Brooks Ecological
Grounded advice

Gynn Ln., Honley

Biodiversity Net Gain Assessment

Report Ref. ER-7732-06

04/04/2025

Vivly Living

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Report duration	In accordance with CIEEM (2019), unless otherwise stated the findings of this report remain valid for a period of 18 months. After this period advice should be sought on the scope of any updating work required.

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Introduction

1. Brooks Ecological Ltd was commissioned by Vivly Living to carry out a Biodiversity Net Gain (BNG) Assessment of the proposed development Site at Gynn Ln., Honley.
2. The assessment applies to the parcel of land shown in Figure 1 opposite and includes the development Site (red line) and additional off-Site land (blue line) which will be used to provide additional biodiversity units post-development.
3. The assessment of red line land is informed by a Preliminary Ecological Appraisal Survey of the Site detailed in our report ER-7732-01, and a River Condition Assessment detailed in report ER-7732-04B. Blue line land will be discussed later in this report.
4. A small change to the red line boundary has been applied since the initial calculation, and the Site area, measured using GIS against the provided red line boundary, is now 2.46ha. Additional blue-line land measured in area at 0.67ha.
5. Brooks Ecological also carried out an assessment of the baseline value of the Site in relation to BNG and presented this alongside advice on achieving the best BNG position in our report ER-7732-03. This current report supersedes ER-7732-03 and reproduces the relevant information on the Site's baseline.
6. Biodiversity Accounting metrics are used to quantify the value of a site in Biodiversity Units. This helps in assessing the ecological impacts of the proposed development and can help to inform avoidance, or on-Site mitigation levels required; or as a last resort can translate to a direct monetary value where compensation (off-Site) is required.
7. Our assessment has made use of the Statutory Biodiversity Metric Calculation Tool, and extracts from this have been used throughout the report. The full spreadsheet has been provided digitally as file BM-7732-02, and should be submitted as part of the application.

Figure 1 Extent of BNG assessment.

Pre-development baseline

Habitats identified

8. Habitats present on-Site are outlined in Table 1, opposite. These are shown in relation to location and extent in Figure 2 overleaf.

Condition Assessment

9. Habitat condition has been assessed as part of the Preliminary Ecological Appraisal of the Site, and the River Condition Assessment.
10. Information on habitat condition assessments is provided in the Excel spreadsheet CA-7732-01 provided alongside this report.
11. Enough information was gathered during the initial Site visit that habitats within the blue-line land could be mapped and allocated a condition.
12. Information on the river condition assessment is provided in ER-7732-04B. The condition and encroachment extent of the short sections within blue-line land have been allocated that of their adjacent sections.
13. A culvert is also present, and its exact location estimated based on aerial mapping of its entrance and exit. Condition assessment does not apply here.

Strategic Significance

14. Some small parcels of the Site overlap with the Kirklees Wildlife Habitat Network and with Natural England Priority Habitat woodland. These have been mapped as Formally Identified within Local Strategy.
15. Ludhill Beck also runs through this network, which has also been mapped as Formally Identified within Local Strategy.
16. All other habitats are mapped as Area/compensation not in local strategy/ no local strategy.

Irreplaceable habitat

17. Irreplaceable habitats have not been found on Site

Habitat Degradation[1]

18. There is no evidence on Site or in aerial mapping of the Site which suggests that it has been deliberately degraded.

Biodiversity Metric

19. Habitat types, conditions, and areas have been entered into the Statutory Biodiversity Metric Calculation Tool, alongside information on their strategic significance.
20. The Statutory Biodiversity Metric Calculation Tool (published 23/07/2024), is provided alongside this assessment, in Excel spreadsheet BM-7732-02, and may be useful in investigating any further design options for the Site.

