# BIODIVERSITY ACCOUNTING ASSESSMENT REPORT

Brown Hill Farm, Old Lane, Birkenshaw
BD11 2JL

**Issued: 04/10/25**

**Project No: EE03 REV1**

| | |
|---|---|
| Project reference | EE03 |
| Project site | Brown Hill Farm |
| Client | Jim Granger |
| Report title | Biodiversity Accounting Assessment |
| Report version | 1 |
| Report author(s) | Joe Earnshaw |
| Final draft date | 04/10/2025 |

## Executive Summary

Earnshaw Ecology was instructed to carry out a Biodiversity Accounting Assessment (BAA) of **Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL** (hereafter referred to as the 'Site') to inform a planning application for the demolition of existing barns and erection of four detached dwellings ('the Proposed Development').

The purpose of the assessment is to determine the baseline biodiversity value of the Site and to assess if there are sufficient biodiversity enhancement opportunities available within the Site boundary to compensate for any residual biodiversity losses as a result of the Proposed Development.

To fulfil the brief, the Statutory Biodiversity Metric (August 2024 update) was used to calculate the baseline biodiversity value of all existing habitats on-Site. The metric was then used to provide a comparative measure of any habitat creation and enhancements associated with the Client's Proposed Development. The resulting balance determines the extent of Biodiversity Units (BU) generated through the proposed habitats post development.

On balance of impacts and habitat retention/enhancement/creation, the report concludes that the Proposed Development will result in a net gain of +0.08 habitat BU, equivalent to a net gain of +10.59% and no net unit percentage change for hedgerows. In addition, the Proposed Development has satisfied the Trading Rules.

This executive summary is intended as a summary of the assessment of the Site based on information received by the client at the time of production. This executive summary should be read in conjunction with the full Report.

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# 1. Introduction

## 1.1 Purpose of the Report

1.1.1 Earnshaw Ecology have been instructed by **Jim Granger** to undertake a Biodiversity Accounting Assessment (BAA) of a site located at **Brown Hill Farm, Old Lane, Birkenshaw, BD11 2JL** (hereafter referred to as the 'Site').

1.1.2 The purpose of this report is to:

- Assess the baseline biodiversity value of the Site through the total sum of the habitats within the Site, and their calculated biodiversity value.
- Assess if there are sufficient biodiversity enhancement and/or creation opportunities available within the Site boundary to compensate for any residual biodiversity losses as a result of the Proposed Development.
- To determine the level of overall residual biodiversity gains or losses associated with the Proposed Development.

1.1.3 The Site location and red line / survey area are shown in **Appendix 1**.

## 1.2 Site Description

1.2.1 The site is located at Ordnance Survey (OS) National Grid Reference SE 20742 28577, with nearby postcode BD11 2JL. The Site is bordered on all sides by agricultural land.

## 1.3 Details of Proposed Development

1.3.1 The development proposed at the Site is for the demolition of existing barns and erection of four detached dwellings.

# 2. Biodiversity Accounting in Context

## 2.1 Background

2.1.1 Biodiversity is complex and so it is impossible to measure in its entirety. Therefore metrics, which incorporate measures of different biodiversity attributes, are used to provide surrogate measures of overall biodiversity. This report uses the 'Biodiversity Metric 4.0, which was designed by Natural England (2023) to define the biodiversity impacts and compensation requirements associated with development proposals. The metric works by providing a comparative measure of each habitat on-Site in biodiversity units (BU) by multiplying its area (hectares), distinctiveness (habitat type) and current condition (quality). The relative impacts (habitat loss) of the development, taking into account any additional on-Site habitat creation or enhancement, can then be calculated to determine if a measurable biodiversity net gain will be achieved on-Site. If a measurable net gain is unable to be achieved on-Site, then the process of biodiversity offsetting must be undertaken.

2.1.2 Biodiversity offsets are conservation activities designed to deliver biodiversity benefits in compensation for residual losses, in a measurable way. Biodiversity offsetting is distinguished from other forms of compensation by the requirement for measurable outcomes. This is achieved by quantifying net biodiversity impacts caused by development; using the same metric to assess direct and indirect negative impacts to habitats and the value of any on-Site compensation, to set the framework of off-site compensation (offset) requirements and the biodiversity net gain generated by these offsets. Biodiversity offsetting ensures that off-site compensation proposed is both proportionate to the development concerned and that a measurable net gain for biodiversity can be achieved.

2.1.3 Biodiversity offsetting, like other forms of compensation, is the last step of the mitigation hierarchy (first avoid, then reduce, and finally, compensate) and is applied as a last resort to otherwise policy-compliant development proposals. 'Offsetting' – i.e. creating or restoring new wildlife habitat in a measurable way and in a different place to where it was lost.

2.1.4 In addition to providing a mechanism for quantifiable compensation and net gain, biodiversity offsets provide reliable biodiversity outcomes as they are long-term (30 years), monitored and enforceable with adaptable management plans for optimised success.

