibians and therefore have to lay their eggs in water, where their young spend the first part of their lives before metamorphosing into adults. Adults typically spend most of their year (outside of



**Figure 1.** Male great crested newt. This species is well suited to landscape-scale conservation.

the breeding season) on land within about 250 m of the pond they grew up in. As a result, you can pretty much guarantee that if you dig new ponds in an area already teeming with great crested newts, you are going to be boosting the local population and maintaining the species' favourable conservation status. Similar approaches have worked to protect coastal conservation areas (e.g. the Essex and Suffolk Coast Recreational Avoidance and Mitigation Strategies), but again many of the qualifying species are ecologically linked to the sea. The same approach is unlikely to work as well for other, more mobile species that are not tied to a specific resource that limits their distribution (e.g. bats), many of which are qualifying features of protected sites. It will therefore be interesting to see how this develops.

Whilst the proposed reforms might well result in the delivery of housing stock at a greater rate (particularly in areas where an inability to demonstrate **Nutrient Neutrality** has blocked development), there remains a very real risk that in 'unlocking' development (and therefore its associated environmental impacts) now, we are in danger of relying on future mitigation measures that in reality may not work. Critics argue that the government's approach may inadvertently sideline some of the environmental regulations put in place under the Environment Act 2021, especially in relation to habitat protection and biodiversity. The fact that the government has blocked the **Climate and Environmental Bill**, which would have made UK commitments to climate targets legally binding does nothing to allay these concerns.

Clearly these reforms will not appear overnight, but it is important to be aware of them and to consider their potential impact on the development sector. Does this mean the end of site-specific surveys? Given that the government has committed to leaving BNG intact, it would appear the answer is no, as without site-specific habitat surveys you cannot calculate baseline biodiversity value. What about protected species surveys? Again, it seems unlikely that it will be possible to completely remove the need to understand the site baseline for most species groups, as the alternative is to adopt a worst-case scenario, which has the potential to cost the developer far more than if the surveys were just completed (particularly if the surveys confirm that the species is absent!). So, no more HRAs then? Not so fast - HRA will continue to be required for all impact pathways that aren't covered by a Delivery Plan.

It is unclear why a government that is on the one hand setting an international example in how to combat biodiversity loss, has been so keen to vilify "bats and newts" as the reason why the planning process is so slow. Those of us who work at the coal face know that most planning delays are a result of failing to engage the correct expertise early enough in the process, and the fact that our local authorities and statutory nature conservation organisations are woefully underfunded and under-resourced, meaning they simply don't have the capacity to respond in a timely manner. For now, the message remains the same: developers need to engage with ecological consultants as early as possible to understand financial risk in relation to ecology and BNG; to schedule surveys in a timely fashion to avoid unnecessary delays; and to influence scheme design to deliver nature-positive places that meet the joint needs of people *and* nature.

**About the Author**

Dr Martin Brammah is National Ecology Lead at Sweco UK, responsible for strategic direction of the ecology team, technical oversight of project delivery, and managing new and existing client relationships. He is a Chartered Ecologist and bat specialist with over 17 years' consultancy experience. More recently, his focus has been on delivering BNG seminars, and helping developer and land owner clients to optimise their BNG strategy.



*Dr Martin Brammah CEcol*

E: martin.brammah@sweco.co.uk  
M: +44 7880 787 449

Sweco will be attending UKREiIF 2025 in May. If you are also attending the event and would like to meet up to discuss potential work opportunities, or if you would like to attend our **UKREiIF Drinks Event** on the Tuesday evening please contact Martin at the details above.



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