



Yorkshire Water Ltd

Meltham Sewage Treatment Works

Biodiversity Net Gain Assessment





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Executive Summary

WSP UK Ltd. (WSP) was commissioned by Yorkshire Water Ltd to undertake a Biodiversity Net Gain (BNG) assessment to support the planning application for the construction of a Motor Control Centre (MCC) Kiosk measuring 26.33m² (hereafter referred to as the 'Proposed Development'). The Proposed Development is located at land at Meltham Sewage Treatment Works (the 'Site'), at Ordnance Survey (OS) Grid Reference SE 11262 11518.

BNG is the desired result of a process applied to development so that overall, there is a positive outcome for biodiversity. This report sets out the BNG assessment, providing both a quantitative and qualitative assessment, using the Statutory Biodiversity Metric (Defra, 2023) (herein referred to as "the Metric"). This report also assesses the Proposed Development against the Biodiversity Net Gain Good Practice Principles ("the Principles") (Appendix C). The process itself follows the mitigation hierarchy, as outlined within the Principles, which sets out that everything possible must be done to firstly avoid, secondly minimise and thirdly compensate for losses of biodiversity on-site. Only as a last resort are residual losses to be compensated for by using off-site biodiversity compensation. The process also follows the Biodiversity Net Gain Hierarchy in addition to the mitigation hierarchy, which states that as a first priority on-site compensation measures should be used in order to account for biodiversity loss, secondly off-site compensation measures should be used to account for loss, and finally the use of statutory biodiversity credits in order to compensate for biodiversity loss as a final resort.

This BNG assessment report:

1. Uses the Metric to quantify and compare the baseline biodiversity unit value of existing habitats on-site and the proposed post-development biodiversity unit value, based on the current design to provide an indication of quantitative net loss, no net loss, or a net gain for biodiversity on-site;
2. Provides a qualitative assessment of the compliance of the Proposed Development with the Principles; and
3. Provides recommendations where required for the amount of off-site compensation required to achieve a scheme-wide biodiversity net gain.

Habitats within the Site's baseline include modified grassland and artificial unvegetated; unsealed surface, which were identified during a field survey, along with the condition of each habitat. No linear habitats or watercourses were identified within the Site, and no irreplaceable habitats or statutory designated sites have been identified within the Site.



Due to the operational nature of the Site and the small number of units to be lost, no landscaping has been proposed on-site and the Proposed Development is predicted to achieve a -100% net loss of <0.01 Area Based Habitat Units (ABHU).

As a quantitative net gain has not been achieved, and the ABHU losses cannot be offset by gains elsewhere within the Site's boundary, recommendations have been made for compensation of biodiversity loss off-site. A theoretical off-site compensation scenario has been provided within this report, indicating the likely amount of compensation required to achieve an overall 10% net gain.

In relation to the qualitative assessment, the Proposed Development currently achieves five out of the 10 Principles. Recommendations have been made for the remaining five Principles (5, 6, 7, 8 and 9), to achieve a qualitative net gain.

1.1 Project Background

- 1.1.1. WSP UK Ltd. (WSP) was commissioned by Yorkshire Water Ltd. to complete a Biodiversity Net Gain (BNG) assessment for development of land at Meltham Sewage Treatment Works (the 'Site'), located at Ordnance Survey (OS) Grid Reference SE 11262 11518. It is understood the 'Proposed Works' at the Site form part of Yorkshire Water's 5-year Asset Management Plan (AMP7). The plan comprises the construction of a Motor Control Centre (MCC) Kiosk (measuring 26.33m²), Mecana Filter Tank and TSR Equipment. For the purpose of this assessment, it is understood that works associated with the Mecana Filter Tank and TSR Equipment benefit from Permitted Development Rights under Part 13, Class B of the Town and Country Planning General Permitted Development (England) Order 2015, whereas planning permission will be required for the MCC kiosk, totalling an area of 26.33m² or 0.0026ha. This BNG assessment applies to the planning permission boundary only, as shown on **Appendix A, Figure 1**. In the context of BNG, the site is relatively small, as the total Site area is 1.33m² larger than the 25m² total site area which would make the Proposed Development exempt from the mandatory Biodiversity Net Gain requirement (Defra, 2023).
- 1.1.2. UK Habitat Classification (UKHab) habitat survey data, including habitat condition assessments (HCA), were used to inform this BNG assessment. This data was collected during the Preliminary Ecological Appraisal (PEA) undertaken by WSP in February 2024 (WSP, 2024). UKHab Surveys were carried out by ecologists with extensive survey experience, having completed PEA surveys on similar sites and who are members of the Chartered Institute of Ecology and Environmental Management (CIEEM).

1.2 Biodiversity Net Gain

- 1.2.1. BNG is an approach to development which aims to leave the natural environment in a measurably better state than beforehand. The process follows the mitigation hierarchy, which sets out that everything possible must be done to firstly avoid, secondly minimise and thirdly restore / rehabilitate losses of biodiversity on-site. Only as a last resort, residual losses are compensated for using offsite habitat enhancement or creation.
- 1.2.2. The process additionally follows the Biodiversity Gain Hierarchy, which works alongside the mitigation hierarchy to set out a list of priorities:
- It sets out that the first priority is to avoid adverse impacts of development on on-site habitats of high medium, high and very high distinctiveness, and if this can't be avoided, then mitigation should be put in place.
 - The second priority under the hierarchy is to compensate for adverse effects to on-site habitats by prioritising in order: enhancing existing on-site habitats, creating new on-site habitats, allocating registered offsite gains and finally by purchasing statutory biodiversity credits.

- 1.2.3. To undertake this assessment, the Statutory Metric Calculation Tool (herein referred to as “the Metric”) (Defra, 2023) was used to quantify the biodiversity losses and gains resulting from the Proposed Development, and a qualitative assessment was undertaken to review adherence to the Biodiversity Net Gain Good Practice Principles (CIEEM, 2019) (hereafter referred to as “the Principles”).
- 1.2.4. This BNG assessment has been completed by an Assistant Ecologist who is a Qualifying member of CIEEM, and has two years’ experience of completing BNG assessments.