## 2.2 Biodiversity Net Gain Principles

2.2.1 Biodiversity Net Gain: Good Practice Principles for Development published by CIRIA et. al (2016) states that delivering biodiversity net gain goes beyond balancing relative gains and losses. It also involves doing everything to avoid biodiversity losses in the first instance. The application of the DEFRA metric detailed in this report supports developments to adopt this approach by:

a. Providing a habitat balance sheet which can be used to identify those habitats with the greatest value and subsequently those with the greatest impacts if lost;

b. Supporting and incentivising the mitigation hierarchy by quantifying the benefits of avoiding and mitigating impacts on high value features;

c. Promoting the value of biodiversity enhancements and demonstrating the potential for additionality on retained habitats;

d. Providing a balance of losses, enhancements or on-Site compensation to determine if a measure net gain contribution can be achieved;

e. Providing transparent, robust and credible evidence to help inform the best possible Site options for biodiversity; and,

f. Ensuring that any residual off-Site compensation required (e.g. through biodiversity offsetting) is proportionate to the impacts and can secure a measurable net gain contribution for biodiversity overall.

2.2.2 Any development should apply the Mitigation Hierarchy (British Standards Institution (BSI), 2013; shown below in Figure 1).

2.2.3 Development proposals should first seek to avoid impacts by retaining habitats. Second, development proposals should look to minimise the impact by producing plans that are designed to limit habitat disturbance, damage, and loss, thereby mitigating against any unavoidable impacts. Third, proposals should look to restore any damaged or degraded habitats. Then, only as a last resort should proposals compensate for unavoidable residual impacts to damaged or lost habitats that after avoidance and mitigation measures.

**Figure 1:** The mitigation hierarchy (BSI, 2013)

## 2.3 Biodiversity Offsetting Standards

2.3.1 Good practice standards for biodiversity offsetting are set out by the Business and Biodiversity Offsets Programme (BBOP, 2012). These standards inform the approach for selection and development of suitable Offset Sites and projects. Of these standards, the following provide the most relevant UK framework for the preliminary offset site search:

a. The proposed offset site should be identified as suitable for the creation and/or enhancement of a target habitat within the vicinity of where the impact occurs.

b. The site must be available and managed for a minimum specified term (30 years in this instance).

c. The landowner must agree to an enforceable delivery mechanism to secure the long-term management.

d. The site must be available for monitoring to ensure appropriate management is being undertaken and to report biodiversity progress back to the local planning authority.

2.3.2 Further standards, with regards to offset site surveys and ensuring that appropriate target habitats and units can be achieved, will form part of the detailed site search that will proceed the preliminary site search.

2.3.3 In addition to biodiversity net gains achieved on-Site, off-Site enhancements can also achieve positive outcomes for nature in the local area

# 3. Methodology

## 3.1 Background

3.1.1 Biodiversity accounting of existing and post-development habitats and linear features on-Site was carried out using the Statutory Biodiversity Metric Calculator Tool, following guidance set out in the metric user guide (Natural England et al, 2024). The process for data collation and analysis associated with the assessment is detailed in Sections 4.2 – 4.3 below.

## 3.2 Baseline Data

3.2.1 A baseline analysis of the existing habitats on-Site was carried out from the information gathered during the Site's ecological assessment visit carried out by Joe Earnshaw (Principal Ecologist, Earnshaw Ecology on 04/04/25.

3.2.2 To undertake the Statutory Biodiversity Metric calculations, the following information was recorded for each habitat parcel and/or linear feature:

- Habitat type;
- Area/Length (ha/km) (using the Minimum Mappable Unit of 25m$^2$ and 5m);
- Habitat condition;
- Strategic significance; and
- Whether that habitat will be lost, retained, enhanced, succeeded and/or created, and at what scale.

3.2.3 The habitat map for the Site was digitised and interpreted using QGIS Version 3.40.1 to calculate habitat area.

## 3.3 Impact Assessment

3.3.1 The existing baseline habitat plan for the Site was overlain with the Site Plan (Dwg number: (25419)2) of the Proposed Development using GIS software to provide an area (Ha) of temporary and permanent habitat loss.

3.3.2 The area of any retained/enhanced or created habitats proposed as part of the development was also mapped to provide an area (Ha) (or length (Km) for linear features) of the on-Site compensation proposals being provided. An estimate of future condition, time until establishment and the likelihood of success was then

calculated using landscaping data provided by the client and professional judgement.

## 3.4 Habitat Creation and Enhancement

3.4.1 The area of any retained/enhanced or created habitats proposed on-Site as part of the Proposed Development was mapped using the Site Plan (Dwg number: (25419)2) of the final development, to provide an area (Ha) (or length (Km) for linear features) estimate of on-Site compensation provided. This includes areas of developed land, which are assigned a very low (or null) value, notably, areas of buildings and/or roads.

3.4.2 Condition and strategic significance for each habitat or linear feature were projected using available ecological data or professional opinion about the likely value.

## 3.5 Residual Effects

3.5.1 The residual effects of the Proposed Development scheme were calculated using the Statutory Biodiversity Metric Calculator Tool. This subtracts the pre-development baseline values from that of the post-development values to determine the change in overall habitat value for the Site, taking into account any habitat trading.