Table 1 Baseline Habitat Types

Habitat	Label ref.	Irreplaceable?	Distinctiveness	Condition	Location	See Condition Assessment sheet
Modified grassland	MG1	No	Low	Poor	Both	5B
	MG2			Good		
Mixed Scrub	MS	No	Medium	Poor	On-Site	20B
Bramble Scrub	BS	No	Medium	N/A	On-Site	N/A
Developed land; sealed surface	-	No	Very Low	N/A	Both	N/A
Vegetated garden	-	No	Low	N/A	On-Site	N/A
Lowland Mixed Deciduous Woodland	-	No	High	Moderate	Both	24A
Individual Trees	T18 & 19	No	Medium	Good	On-Site	9B
	T10, T32 & G8			Moderate		

[1] See Appendices for further information on degradation.

Figure 2 The Site's habitats assigned to types used in the Biodiversity Metric. Labelled codes cross-reference to our condition assessment and description in the PEAR, which should be read in conjunction with this report.

Trading Rules

21. As part of delivering a Net Gain for biodiversity, the BNG process requires that trading rules are complied with, such that loss of habitats is compensated for in a like-for-like or like-for-better fashion. This is based on habitat distinctiveness.
22. Once trading rules are complied with, the 'gain' component can come from any distinctiveness category.

Habitat Unit Score

23. The Site has been assessed as having a baseline score of 7.11 Habitat Units on-Site, and 8.92 Habitat Units off-Site. These break down as shown in Table 2, below.

Table 2 Habitat Units broken down by distinctiveness at this Site.

Distinctiveness	Units		Approach to compensation if lost
	On-Site	Off-Site	
Very Low	0	0	No compensation required.
Low	5.78	0.11	Losses must be replaced with area habitat units of the same or higher distinctiveness.
Medium	1.26	0.52	Losses must be replaced by area habitat units of either medium distinctiveness within the same broad habitat type, in this case individual trees and scrub, or any habitat from a higher distinctiveness from any broad habitat type.
High	0.07	8.29	Losses must be replaced with area habitat units of the same habitat type, in this case Lowland Mixed Deciduous Woodland.
Very High	0		Can only be replaced with the same habitat; bespoke compensation required.
Irreplaceable	0		Bespoke compensation required, outside of BNG.

Hedgerow Unit Score

24. The Site has no baseline Hedgerow Units.

Watercourse Unit Score

25. The Site has been assessed as having baseline score of 0.65 Watercourse Units on-Site, and 0.28 Watercourse Units off-Site. These break down as shown in Table 3, below.

Table 3 Watercourse Units broken down by distinctiveness at this Site.

Distinctiveness	Units		Approach to compensation if lost
	On-Site	Off-Site	
Low	0	0.03	Can be replaced with any watercourse of Medium or higher distinctiveness.
Medium	0	0	Can only be replaced with the same watercourse type.
High	0.65	0.25	Losses must be replaced with watercourse units of the same habitat type.
Very High	0	0	Can only be replaced with the same watercourse type; bespoke compensation required.

Post-development value[2]

26. This section calculates the Biodiversity Unit value of the post-development Site and quantifies any gain or shortfall in Units.

Proposed habitats

27. Habitats present on-Site post-development have been based on the Planting Plan (Figure 3, opposite) dwg. PP01.00 rev. P5. (PGLA Ltd, Sept 2024).
28. Planting types specified in the Planting Plan have been assigned a UK Habitat Classification description that best fits the target habitat.
29. Specifications have not been made for off-Site land. Areas of grassland here will be enhanced according to their adjacent habitats, and the woodland will be enhanced from moderate to good.
30. Habitats assigned are shown in Figure 4 overleaf.

Condition assessment

31. The condition assessment for each proposed habitat is based on what is realistic and achievable for the Site, based on the Planting Plan.
32. Achieving these conditions scores will be reliant on specific, ecologically-driven management recommendations. These can be outlined in a Biodiversity Enhancement and Management Plan (BEMP) and/or will be set out in a Habitat Management and Monitoring Plan (HMMP), which will be required as a standard condition of planning.
33. The Planting Plan includes an area of blue-line land to the southwest and north of the Site. Landscaping changes are not mapped here, but the habitat will be retained and enhanced to provide offsetting units.

Figure 3 Planting Plan dwg.PP01.00 rev. P5. (PGLA Ltd, Sept 2024).