1.3 Scope of Report

- 1.3.1. This report uses the Metric and the Principles to produce an assessment that:
 1. Establishes the total number of baseline Area Habitat Biodiversity Units (AHBU) within the Site.
 2. Establishes the total number of AHBU and HBU (Habitat Biodiversity Units; differs from AHBU in that it refers to the total biodiversity value of the habitat irrespective of areas) which will be retained, enhanced, and created under the current design of the Proposed Development’s post-development plan.
 3. Determines whether the Proposed Development will result in a quantitative net loss, no net loss, or a net gain for biodiversity on the Site.
 4. Determines whether the Proposed Development achieves a development wide net gain for biodiversity by evidencing compliance with the Principles (CIEEM, 2019); and
 5. Provides recommendations, where necessary, in which the Proposed Development can achieve a net gain.
- 1.3.2. The purpose of this document is to inform the planning application for the Proposed Development. It is understood that a planning application for the Proposed Development will be submitted to Kirklees Council (the Local Planning Authority (LPA)). No works can start until planning permission has been granted **and** the subsequent biodiversity gain condition has been discharged (at the discretion of the LPA).
- 1.3.3. It is important to recognise that the quantification of Biodiversity Units (BU) is one of several factors to be considered when assessing the impact of the Proposed Development on biodiversity. Only direct impacts within the planning submission boundary of the Proposed Development were considered at this time. Please note that this BNG assessment report does not cover potential impacts of the Proposed Development on protected species, designated sites, and indirect effects on habitats.
- 1.3.4. This assessment has been compiled with reference to relevant legislation and policy relating to nature conservation and BNG, provided in **Appendix B**.
- 1.3.5. The Proposed Development has a net gain target of 10% increase in BU line with the Environment Act 2021, under which this level of gain became a mandatory requirement in February 2024. This aligns with Policy LP30 of the Kirklees Local Plan (adopted February 2019) which states that development proposals are required to “*provide net biodiversity*”



gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist".

2 Methodology

- 2.1.1. This BNG assessment uses the following industry recognised good practice guidance:
- CIEEM, IEMA & CIRIA (2019) Biodiversity Net Gain: Good Practice Principles for Development;
 - Defra (2023) Statutory Metric the methodology set out within the Statutory Metric User Guide and Technical Supplement;
 - British Standard 8683 Process for designing and implementing Biodiversity Net Gain - Specification (2021); and,
 - CIEEM (2021) Biodiversity Net Gain Reporting and Audit Templates (CIEEM BNG Report and Audit-template, accessed July 2024).

2.2 Data Sources

- 2.2.1. The following data sources have been used to complete the BNG assessment:
1. Publicly available, Open-Source Natural England datasets for Habitats of Principal Importance (HPI), ancient woodland (classed as irreplaceable habitat), and statutory designated sites for nature conservation, were used to feed into the desk study element of the assessment. Full details of the desk study assessment method are provided within the PEA report for the Site (WSP, 2024). The results of the desk study have been used to inform the strategic significance value in line with the methodology detailed within the Metric.
 2. Phase 1 habitat surveys were previously undertaken at the Site by bl-ecology in 2021 (bl-ecology, 2021) with updated UKHab and Condition Assessment surveys completed by WSP, as part of the PEA, in February 2024. Survey methods followed industry standard guidelines set out in the Handbook for Phase 1 Habitat Survey (Joint Nature Conservation Committee, 2010) and UKHab guidelines (UKHab, 2023). See comments in **Section 2.6 Limitations and Assumptions** in regards to survey timings.
 3. This combined survey data provided a baseline habitat database which details the habitat types present on-site, their area (ha) and their geographic distribution (**Appendix A, Figure 1**). Full details of the survey method are provided within the PEA report (WSP, 2024).
 4. HCAs were completed concurrently with the UKHab surveys, following the methodology detailed within the Statutory Metric methodology.
 5. All areas / lengths of habitats have been measured using ArcGIS 10.8.1 with reference to Google Satellite imagery base mapping.
 6. A post-development plan for the Site was received in July 2024 (drawing number MEL08 ERW WWT WWT DR Z 2052).

2.3 Irreplaceable Habitats and Statutory Designated Sites

- 2.3.1. In accordance with the Statutory Metric methodology, impacts on irreplaceable habitats (including ancient woodland, ancient and veteran trees) and statutory designated sites are excluded from the calculations, due to the need for bespoke habitat compensation.



2.3.2. It is important to note that a net gain cannot be achieved for the Proposed Development if there is a loss of irreplaceable habitat or a loss of habitat from within statutory designated sites.

2.3.3. No irreplaceable habitats or statutory designated sites were present within the Site.

2.4 Strategic Significance

2.4.1. The Statutory Biodiversity Metric User Guide (Defra, 2023) was used to determine the strategic significance of habitat types present on site. With respect to strategic significance the following approach has been taken to identify the relevant category, as shown within **Table 2-1** below:

Table 2-1 – Method for assigning strategic significance

Strategic significance	Method
<p>High</p> <p>Formally identified in local strategy</p>	<p>The habitat type is mapped and described as locally ecologically important within a specific location, within documents specified by the relevant planning authority.</p> <p>If your project delivers the mapped habitat creation, enhancement or actions set out within specified alternative documents, or enhances an existing habitat identified within specified alternative documents as locally ecologically important, strategic significance can be recorded as high in the post-intervention sheets.</p> <p>If the specified alternative documents identify existing habitat as locally ecologically important within a specified location, strategic significance may be recorded as high in the baseline.</p> <p>You should record the name of the plan the relevant planning authority has specified in the user comments and record that you have used the specified document in your gain plan.</p>
<p>Medium</p> <p>Location ecologically desirable but not in local strategy</p>	<p>This category can be applied when the LPA has not identified a suitable document for assessing strategic significance. Users should:</p> <ul style="list-style-type: none"> ■ explain how the habitat type is ecologically important within a specific location

	<ul style="list-style-type: none"> ■ demonstrate the importance of that habitat in providing ecological linkage to other strategically significant locations ■ use professional judgement <p>When the above criteria are met, strategic significance may be recorded as medium in the baseline and postintervention sheets.</p>
<p>Low</p> <p>Area/compensation not in local strategy</p>	<p>Where the definitions for high or medium strategic significance are not met.</p>

2.4.2. Habitats identified within the site were assigned a strategic significance score of low, as the habitat types recorded were not in ecologically desirable locations or formally recognised in local strategy.