3.5.2 Habitat trading is where the loss of a habitat must be compensated for through the creation or restoration of areas of equivalent or greater distinctiveness value. Guidance by Defra is that the loss of high distinctiveness areas, such as Habitats of Principal Importance (HPI, NERC Act, S.41), require compensation in a like-for like manner (creation or restoration of habitat of the same habitat classification as that impacted). Within the Biodiversity Metric 'trading up' (where compensation through creation of a higher distinctiveness habitat) can occur, however, 'trading down' (compensation through creation of lower distinctiveness habitats) is not permitted. Therefore, if present, despite gains in lower distinctiveness habitats, these will not reduce the net gain requirement for the development. This also applies to the different habitat features i.e. habitats, hedgerows and rivers and streams. Hedgerow creation gains will not reduce net gain requirements for either rivers and streams or habitats.

3.5.3 Where the resulting biodiversity balance is negative, a residual net loss of biodiversity is recorded. Where the balance is positive a residual net gain of biodiversity is recorded.

# 4. Statutory Biodiversity Metric Calculation

## 4.1 Existing Site Value

4.1.1 The existing biodiversity value for each habitat, together with the cumulative value of all habitats is provided in Table 1. Existing on-Site habitats can be found in Appendix 1.

**Table 1**: Baseline habitats on site and their ecological value as categorised by the Statutory Biodiversity Metric calculator.

| Biodiversity Metric Reference Number | Statutory Biodiversity Metric Habitat Type | Total Area on Site (Ha) | Distinctiveness | Condition | Strategic Significance | Ecological Baseline Habitat Unit |
|---|---|---|---|---|---|---|
| **1** | Developed land; sealed surface | 0.24 | V.Low | N/A - Other | Area/compensation not in local strategy/ no local strategy | 0.00 |
| **2** | Modified grassland | 0.1 | Low | Poor | Area/compensation not in local strategy/ no local strategy | 0.20 |
| **3** | Modified grassland | 0.28 | Low | Poor | Area/compensation not in local strategy/ no local strategy | 0.56 |
| | **Total (area excl. trees)** | **0.62** | **–** | **–** | **–** | **0.76** |

# 5. Proposed Development Impact Assessment

## 5.1 Description of the Proposed Development

5.1.1 The Proposed Development involves the demolition of existing barns and erection of four detached dwellings.

5.1.2 The Proposed Development will see the removal of all on-Site habitats to facilitate the development. This is to include developed land; sealed surface and modified grassland.

## 5.2 Habitats to be Lost

5.2.1 The Proposed Development will see the loss of all habitats on-Site to facilitate the development.

5.2.2 The loss of the modified grassland as a result of the Proposed Development is not considered a notable loss in regards to biodiversity. The modified grassland for the most part is in the form mowed and low sward grassed areas. It is of low distinctiveness and is currently in poor condition. Limiting this habitat's biodiversity value. All remaining habitats that are to be lost are considered to be of limited biodiversity value due to their low/very low distinctiveness.

## 5.3 Overall Impacts

5.3.1 The retention, enhancement and loss of habitats as a result of the Proposed Development are quantified in Table 2.

5.3.2 The results of the metric calculation indicates that a total of 0.20 BU for habitats are to be lost as a result of the Proposed Development, with 0.38 BU retained and 0.18 BU generated through habitat enhancement (Table 2).

**Table 2:** Summary value of baseline habitat biodiversity value through retention, creation and enhancement

| Statutory Biodiversity Metric Habitat | Retained | | Enhanced | | Lost | |
|---|---|---|---|---|---|---|
| | Area (Ha) | Unit | Area (Ha) | Unit | Area (Ha) | Unit |
| Developed land; sealed surface | 0.00 | 0.00 | 0.00 | 0.00 | 0.24 | 0.00 |
| Modified grassland | 0.00 | 0.00 | 0.00 | 0.00 | 0.10 | 0.20 |
| Modified grassland | 0.19 | 0.09 | 0.00 | 0.00 | 0.00 | 0.00 |
| **Total (area excl. urban trees)** | **0.19** | **0.38** | **0.09** | **0.18** | **0.34** | **0.20** |

## 5.4 Proposed Habitat Creation

5.4.1 It is proposed that the following habitats be created as part of the Proposed Development:

- Developed land; sealed surface represented on the plans by the four detached dwellings, parking areas and access roads,
- Vegetated gardens represented on the plans by lawned areas,
- Species-rich native hedgerows represented on the plans by five hedgerows.

5.4.2 The proposed habitats on-Site can be found within Appendix 2.

5.4.3 **Table 3** below summarises the value of all habitats that are to be created as part of the Proposed Development.

5.4.4 In total, +0.15 BU for habitats are to be created within the Proposed Development.

**Table 3:** Summary value of on-Site habitat proposals.

| Statutory Biodiversity Metric Reference Number | Statutory Biodiversity Metric Target Habitat Type | Total Area on Site (Ha) | Distinctiveness | Target Condition | Strategic Significance | Biodiversity Unit Value |
|---|---|---|---|---|---|---|
| **1** | Vegetated garden | 0.08 | Low | Condition Assessment N/A | Area/compensation not in local strategy/ no local strategy | 0.15 |
| **2** | Developed land; sealed surface | 0.26 | V.Low | N/A - Other | Area/compensation not in local strategy/ no local strategy | 0.00 |
| | **Total (area excl. trees)** | **0.34** | **–** | **–** | **–** | **0.15** |

5.4.5 **Table 4** below summarises the value of all hedgerows that are to be created as part of the Proposed Development.