[2] Please see assumptions section at end of report

Post-development habitats

Habitat Score

34. The Site has been assessed as having an on-Site post-development score of 5.91 Habitat Units (--16.94%), 0.36 Hedgerow Units, and 0.66 Watercourse Units (+2.03%).
35. Surrounding land within a blue-line has been assessed as having a post-development score of 9.87 Habitat Units (+0.95 Units).
36. Off-Site habitat enhancement provides a total of 0.95 Habitat Units, which can be used to offset on-Site losses. This results in a combined Habitat Unit change of -0.25.
37. Off-Site Watercourse Units are not changed, and do not contribute any Units towards a 10% gain.
38. This score is based on our interpretation of the Planting Plan, as shown in Figure 4 opposite.
39. Calculations for the change in Habitat Units have been based on most of the Site being cleared of existing habitats and land reprofiled, resulting in the loss of the 7.11 units present pre-development.
40. Post-development calculations include Habitat Units gained through the creation of areas of amenity grassland, mixed native scrub, newly planted individual trees and vegetated garden, and Watercourse Units gained through the reduction in encroachment extent to its southern riparian zone resulting from the above habitat creation.
41. Off-site, units will be gained from enhancing the *lowland mixed, deciduous woodland* to the north of the Site from Moderate to Good condition. This may be achieved through practices such as veteranizing trees, adding multiple age classes of trees, and improving the ground layer flora, and can be set out in a Habitat Management and Monitoring Plan.
42. Roads, driveways, footpaths, houses and patios have all been mapped as *developed land; sealed surface*, which contribute no Habitat Units to the post-development score.
43. New hedgerows are to be planted and are classed here as *species rich native hedgerows* in Good condition. As no hedgerows are present on-Site currently, this satisfies the Metric in terms of Hedgerow Units.
44. The creation and enhancement of habitats provides enough units to offset losses of medium and high distinctiveness habitat, with the remaining unit deficit being from low distinctiveness habitat. Any units provided to achieve a net gain will automatically satisfy the metric's trading rules.

Figure 4 Post-development habitats.

Habitat Retention

45. The plan opposite shows the areas of the Site which it will be possible to retain without impact. This information allows us to see which areas can be identified as enhanced in the metric calculations.

46. Areas of grassland to be enhanced will be done so via method involving the removal of top-soil to facilitate reduction in nutrient load. To reflect this, these areas have been input into the metric as Lost, rather than enhanced. These areas are shown in green, opposite.

47. This plan is based on information provided by the developer who will have considered / consulted their team on requirements to provide (amongst other things) Site compounds, to store and move materials, to install drainage, flood storage, access and services - all with suitable easements.

48. At this stage metric calculations assume that it will be possible to fence off and protect the areas shown opposite from <u>any</u> impacts of Site clearance and construction and that any enhancement can be carried out alongside relevant phases of the proposed development.

The BNG Hierarchy

49. The project's engagement with the Mitigation Hierarchy is set out in Appendix 1.

Figure 5 Habitat retention.

Change in Unit Value

50. The Statutory Metric has been used to calculate the net unit change for the Site; this has been predicted an overall net loss of 0.25 Habitat Units (3.58%), and an overall net gain of 0.36 Hedgerow Units, and 0.01 Watercourse Units (2.30%).

51. A copy of the Statutory Biodiversity Metric Calculation Tool Excel spreadsheet (ref. BM-7732-02) and Condition Assessment sheets (CA-7732-01) have been provided with this report and should be submitted digitally as part of the application.

Trading Rules

52. Habitat types are separated out into distinctiveness categories (Very Low to Very High) which dictate what mitigation/compensation is required for their loss. This is assessment is separate to the 'net unit change' score quoted above.

53. Trading rules have not been satisfied, however offsetting losses units of any type will achieve this.

Requirements for Planning

54. There is mandatory requirement for all developments to demonstrate at least a 10% net gain in each unit measurement, as well as to satisfy Trading rules. A standard planning condition will be imposed on all decision notices to ensure this is met.

55. To achieve this here, a further **0.97 Habitat Units** and **0.05 Watercourse Units** will need to be secured. These can be secured from any habitat or watercourse type.