2.5 Qualitative Assessment

2.5.1. The Metric has been used to calculate the baseline biodiversity value; a post-development biodiversity value; and a net change in biodiversity value associated with the Proposed Development. A qualitative assessment has also been undertaken against the Biodiversity Net Gain Good Practice Principles for Development (the 'Principles'; CIEEM, IEMA & CIRIA 2019).

2.6 Limitations and Assumptions

2.6.1. Due to the operational nature of the Site, no opportunities for significant enhancements were available on-site and no landscaping was provided as part of the Post Development plan. It was additionally not considered feasible to develop a landscape plan with an associated 30-year management plan as it was not possible to commit to this at this stage, again due to the operational nature of the site. Discussions were had with the client (Yorkshire Water) regarding on-site enhancement measures as a first priority, before evaluating the possibility for off-site compensation measures as a final resort (in line with the Biodiversity Gain Hierarchy). Given the small area associated with the planning application boundary, the small number of units generated and the reasons listed above, recommendations within this report explore the use of offsite compensation to provide significant habitat enhancements.

2.6.2. The UKHab survey of the site and condition assessments of habitats were undertaken in February, outside of the optimal period for botanical identification. However, sufficient species were present to enable an assessment of the habitat types present. Therefore, it is not considered to have formed a significant constraints to the assessment.

3 Results

3.1.1. This section provides a summary of the quantitative assessment of the Proposed Development, along with a qualitative assessment against the Principles.

3.2 Quantitative Assessment

Baseline biodiversity

3.2.1. Habitats found within the Site are listed in Table 3-1 below.

Table 3-1 – UKHab classifications present on-site

UKHab classification	UKHab code	Total habitat area (ha)	Area percentage
Modified grassland	g4	0.00246	93.43%
Artificial unvegetated; unsealed surface	u1	0.000173	6.57%

3.2.2. Baseline area-based habitats within the Site totalled 0.002633ha with a value of <0.01 ABHU. No linear habitats or watercourses were recorded within the Site.

Post-development on-site habitat areas

3.2.3. The post-development habitat areas on-site are listed in Table 3-2 below.

Table 3-2 – Post development on-site habitat creation

aUKHab classification	UKHab code	Total habitat area (ha)	Area percentage
Developed land; sealed surface	u1b	0.00246	100%

3.3 Summary of Overall Biodiversity Change

3.3.1. The Proposed Development as assessed would result in a -100% net loss of biodiversity units in the absence of landscaping on-site. The Proposed Development results in an overall loss of the low distinctiveness habitat type ‘modified grassland’ and the trading rules have not been satisfied.

3.3.2. Given the small number of units to be lost (<0.01 ABHU) in conjunction with the lack of opportunities for significant enhancements on-site, it is recommended that compensation is sought off-site, via local habitat banks to maximise biodiversity gains.

3.3.3. The primary reason for no on-site enhancements is due to the operational nature of the Site and therefore, a lack of feasibility to commit to a 30-year management plan associated with the enhancement or creation of new habitats under a landscape plan.

3.4 Off-Site Compensation scenario

3.4.1. A quantitative net gain has not been achieved for area-based habitats within the Site and the ABHU losses have not been offset by gains elsewhere within the Site. As such, following the biodiversity gain hierarchy, off-site compensation would be required to meet a mandatory net gain target of 10%. The habitat units to be lost are so small that they are represented in the statutory metric as 0.00 ABHU, therefore we assume that 0.01 ABHU will be required to achieve the mandatory net gain target of 10%.

3.4.2. Options for off-site compensation will need to be explored further, and legal agreements put in place to secure land for net gains.

3.4.3. WSP has created a hypothetical off-site compensation scenario, to demonstrate what compensation could help the Proposed Development meet a 10% net gain. Under a scenario to enhance an area of off-site modified grassland from poor to moderate condition (provided in Table 3-3 below), a 13.87% net gain for area-based habitats could be achieved and trading rules met.

3.4.4. No net gain would be required for hedgerow habitats or watercourses as these habitats were not present within the planning application boundary.

3.4.5. The following assumptions were made with regard to the off-site compensation scenario:

- BNG modelling was designed using the Metric to meet the quantitative target (e.g. minimum 10% net gain) for ABHU, as well as the Metric trading rules.
- It was assumed that the proposed off-site compensation site would be within the same Local Planning Authority (LPA) boundary as the Site or deemed to be sufficiently local to the Site.
- It was assumed that the proposed off-site compensation site would have a habitat baseline of modified grassland in poor condition and low strategic significance.
- Created habitats at the proposed off-site compensation site were chosen to satisfy the habitat trading summary within the Metric (Modified grassland). The proposed creation of modified grassland was assumed to meet moderate condition and be of low strategic significance.
- No temporal risk multiplier was assigned to the proposed habitats as it is assumed that the habitats would neither be created in advance or delayed.

3.4.6. The off-site compensation scenario is theoretical only. Any identified off-site compensation site would need to be underpinned by robust ecological survey data to evidence its baseline habitat and proposed habitat value, to evidence an overall net gain in ABHU as a result of the Proposed Development. Off-site land would need to be obtained with appropriate legal agreements in place, and the site would need to be registered on the biodiversity gain sites register.