5.4.6 In total, +0.24 BU for hedgerows are to be created within the Proposed Development.

**Table 4:** Summary value of on-Site hedgerow proposals.

| Statutory Biodiversity Metric Reference Number | Statutory Biodiversity Metric Target Habitat Type | Total Length on Site (Km) | Distinctiveness | Target Condition | Strategic Significance | Biodiversity Unit Value |
|---|---|---|---|---|---|---|
| **1** | Species-rich native hedgerow | 0.013 | Medium | Moderate | Area/compensation not in local strategy/ no local strategy | 0.09 |
| **2** | Species-rich native hedgerow | 0.005 | Medium | Moderate | Area/compensation not in local strategy/ no local strategy | 0.03 |
| **3** | Species-rich native hedgerow | 0.006 | Medium | Moderate | Area/compensation not in local strategy/ no local strategy | 0.04 |
| **4** | Species-rich native hedgerow | 0.005 | Medium | Moderate | Area/compensation not in local strategy/ no local strategy | 0.03 |
| **5** | Species-rich native hedgerow | 0.007 | Medium | Moderate | Area/compensation not in local strategy/ no local strategy | 0.05 |
| | **Total** | **0.04** | **–** | **–** | **–** | **0.24** |

## 5.5 Proposed Development Summary of Net Impacts

5.5.1 **Table 5** below summarises the BU value of the Proposed Development together with the unit value of any biodiversity impacts or on-Site habitat and/or hedgerow creation/enhancement proposals.

5.5.2 This shows that on balance, the Proposed Development would result in a net gain of +0.08 habitat BU, equivalent to a net gain of 10.59% and no net unit percentage change for hedgerows.

5.5.3 The Proposed Development satisfies the Trading Rules.

**Table 5:** Summary of Biodiversity Metric results for habitats and hedgerows

| | **Biodiversity Units (BU)** |
|---|---|
| Existing Site habitat biodiversity value (habitats) | 0.76 |
| Existing Site habitat biodiversity value (hedgerows) | 0.00 |
| Value of gross habitat biodiversity loss | 0.20 |
| Value of gross hedgerow biodiversity loss | 0.00 |
| Value of retained and proposed on-Site habitat creation and enhancement (habitats) | 0.84 |
| Value of retained and proposed on-Site habitat creation and enhancement (hedgerows) | 0.24 |
| Net habitat biodiversity balance (habitats) | +0.08 |
| Net habitat biodiversity balance (hedgerows) | +0.24 |

# 6. Conclusion

6.1.1 In accordance with the NPPF, where a biodiversity impact cannot be avoided or mitigated then compensation measures must be provided. If this cannot be achieved on-Site through further avoidance, mitigation or compensatory habitat creation or enhancement measures, then off-Site compensation measures will be required.

6.1.2 The BAA identified that the Proposed Development would have a net gain of +0.08 habitat BU, equivalent to a net gain of 10.59% and no net unit percentage change for hedgerows. The Proposed Development satisfies Trading Rules.

6.1.3 The Proposed Development has achieved a biodiversity net gain in habitat and a net gain in hedgerow BU. Therefore, no off-Site compensatory habitat creation and/or enhancement measures are required.

6.1.4 Further details of the Statutory Biodiversity Metric calculations and associated condition assessments can be found within the Statutory Biodiversity Metric Calculator Tool excel spreadsheet and the Statutory Biodiversity Metric Habitat Condition Assessment Sheets accompanying this report.

6.1.5 Should the Proposed Development be subject to future change, the conclusions and recommendations in this report will need to be revised. This is to be undertaken via the recalculation of the impact assessment element through the most up-to-date biodiversity metric.

# 7. References

**Biodiversity Metric Guidance:**

*Business and Biodiversity Offsets Programme (BBOP)*. (2012). *Standard on Biodiversity Offsets*. Available at: https://www.forest-trends.org/wp-content/uploads/bbop/bbop_standard_on_biodiversity_offsets_1_feb_2013-pdf.pdf.

*The British Standards Institution (BSI).* (2013). *Biodiversity — Code of practice for planning and development.* Available at: https://www.omegawestdocuments.com/media/documents/43/43.35%20BSI%20Biodiveristy%20Code%20of%20Practice.pdf.

*CIEEM, CIRIA & IEMA.* (2016). *Biodiversity Net Gain: Good practice principles for development.* Available at: https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/.

*Department for Levelling Up, Housing and Communities & Ministry of Housing, Communities and Local Government*. (2019). *Guidance: Natural environment*. Available at: https://www.gov.uk/guidance/natural-environment (Accessed 16 January 2023).

*Ministry for Housing Communities and Local Government*. (2021*). National Planning Policy Framework*. Available at: https://www.gov.uk/government/publications/national-planning-policy-framework--2 (Accessed: 16 January 2023).