56. These Units will need to be secured through offsetting, with offsite land Registered with Natural England, as well as the off-Site land used to provide the above results. Once this offsetting has been secured, the Biodiversity Metric will need to be finalised before submission to the LPA.

57. A Net Gain Plan and Habitat Monitoring and Management Plan are likely to be required to discharge relevant pre-start planning conditions.

58. Provision should be made by the LPA and developer to secure the necessary gains through legal agreement - planning condition (for on Site gains), planning obligation or conservation covenant (for off-Site gains) - see further information section at the end of the report for more information on this

Figure 6 Biodiversity Metric Summary.

FINAL RESULTS

Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	-0.25
	Hedgerow units	0.36
	Watercourse units	0.01
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	-3.58%
	Hedgerow units	N/A
	Watercourse units	2.30%
Trading rules satisfied?		No - Check Trading Summaries ▲

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	7.11	7.82	0.97
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.65	0.71	0.05

Assumptions

59. Establishment of the post development value of the Site at this stage is necessarily based on several assumptions which we have set out below, please provide the additional information required against each if this is available:

	Factor	Information Required
1	Timing The BNG metric includes options to identify habitat creation which is deferred (by x years after it is lost) or habitat which is created in advance (elsewhere prior to its loss from Site). These are subject to multipliers and will affect your ultimate BNG score. Unless you have told us otherwise, we have assumed a 2-year build programme and a delay of 2 years between loss of habitat and creation of new. Calculations will need to be re-run if changes to the project plan result in a change to this figure.	Please provide a realistic timescale for the period between loss of habitat (Site clearance) and the completion of new on-Site habitat areas.
2	Phasing Unless you have retold us otherwise, we have assumed that development will not be phased (in planning terms) and that habitat will be lost and cated in a single phase.	Please confirm whether development will be phased.
3	Habitat Retention Unless you have provided a habitat retention plan showing areas where habitat can be retained un-disturbed, we have assumed that all mapped habitat will be lost from the Site and then replaced.	Please provide a habitat retention plan showing area which can be retained unaffected by clearance, excavation, storage, compounds etc. Identify also any areas of temporary impacts – these may be impacted by the above but can be returned to the same habitat within 2 years.
4	Other limiting factors Ecological conditions are likely to be the primary factors determining the potential of the site to deliver Biodiversity Units, these would normally be established through a Preliminary Ecological Appraisal (PEA). Where a PEA has not been carried out, we have assumed that ecological factors are not limiting. Where a PEA has been carried out by a third party, we have assumed that the information provided is suitable and accurate. There are other limiting factors falling outside of the remit of ecological assessment which could also affect delivery, these may not be apparent to us at this stage. As part of any future management plans produced to deliver Biodiversity Units it will be necessary to assess information on (though not limited to) the following factors - any of which could have a bearing on the site's potential: • Designated Sites (these may have been considered if desk-study has been part of the scope) • Protected and Notable Species (these may have been considered if desk-study has been part of the scope)	Provide information and reports or references any of the factors which you know will be, or could be, limiting in terms of habitat creation.

	Factor	Information Required
	• Invasive and Non-native Species • Land tenure and public access • Climate • Geology / topography • Agricultural land status • Soils and substrates • Contaminated Land • Hydrology and Drainage • Flood Risk • Landscape Character and Designations • Historic Environment and Earth Heritage • Services and Infrastructure • Land ownership These factors may be outside of the remit of this report (especially where a PEA has not been produced) and the expertise of an ecologist. We cannot be responsible for the impact of any of these factors on the potential of the site to deliver Biodiversity Units. Where other information is not made available, we have assumed they are not limiting	

References

Chartered Institute of Ecology and Environmental Management (CIEEM). 2019. *Advice note: on the lifespan of ecological reports and surveys.* Winchester: Chartered Institute of Ecology and Environmental Management. [Online]. Available from: https://cieem.net/resource/advice-note-on-the-lifespan-of-ecological-reports-and-surveys/