Table 3-3 – Off-site compensation scenario

Area (ha)	Off-site habitat	ABHU delivered	Overall Biodiversity Net Gain
0.004	Enhanced: Poor condition modified grassland (to moderate condition)	0.01	13.87%

3.5 Qualitative Assessment

- 3.5.1. The qualitative assessment in Table 3-4 discusses the adherence of the Proposed Development to each of the Principles (**Appendix C**). Adherence of the Proposed Development to these Principles is based on the current stage in the BNG process. Failure to adhere to a principle at this stage does not necessarily rule out future adherence. Where the Proposed Development does not currently achieve a principle, recommendations have been made.
- 3.5.2. In conclusion, the Proposed Development as assessed does not achieve a qualitative BNG as it achieves five out of the ten good practice principles.

Table 3-4 – Evidence of project compliance with BNG good practice principles

Principle	Description	Evidence	Recommendations	Outcome
1. Apply the mitigation hierarchy	<p>Do everything possible to first avoid and then minimise impacts on biodiversity. Only as a last resort, and in agreement with external decision-makers where possible, compensate for losses that cannot be avoided.</p> <p>If compensation for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere.</p>	<p>The mitigation hierarchy has been followed for the Proposed Development.</p> <p>The baseline habitats to be lost within the Site were of low distinctiveness – ‘Modified grassland’, and habitats of an artificial, urban origin. It was not deemed possible to avoid these habitat loss, as these areas of land are essential to the construction of the Proposed Development.</p> <p>As a quantitative net gain has not been achieved for habitats within the Site and the ABHU losses have not been offset by gains elsewhere within the Site, compensation for biodiversity loss has been proposed off-site in Section 3.3 – 3.4.</p>	No further action is required.	Achieved
2. Avoid losing biodiversity that cannot be offset	Avoid impacts on irreplaceable biodiversity – these impacts cannot be	No irreplaceable habitat was found within the Site.	No further action is required.	Achieved

by gains elsewhere	offset to achieve No Net Loss or Net Gain.			
3. Be inclusive and equitable	Engage stakeholders early, and involve them in designing, implementing, monitoring and evaluating the approach to Net Gain. Achieve Net Gain in partnership with stakeholders where possible and share the benefits fairly among stakeholders.	The results of this BNG assessment will be shared with the relevant stakeholders throughout the planning process and delivery of the Proposed Development.	To further adhere to this principle, engagement with relevant stakeholders should be sought throughout the delivery of BNG.	Achieved
4. Address risks	Mitigate difficulty, uncertainty and other risks to achieving net gain. Apply well-accepted ways to add contingency when calculating biodiversity losses and gains in order to account for any remaining risks, as well as to compensate for the time between the losses occurring and the gains being fully realised.	The BNG assessment used industry recognised risk multipliers from the Metric. A habitat management and monitoring plan (HMMP) has not currently been provided but must be supplied once off-site habitat proposals are confirmed, to ensure that habitats are managed and maintained for the minimum period of 30 years, in line with statutory BNG requirements.	To further adhere to this principle, a HMMP must be produced following the identification of an off-site BNG area.	Achieved

<p>5. Make a measurable net gain contribution</p>	<p>Achieve a measurable, overall gain for biodiversity and the services ecosystems provide while directly contributing towards nature conservation priorities.</p>	<p>The Proposed Development as assessed, achieves a -100% net loss in <0.01 ABHU.</p> <p>The Proposed Development results in an overall loss of low distinctiveness habitat types 'Modified grassland', and urban habitats.</p> <p>A quantitative net gain has not been achieved for habitats within the Site and the ABHU losses have not been offset by gains elsewhere within the Site.</p>	<p>While the Proposed Development does not currently achieve a net gain, a 10% net gain could be achieved through off-site compensation. Further compensation should ensure that habitats are replaced on a like-for-like or better basis in order to satisfy the trading rules.</p> <p>An off-site compensation scenario is provided in this report in Section 3.4, to provide an indication of the likely off-site compensation required.</p>	<p>Not Yet Achieved</p>
<p>6. Achieve the best outcomes for biodiversity</p>	<p>Achieve the best outcomes for biodiversity by using robust, credible evidence and local knowledge to make clearly justified choices when:</p> <ul style="list-style-type: none"> ▪ Delivering compensation that is ecologically equivalent in type, amount and condition, and that accounts for the location and timing of biodiversity losses; 	<p>The BNG assessment used robust field data, current good practice guidelines and followed a rigorous method and quality assurance process.</p> <p>The Proposed Development results in an overall loss of low distinctiveness area-based habitat types, resulting in a 100% loss.</p> <p>The Preliminary Ecological Appraisal produced for the</p>	<p>Full compensation for loss of biodiversity units was not achievable on-site. While not currently achieved, if the compensation scenario laid out in Section 3.4 is followed, the Proposed Development could achieve a net gain through off-site compensation.</p>	<p>Not Yet Achieved</p>

	<ul style="list-style-type: none"> ▪ Compensating for losses of one type of biodiversity by providing a different type that delivers greater benefits for nature conservation; ▪ Achieving Net Gain locally to the development while also contributing towards nature conservation priorities at local, regional and national levels; ▪ Enhancing existing or creating new habitat; and <p>Enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity.</p>	Proposed Development, by WSP, provides recommendations for opportunities for enhancements for protected and notable species, in order to achieve the best outcomes for biodiversity.		
7. Be additional	Achieve nature conservation outcomes that demonstrably exceed existing obligations (<i>i.e.</i> , do not deliver something that would occur anyway).	The Proposed Development would not deliver a net gain in ABHU.	A net gain could be achieved through off-site compensation meaning this outcome could be fulfilled. An example scenario has been provided in Section 3.4 .	Not Yet Achieved
8. Create a net gain legacy	Ensure Net Gain generates long-term benefits by:	The Proposed Development as assessed would not deliver a net gain in ABHU.	A net gain could be achieved through off-site compensation. An example off-	Not Yet Achieved