*Natural Environment and Rural Communities Act 2006, c. 16*. Available at: https://www.legislation.gov.uk/ukpga/2006/16/contents (Accessed: 16 January 2023).

*Panks, S., White, N., Newsome, A., Nash, M., Potter, J., Heydon, M., Mayhew, E., Alvarex, M., Russel, T., Cashon, Clare., Goddard, F., Scott, S.J., Heaver, M., Scott, S.H., Treweek, J., Butcher, B. and Stone, D.* (2022). *The Biodiversity Metric 3.1: Auditing and accounting for biodiversity –User Guide.* Available at: http://publications.naturalengland.org.uk/publication/6049804846366720.

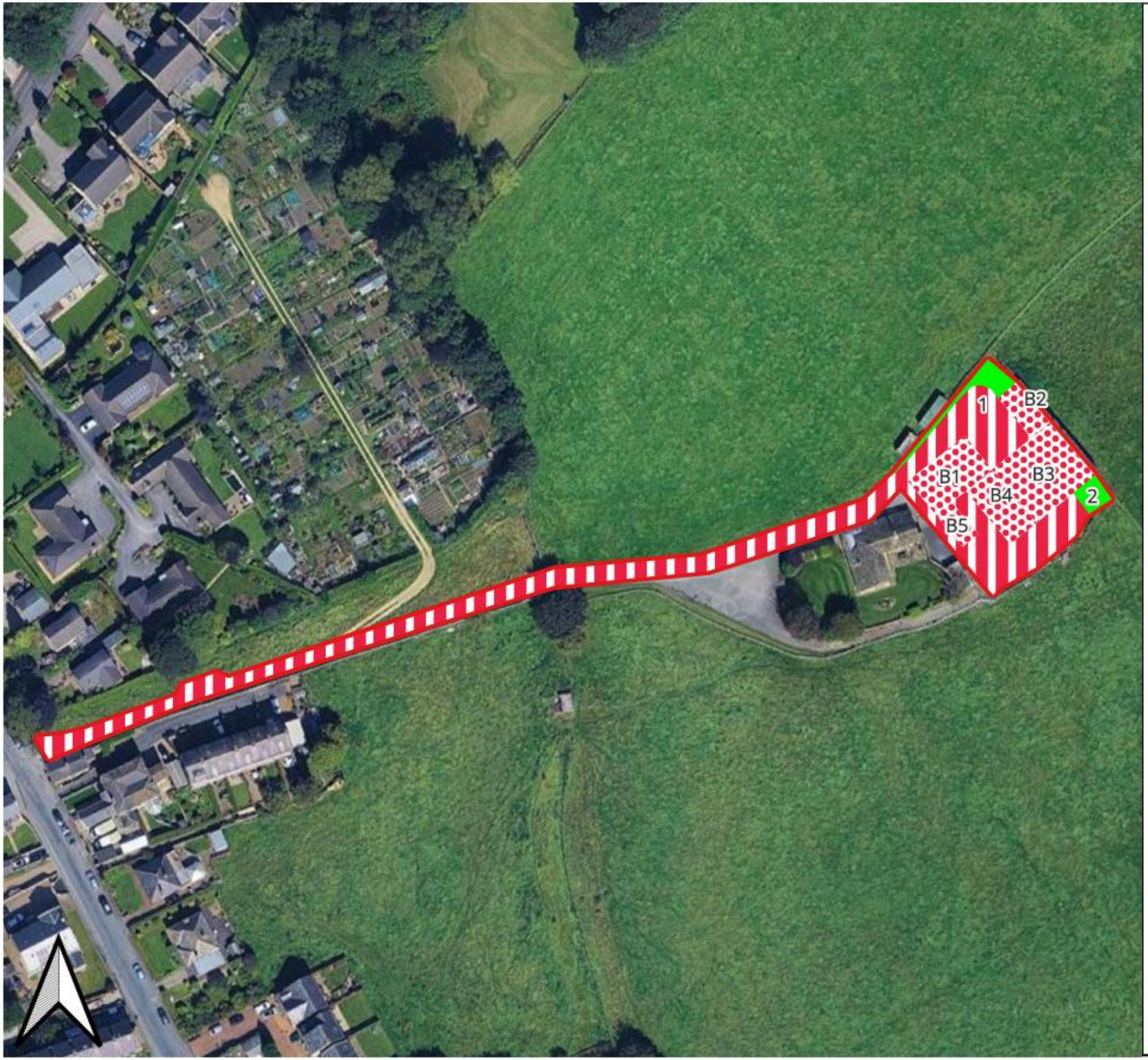
*Panks, S., White, N., Newsome, A., Nash, M., Potter, J., Heydon, M., Mayhew, E., Alvarex, M., Russel, T., Cashon, Clare., Goddard, F., Scott, S.J., Heaver, M., Scott, S.H., Treweek, J., Butcher, B. and Stone, D.* (2022) T*he Biodiversity Metric 3.1: Auditing and accounting for biodiversity –Technical Supplement.* Available at: http://publications.naturalengland.org.uk/publication/6049804846366720.