Department for Levelling Up, Housing and Communities. 2023. *National Planning and Policy Framework.* London: Her Majesty's Government. [Online]. Available from: https://assets.publishing.service.gov.uk/media/65819679fc07f3000d8d4495/NPPF_December_2023.pdf

The Statutory Biodiversity Metric User Guide. 2024. London: Department for Environment, Food and Rural Affairs (Defra). [Online]. Available from: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

The Statutory Biodiversity Metric Calculation Tool (macro-enabled). 2024. London: Department for Environment, Food and Rural Affairs (Defra). [Online]. Available from: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

The Statutory Biodiversity Metric Condition Assessments. 2024. London: Department for Environment, Food and Rural Affairs (Defra). [Online]. Available from: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

Appendices

The following reports/digital documents have been provided alongside this report and should be read in conjunction with it:

- BM-7732-02 – Statutory Biodiversity Metric Calculation Tool
- CA-7732-01 – Statutory Biodiversity Metric Condition Assessments
- ER-7732-01 – Preliminary Ecological Appraisal
- ER-7732-04B – River Condition Assessment

Habitat degradation

Within Schedule 14 of the Environment Act, which sets out the biodiversity gain condition for development, measures are included that allow planning authorities to recognise any habitat degradation since **30th January 2020** and to take the earlier habitat state as the baseline for the purposes of biodiversity net gain. In order to ascertain the habitats present and their condition on 30th January 2020, aerial imagery or data sets from that time could be used. 30th January 2020 is the relevant date as it was the day the Bill entered Parliament.

In 2023, the Levelling Up and Regeneration Act 2023 (LURA), introduced additional wording further tightening the law regarding degradation by extending the circumstances in which degradation can be addressed. This wording covered both authorised and unauthorised activity on onsite and offsite habitats, on or after **25th August 2023**.

Further information

Further useful information is available on legal agreements to secure Biodiversity Gains at:

- https://www.gov.uk/guidance/legal-agreements-to-secure-your-biodiversity-net-gain
- https://naturalengland.blog.gov.uk/2024/03/04/securing-off-site-biodiversity-net-gain-expert-legal-perspectives/

Appendix 1 - BNG Hierarchy

Level of Hierarchy	Advice provided at PEA/BNG Baseline Stage	Response in designs	Linked documents / plans
First **Avoid**	Clearance of the Medium-distinctiveness habitats – namely other bramble scrub, mixed scrub and individual trees – should be avoided wherever possible, and minimised where it is not avoidable.	Plans have included the enhancement of scrub along the southern boundary.	Planting Plan dwg.PP01.00 rev. P4. (PGLA Ltd, Sept 2024).
then **Enhance**	Retained habitats on-Site should be enhanced where possible as an important source of Habitat Units post-development. The majority of the modified grassland (poor and moderate condition) and mixed scrub (poor condition), present the greatest opportunities for enhancement.	Areas of grassland able to be retained will be enhanced through soil stripping and replanting with species rich wildflower mix. Creation of semi-natural habitats within the southern riparian zone of the watercourse reduces the encroachment extent, creating an uplift in Watercourse Units.	As above
then **Create**	Where possible residual loss of Units should be made up for with Habitat Units generated through the creation of new habitats on-Site. Units may be generated through specific ecologically targeted habitat creation, such as wildflower grassland, and standard amenity habitats, such as amenity grassland and ornamental shrub. Woodland buffering could contribute to this process.	Landscaping plans include the creation of wildflower and amenity grassland to the northern boundary. Newly planted trees in these areas, and also to the southwest of the Site, will partly mitigate the low of equivalent Habitat Units on Site.	As above
then **Offset**	If a 10% Net Gain cannot be achieved on-Site, any remaining deficit will need to be compensated for off-Site.	Habitat Unit loss is further mitigated by the enhancement of off-Site habitats, including the woodland to the north of the Site, and a small section of grassland to the southwest. An additional 0.97 habitat units, and 0.05 watercourse units, will need to be sourced through other means in order to offset baseline losses, and achieve the required 10% net gain in biodiversity units.	Offsite woodland enhancement to be detailed in a HMMP