	<ul style="list-style-type: none"> ▪ Engaging stakeholders and jointly agreeing practical solutions that secure Net Gain in perpetuity; ▪ Planning for adaptive management and securing dedicated funding for long-term management; ▪ Designing Net Gain for biodiversity to be resilient to external factors, especially climate change; ▪ Mitigating risks from other land uses; ▪ Avoiding displacing harmful activities from one location to another; <p>Supporting local-level management of Net Gain activities.</p>		<p>site compensation scenario has been provided in Section 3.4.</p> <p>Long-term management of habitats must be agreed for the Proposed Development. Target condition and like-for-like or better habitat replacement will need to be underpinned by appropriate habitat management plans. Enhancements must be maintained for a minimum of 30 years upon completion of the Proposed Developments and legally secured.</p> <p>Should off-site compensation be delivered, and a habitat management plan produced, then this outcome could be fulfilled.</p>	
9. Optimise sustainability	Prioritise Biodiversity Net Gain and, where possible, optimise the wider environmental benefits for a sustainable society and economy.	The Proposed Development would not provide full compensation for biodiversity loss on-site. However, this BNG assessment is being used to inform the next steps to provide the best possible	A biodiversity net gain could be achieved through off-site compensation. The off-site compensation has the potential to provide wider environmental benefits.	Not Yet Achieved



		outcome for environmental benefits.		
10. Be transparent	Communicate all Net Gain activities in a transparent and timely manner, sharing the learning with all stakeholders.	The full BNG outcome and documentation will be shared with relevant stakeholders through the delivery of the Proposed Development.	No further action required	Achieved

4 Conclusions

- 4.1.1. The Proposed Development would result in a **-100% net loss** for ABHU. **Therefore, a 10% net gain has not been achieved** for area-based habitats within the Site, and the ABHU losses cannot be offset by gains elsewhere within the Site. The ABHU to be lost, and the relative size of the Proposed Development are very small, therefore the **-100% net loss** for ABHU, although accurate, represents a very small loss of habitat overall. Therefore, the qualitative assessment is also important when considering the overall biodiversity gain of the Proposed Development.
- 4.1.2. The Proposed Development results in an overall loss of the low distinctiveness habitat type 'modified grassland' and the trading rules have not been satisfied.
- 4.1.3. The quantitative outcomes of the assessment are a singular element of the BNG assessment. Compliance with the Principles (**Appendix C**) is also required to demonstrate development wide BNG. The Proposed Development is considered to have achieved and complied with five of the ten Principles, with recommendations made to demonstrate full compliance, as discussed in **Section 3.5**.
- 4.1.4. While net gain has not been achieved on-site, through further compensation for biodiversity loss off-site, 10% net gain is still achievable. Recommendations include that:
- further work is done to establish an appropriate offset site, identifying either a site under client control or via a habitat bank within the local area, including undertaking baseline surveys of the offset site and including them within the Metric. Offsite areas will need to be legally secured and registered to be used for BNG;
 - a HMMP is produced for all off-site gains;
 - off-site compensation must look to replace habitats on a like-for-like or better basis.
- 4.1.5. In conclusion, should an appropriate off-site solution be identified, secured and implemented, the Proposed Development has the potential to achieve a quantifiable and qualitative 10% BNG. Due to the operational nature of the site, alongside the small amount of Biodiversity Units lost to the Proposed Development, it is considered appropriate to seek BNG compensation via local habitat banks to maximise biodiversity gains.

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- Kirklees Council (2019). Kirklees Local Plan. <https://www.kirklees.gov.uk/beta/planning-policy/pdf/local-plan-strategy-and-policies.pdf>.

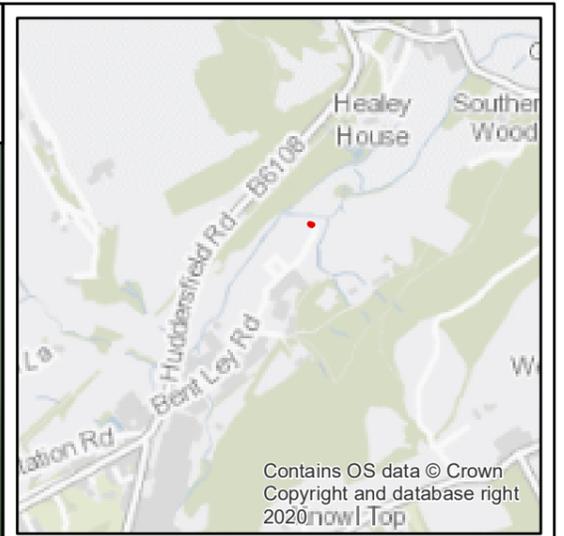


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Appendix A

Baseline Habitat Map and
Development Plan





Key

-  Planning Application Boundary
- UKHab Habitat Types**
-  g4 - modified grassland
-  u1 - built-up areas and gardens