*The Environment Act 2021, c. 30*. Available at: https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted (Accessed: 16 January 2023).

*UKHab*. (2020). *The UKHab Classification System*. Available at: https://ukhab.org/.

# Appendices

# Appendix 1: UK Hab Habitat Map (Baseline)




EARNSHAW ECOLOGY

**Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL**

**Key**

- u1b5 - Building
- u1b - Developed land; sealed surface
- g4 - Modified grassland
- Red Line Boundary

0.1 0 0.1 0.2 0.3 km

| | |
|---|---|
| Site: Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL | Client: Jim Granger |
| Plan: UKHAB Map | Author: JE |
| Plan ref: 01 | Revision: 01 |

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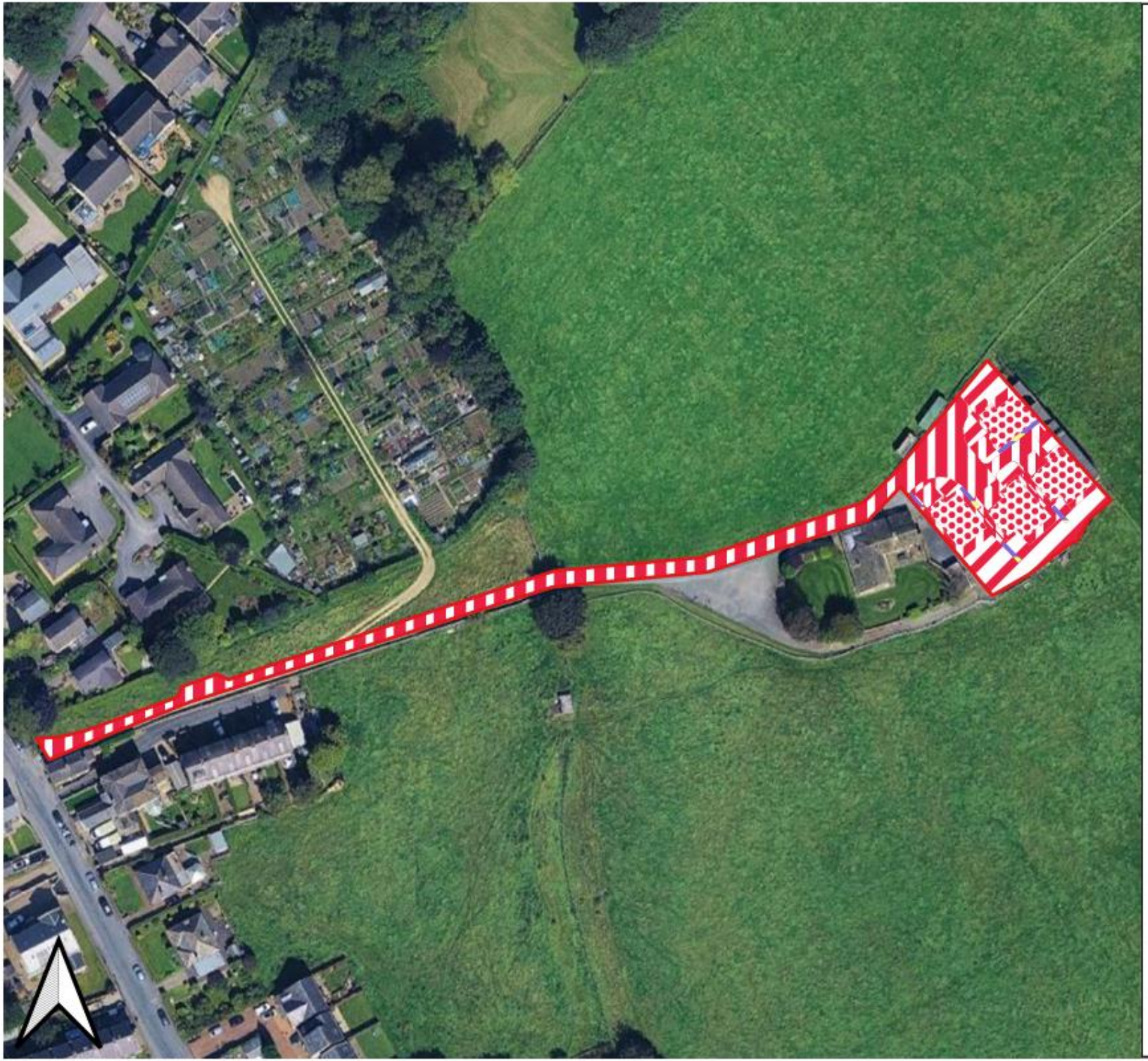
# Appendix 2: UK Hab Habitat Map (Proposed)



EARNSHAW ECOLOGY

**Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL**

**Key**

- Red Line Boundary
- u1 - Built up areas and gardens
- u1b - Developed land; sealed surface
- u1b5 - Buildings
- Buffered

0.1 0 0.1 0.2 0.3 km

| | |
|---|---|
| Site: Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL | Client: Jim Granger |
| Plan: Proposed UKHAB Map | Author: JE |
| Plan ref: 01 | Revision: 01 |

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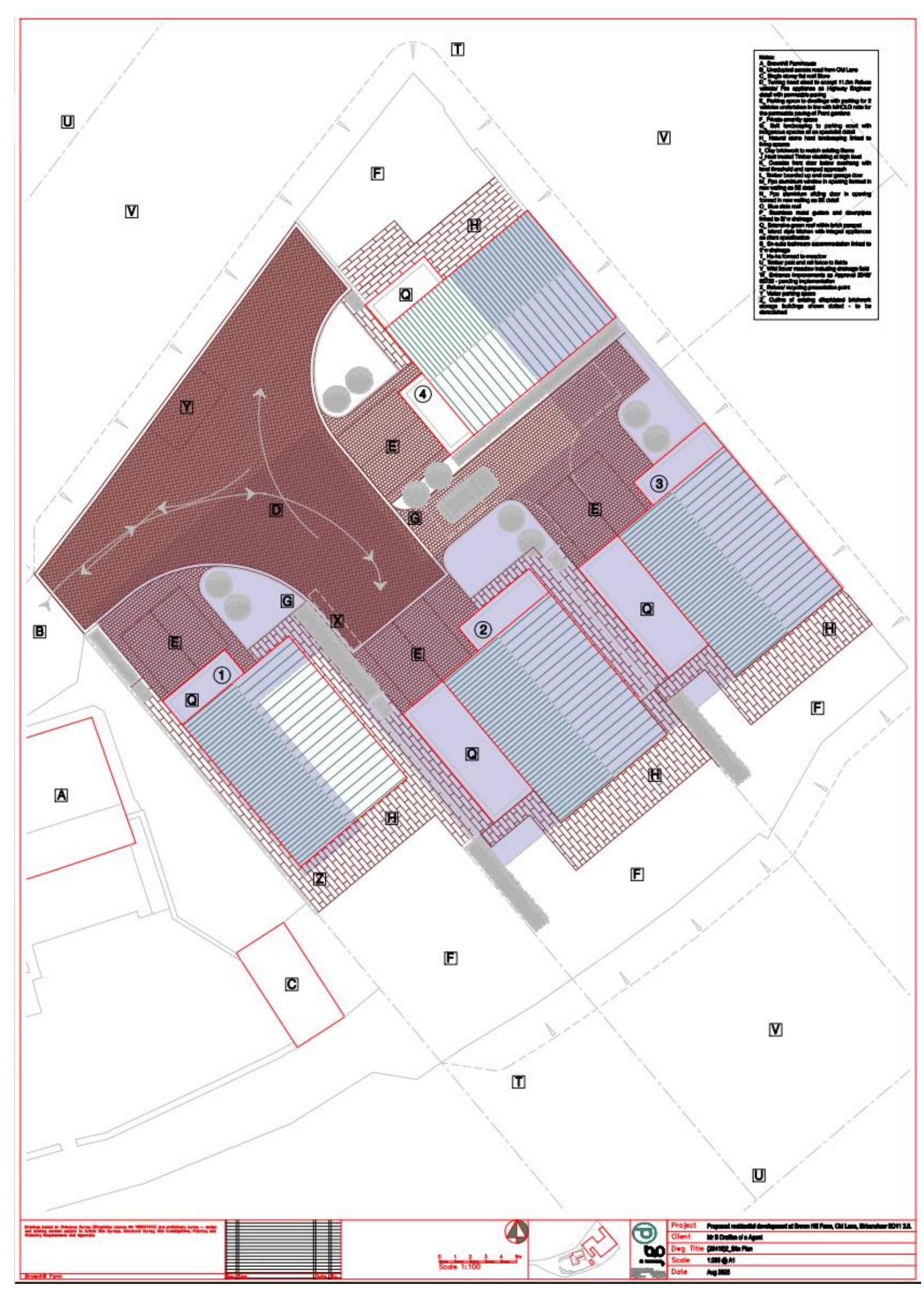
# Appendix 3: Proposed Development Plan



Notes:
A_ Brownhill Farmhouse
B_ Unadopted access road from Old Lane
C_ Single storey flat roof Store
D_ Turning head sized to accept 11.5m Refuse vehicle/ Fire appliance as Highway Engineer detail with permeable paving
E_ Parking apron to dwellings with parking for 2 vehicles undertaken in line with MHCLG note for the permeable paving of Front gardens
F_ Private amenity space
G_ Soft landscaping to parking court with indigenous species of an specialist detail
H_ Natural stone hard landscaping linked to living spaces
I_ Clay brickwork to match existing Barns
J_ Heat treated Timber cladding at high level
K_ Oversize front door below overhang with level threshold and ramped approach
L_ Timber boarded up and over garage door
M_ Ppc aluminium window in opening formed in new walling as BE detail
N_ Ppc aluminium sliding door in opening formed in new walling as BE detail
O_ Blue slate roof
P_ Seamless metal gutters and downpipes linked to 3rd'w drainage
Q_ Extensive green roof within brick parapet
R_ Island style kitchen with integral appliances as client specification
S_ En-suite bathroom accommodation linked to 3rd'w drainage
T_ Hi-ha formed to meadow
U_ Timber post and rail fence to fields
V_ Wild flower meadow including drainage field
W_ Entrance improvements as Approval 2018/ 0032 - pending implementation
X_ Refuse/ recycling presentation point
Y_ Visitor parking space
Z_ Outline of existing dilapidated brickwork storage buildings shown dotted - to be demolished
A
B
C
D
E
F
G
H
Q
T
U
V
X
Y
Z
1
2
3
4
Scale 1:100
Project Proposed residential development at Brown Hill Farm, Old Lane, Birkenshaw BD11 2JL
Client Mr B Drafton c/o Agent
Dwg Title (20410)2_Site Plan
Scale 1:200 @ A1
Date Aug 2020
Brownhill Farm