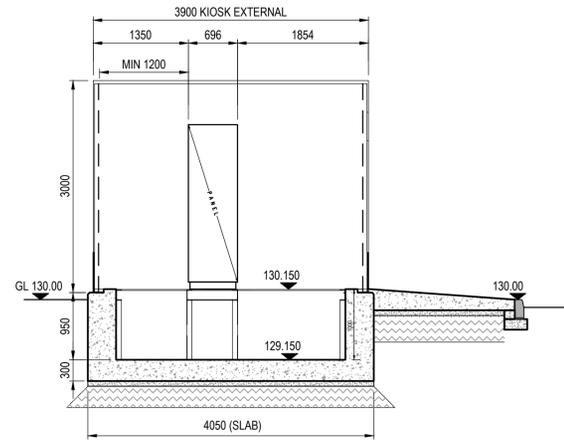
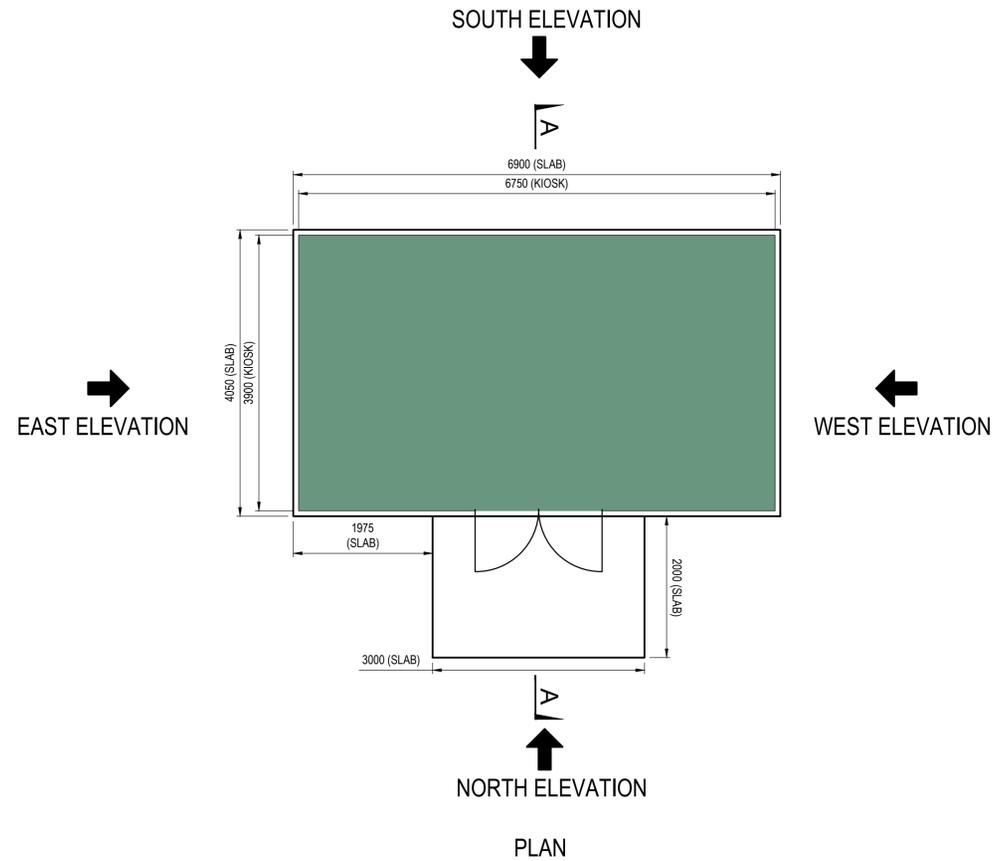
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Yorkshire Water Ltd

Project:
Metham SWT Biodiversity Net Gain

Title:
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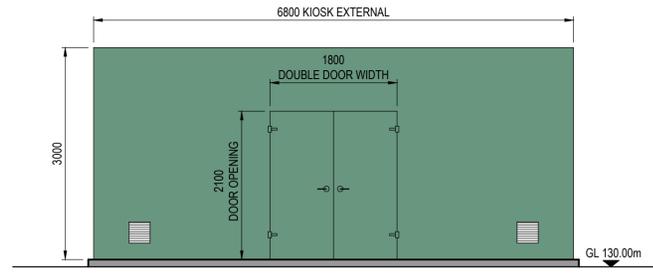
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Date:	7/30/2024	Checked:	LCS
Scale:	80 @ A3	Approved:	JG



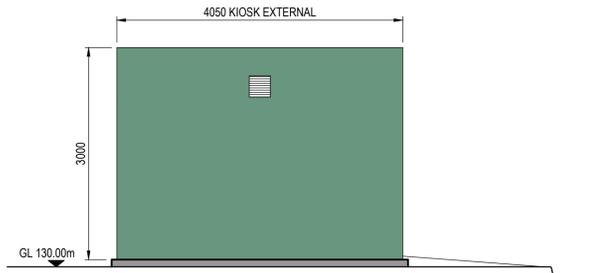


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GRP/23mm GRP	<input checked="" type="checkbox"/> WALLS
OTHER SPECIFY	<input type="checkbox"/>
EXTERNAL FINISH	
DESCRIPTION:-	SEMI GLOSS
COLOUR:-	HOLLY GREEN
BS 4800 REF :-	14-C-39
INTERNAL FINISH	
WHITE GRP	<input checked="" type="checkbox"/>
MELAMINE BOARD	<input type="checkbox"/>
ACOUSTIC BARRIER	<input type="checkbox"/>
PORTAFLEK	<input type="checkbox"/>
DOOR FINISH	
SEMI GLOSS	<input checked="" type="checkbox"/> TEXTURED <input type="checkbox"/>
WOOD	<input type="checkbox"/> COLOUR:- HOLLY GREEN
	BS 4800:- 14-C-39
ROOF FINISH	
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OTHER	<input type="checkbox"/> COLOUR:- HOLLY GREEN
	BS 4800:- 14-C-39
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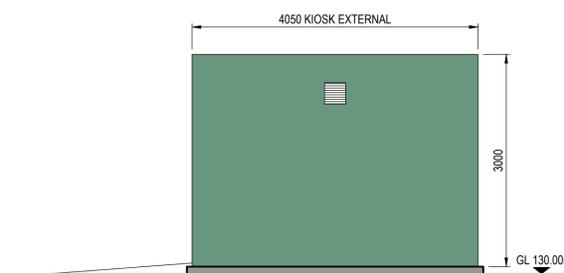
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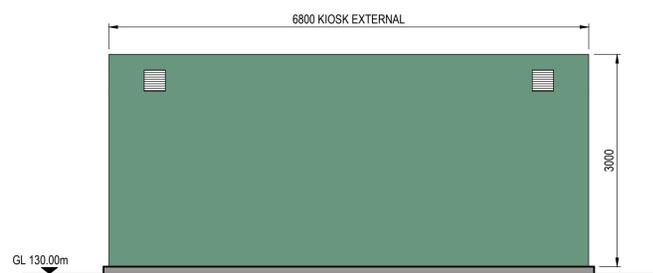
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



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DRAWING TO BE REPRODUCED IN COLOUR

- NOTES**
- ALL DIMENSIONS ARE IN MILLIMETRES.
 - ALL LEVELS ARE IN METRES RELATED TO ORDNANCE DATUM.
 - DO NOT SCALE, IF IN DOUBT ASK.