# Appendix 4: Policy and Legislation

## Introduction

Planning guidelines, international commitments, legislation and planning policies relevant to the protection, conservation and enhancement of nature conservation interests are detailed below.

## National Policy and Guidance

Specific habitats and species of relevance to the Site receive legal protection in the United Kingdom under various pieces of policy and legislation, including:

- The Environment Act 2021 mandates that all planning applications will be required to demonstrate how a development will enhance biodiversity and protect habitats from November 2023. This is to be achieved through a measurable 10% Biodiversity Net Gain (BNG), in association with development through the use of the most up to date Defra Metric (currently Defra 3.1 Metric);
- National Planning Policy Framework ('NPPF', as revised 2021) sets out how planning policies and decisions should contribute to and enhance the natural and local environment through amongst other things, ensuring BNG through development and protect ecological important sites and networks;
- The Conservation of Habitats and Species Regulations 2017 (as amended) details the regulations for the protection of European Protected Habitat and Species. Such European Protected Species (EPS) include all species of bats, great crested newt *Triturus cristatus*, dormouse *Muscardinus avellanarius*, and European otter *Lutra lutra*, amongst others;
- The Wildlife and Countryside Act ('WCA') 1981 (as amended) covers the legislation for endangered species in England and the framework for the designation of Sites of Special Scientific Interest (SSSIs);
- The Countryside and Rights of Way ('CRoW') Act 2000 reinforces the wildlife legislation listed in the WCA and places a duty of government departments to consider biodiversity, and provides governmental department powers for the protection and maintenance of SSSIs;
- The Natural Environment and Rural Communities Act ('NERC') 2006 places a duty upon local authorities to promote and enhance biodiversity in all their functions. Specifically, habitats and species of principal importance to the conservation of biodiversity in regards to the planning process;
- The Hedgerow Regulations 1997 provides protection by prohibiting the destruction or damage to important countryside hedges; and

- The Protection of Badgers Act 1992 includes the protected of badgers under the act and that it is unlawful to wilfully kill, injure, take, possess or cruelly ill-treat badgers or attempt to do so.

Where relevant, this appraisal takes account of the legislative protection afforded to specific habitats and species.

## Local Policy and Guidance

Kirklees Local Plan – (Kirklees Council, Adopted February 2019)

Policy 13: Natural Environment (specifically, 13.1 Biodiversity & geodiversity)

- 13.1: The National Planning Policy Framework (NPPF) recognises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils and minimise impacts on biodiversity, providing net gains in biodiversity where possible. Local authorities should also plan positively for networks of biodiversity and green infrastructure. A key objective of the Local Plan is to protect and enhance the integrity of the natural environment in Kirklees and the locally distinctive qualities which contribute to its character, including the district's varied landscapes and natural assets.

- 13.3 and 13.14: The Wildlife Habitat Network in Kirklees has been identified by West Yorkshire Ecology and connects designated sites of biodiversity and geological importance and notable habitat links. It is intended to protect and strengthen ecological links within the district and to adjoining authorities (if within the WHN)

- 13.15 and 13.16: Ancient woodland and Habitats and Species of Principal Importance in relation to the Kirklees Biodiversity Action Plan.

Policy 18 (18.1): Environmental Protection, of the Kirklees Local Plan apply to the Proposed Development.

- Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and

- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

# Appendix 5: Good Practice Principles for Development

Taken from CIEEM (2016) Biodiversity Net Gain: Good practice principles for development.

**Principal 1.** Apply the Mitigation Hierarchy.

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

**Principal 3.** Be inclusive and equitable.

**Principal 4.** Address risks.

**Principal 5.** Make a measurable Net Gain contribution.

**Principal 6.** Achieve the best outcomes for biodiversity.

**Principal 7.** Be additional.

**Principal 8.** Create a Net Gain legacy.

**Principal 9.** Optimise sustainability.

**Principal 10.** Be transparent.

# Appendix 6: Author Qualifications

**Joe Earnshaw, Principal Ecologist**

*MSc Biodiversity and Conservation, BSc (Hons) Animal Behaviour and Wildlife Management.*

With a Master's degree in Biodiversity and Conservation, Joe has worked with a range of environmental consultancies in and outside the UK leading the way in Biodiversity Accounting. Joe was brought onboard to support the establishment of a leading brand in Habitat Bank creation and long-term biodiversity protection to support both individual planning applications to landscape wide infrastructure developments. Joe has many years' experience in the application of Defra's several Biodiversity Metric releases.