PLANNING REFERENCE DRAWINGS:

- MEL08 ERW WWT WWT DR Z 2050 LOCATION PLAN
- MEL08 ERW WWT WWT DR Z 2051 EXISTING SITE PLAN
- MEL08 ERW WWT WWT DR Z 2052 PROPOSED SITE PLAN

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Status	Rev	Description	DR	CB	AB	Output Date
S5	P03	KIOSK RESIZE - FOR APPROVAL	AR	BH	GJM	15/04/24
S3	P02	INCLUSION OF PLANNING CONSULTANT COMMENTS	AR	BH	GJM	20/03/24
S3	P01	FOR APPROVAL	AG	BH	GJM	26/02/24

Construction Date: CONSTRUCTION COMPLETE DATE?

Originator / Partner / OEM Ref:

ERIC WRIGHT WATER
 Part of the Eric Wright Group
 Scopshire House, Scopshire Way
 Bamber Bridge, Preston PR5 6AW
 Tel: 01772 698222
 Fax: 01772 628111
 www.ericwright.co.uk

YORKSHIRE WATER ALWAYS CONSIDERS

LIFE SAVING RULES

Client: Yorkshire Water Services Ltd
 Western House,
 Western Way,
 Halifax Road,
 Bradford,
 BD6 2SZ

Framework: AMP7	Work Stream: WINEP P REMOVAL
YV Batch ID / Project Code: YW.201896	YV Solution ID: -
Site: MELTHAM STW (PHASE 2)	
What three words: ///park.barks.assume	
OS Grid Reference: SE111113	DAZ or DMA Reference: -

**PLANNING APPLICATION
 PROPOSED MOTOR CONTROL CENTRE KIOSK
 ELEVATIONS**

Original Design / OEM Reference: SWECO	Size: A1	Scale: 1:50
Status Description: FOR APPROVAL	Status: S5	Revision: P03
Drawing Number: MEL08 ERW WWT WWT DR Z 2053		

Appendix B

Biodiversity Net Gain Policy and
Legislation





National legislation

England

Environment Act 2021

BNG is now mandatory under Schedule 7a of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means that most major developments (with exemptions) must deliver a minimum of 10% net gain for biodiversity as a condition of planning permission, measured by the Statutory Biodiversity Metric.

Under mandatory BNG, the Biodiversity Gain Hierarchy must be considered by Local Planning Authorities (LPAs) when determining whether to approve a Biodiversity Gain Plan. Here, efforts must be made to secure a BNG on site, before looking to offsite compensation and, as a last resort, statutory biodiversity credits. All significant on-site gains and all offsite gains from a development must be legally secured, managed and maintained for a period of 30 years.

Mandatory BNG however, does not replace existing legislations and protections for sites, habitats and species.

Also, under Section 40 the NERC Act 2006, as amended by the Environment Act 2021, “A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.”...the biodiversity objective is, “...the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England”. This is referred to as the Biodiversity Duty.

UK Government’s 25 Year Environment Plan

The UK Government’s 25 Year Environment Plan (Defra, 2018) states a desire to ‘embed a *net environmental gain*’ principle for development to deliver environmental improvements locally and nationally’ and plans to explore ways to strengthen biodiversity net gain, and ‘ensure environmental net gains’ across planning authority areas.

On 14th March 2019, Her Majesty’s Treasury confirmed that following consultation, the government will use the forthcoming Environment Bill to mandate BNG for development in England, ensuring that the delivery of much-needed infrastructure and housing is not at the expense of vital biodiversity.

Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services

Biodiversity 2020: A strategy for England’s wildlife and ecosystem services (Defra, 2011) is the national strategy for biodiversity. This sets out an ambition to halt overall loss of biodiversity and see an increase in the overall extent of priority habitats by 200,000 ha by 2020. Biodiversity 2020 sets in policy the objectives to improve our wildlife sites, make them bigger, develop more of them and join them up (summarised as ‘Bigger, Better, More and Joined’).



National Planning Policy Framework

The revised National Planning Policy Framework (NPPF) (MHCLG, 2023) refers to conserving and enhancing the natural environment. This requires Local Authorities in England to take measures to:

- Conserve and enhance biodiversity;
- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks within plans;
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and priority species within plans, in addition to secure measurable net gains for biodiversity; and
- Refuse planning permission for development, if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for.

Although not currently a legal obligation, the revised NPPF refers to biodiversity and environmental net gains in the following paragraphs:

- Transport Infrastructure
 - Paragraph 108. *“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
d) the environmental impacts of traffic and transport infrastructure can be identified assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for **net environmental gains.**”*
- Planning decisions
 - Paragraph 124. *“Planning policies and decisions should a) encourage multiple benefits from both urban and rural land ... and taking opportunities to **achieve net environmental gains - such as developments that would enable new habitat creation or improve public access to the countryside.**”*
 - Paragraph 180. *“Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and **providing net gains** for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”*
 - Paragraph 185. *“To protect and enhance biodiversity and geodiversity plans should b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing **measurable net gains for biodiversity.**”*
 - Paragraph 186. *“When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; ... and d) ... “development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be*



*integrated as part of their design, especially where this can **secure measurable net gains for biodiversity** or enhance public access to nature where this is appropriate”.*

National Networks National Policy Statement

The National Networks National Policy Statement (NPS) (Department for Transport, 2024) paragraph 5.47 states that:

- *“The applicant should show how the project has taken advantage of opportunities to **conserve and enhance biodiversity** and geological conservation interests.”*

Paragraphs 4.23-4.26 of the NPS refer to Biodiversity Net Gain (BNG) which encourage the use of BNG in conjunction with the mitigation hierarchy, and to use the latest version of the biodiversity metric for calculations. Paragraph 4.26 states:

- *“The Environment Act 2021 contains provisions for a mandatory biodiversity net gain requirement for NSIPs. A government Biodiversity Gain Statement will set out the concept and policy requirements for biodiversity net gain for Nationally Significant Infrastructure Projects (NSIPs). When these provisions are commenced, the Secretary of State will need to be satisfied that the biodiversity gain objective in any relevant Biodiversity Gain Statement has been met”.*

Natural Environment and Rural Communities Act

The Natural Environment and Rural Communities (NERC) Act (HMSO, 2006) requires public bodies, including local authorities, *‘to have regard to the conservation of biodiversity in England when carrying out their normal functions’.*

Section 40 sets out the ‘Duty to Conserve and Enhance Biodiversity’, and states that:

- Paragraph 1. *“A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective”.* The general biodiversity objective is the *“conservation and enhancement of biodiversity in England”.*

Section 41 sets out that:

- Paragraph 1. *“The Secretary of State must... publish a list of the living organisms and types of habitat ... of principal importance for the purpose of conserving biodiversity”* based on consultation with Natural England; and that
- Paragraph 3a. The Secretary of State must *“a) take such steps... to further the conservation of the living organisms and types of habitat included in any list published under this section, or (b) promote the taking by others of such steps”.*

Kirklees Local Plan (2019)

The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network.

“Within the Strategic Green Infrastructure Network identified on the Policies Map, priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. Development proposals within and adjacent to the Strategic Green Infrastructure Network should ensure:-

- (i) the function and connectivity of green infrastructure networks and assets are retained or replaced;*
- (ii) new or enhanced green infrastructure is designed and integrated into the development scheme where appropriate, including natural greenspace, woodland and street trees;*
- (iii) the scheme integrates into existing and proposed cycling, bridleway and walking routes, particularly the Core Walking and Cycling Network, by providing new connecting links where opportunities exist;*
- (iv) the protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network. The council will support proposals for the creation of new or enhanced green infrastructure provided these do not conflict with other Local Plan policies.”*

“Proposals having a direct or indirect adverse effect on a Local Wildlife Site or Local Geological Site, Ancient Woodland, Veteran Tree or other important tree, will not be permitted unless the benefits of the development can be clearly shown to outweigh the need to safeguard the local conservation value of the site or feature and there is no alternative means to deliver the proposal. In all cases, full compensatory measures would be required and secured in the long term. Development proposals will be required to:-

- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;*
- (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;*
- (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;*
- (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and*



(v) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.”

Appendix C

Good Practice Principles



Biodiversity Net Gain

Good practice principles for development

Biodiversity Net Gain is development that leaves biodiversity in a better state than before. It is also an approach where developers work with local governments, wildlife groups, land owners and other stakeholders in order to support their priorities for nature conservation. These ten principles set out good practice for achieving Biodiversity Net Gain and must be applied all together, as one approach.

Principle 1. Apply the Mitigation Hierarchy

Do everything possible to first avoid and then minimise impacts on biodiversity. Only as a last resort, and in agreement with external decision-makers where possible, compensate for losses that cannot be avoided. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere.

Principle 2. Avoid losing biodiversity that cannot be offset by gains elsewhere

Avoid impacts on irreplaceable biodiversity - these impacts cannot be offset to achieve No Net Loss or Net Gain.

Principle 3. Be inclusive and equitable

Engage stakeholders early, and involve them in designing, implementing, monitoring and evaluating the approach to Net Gain. Achieve Net Gain in partnership with stakeholders where possible, and share the benefits fairly among stakeholders.

Principle 4. Address risks

Mitigate difficulty, uncertainty and other risks to achieving Net Gain. Apply well-accepted ways to add contingency when calculating biodiversity losses and gains in order to account for any remaining risks, as well as to compensate for the time between the losses occurring and the gains being fully realised.

Principle 5. Make a measurable Net Gain contribution

Achieve a measurable, overall gain¹ for biodiversity and the services ecosystems provide while directly contributing towards nature conservation priorities.

¹ Net Gain has been described as a measurable target for development projects where impacts on biodiversity are outweighed by a clear mitigation hierarchy approach to first avoid and then minimise impacts, including through restoration and / or compensation. Adhering to these Net Gain principles (i.e. pursuing all principles together) will help in under-pinning good practice for achieving and sustaining Net Gain.

Principle 6. Achieve the best outcomes for biodiversity

Achieve the best outcomes for biodiversity by using robust, credible evidence and local knowledge to make clearly-justified choices when:

- Delivering compensation that is ecologically equivalent in type, amount and condition, and that accounts for the location and timing of biodiversity losses
- Compensating for losses of one type of biodiversity by providing a different type that delivers greater benefits for nature conservation
- Achieving Net Gain locally to the development while also contributing towards nature conservation priorities at local, regional and national levels
- Enhancing existing or creating new habitat
- Enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity

Principle 7. Be additional

Achieve nature conservation outcomes that demonstrably exceed existing obligations (i.e. do not deliver something that would occur anyway).

Principle 8. Create a Net Gain legacy

Ensure Net Gain generates long-term benefits by:

- Engaging stakeholders and jointly agreeing practical solutions that secure Net Gain in perpetuity²
- Planning for adaptive management and securing dedicated funding for long-term management
- Designing Net Gain for biodiversity to be resilient to external factors, especially climate change
- Mitigating risks from other land uses
- Avoiding displacing harmful activities from one location to another
- Supporting local-level management of Net Gain activities

Principle 9. Optimise sustainability

Prioritise Biodiversity Net Gain and, where possible, optimise the wider environmental benefits for a sustainable society and economy.

Principle 10. Be transparent

Communicate all Net Gain activities in a transparent and timely manner, sharing the learning with all stakeholders.

² Biodiversity compensation should be planned for a sustained Net Gain over the longest possible timeframe. For development in the UK, the expectation is that compensation sites will be secured for at least the lifetime of the development (e.g. often 25-30 years) with the objective of Net Gain management continuing in the future.



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