

Brooks

Ecological

Grounded advice

Land off Barnsley road, Upper Cumberworth



Biodiversity Net Gain Assessment (Baseline)

Report Ref. ER-8370-02

20/05/2025

Vivly Living

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| Report reference | ER-8370-02 - Biodiversity Net Gain Assessment (Baseline) |
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| Date | 20/05/2025 |
| 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 Land off Barnsley road, Upper Cumberworth.
2. The assessment applies to the parcel of land shown in Figure 1 opposite.
3. The assessment is informed by a Preliminary Ecological Appraisal Survey of the Site detailed in our report ER-8370-01.
4. Biodiversity Accounting metrics are used to quantify the value of a site in Biodiversity Units, which helps in assessing the ecological impacts of the proposed development on the Site.
5. Biodiversity Units 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.
6. For the purposes of metric calculations, the Site area has been measured using GIS against the provided red line boundary as 5.54ha.

Figure 1 Extent of BNG assessment (red line boundary).



Pre-development baseline

Habitats identified

- 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

- Habitat condition has been assessed as part of the Preliminary Ecological Appraisal of the Site.
- Information on condition assessments is provided in the Excel spreadsheet CA-8370-01 provided alongside this report.

Strategic Significance

- Part of the Site lies adjacent to an area of the WHN, and so is mapped as 'location ecologically desirable but not in local strategy'.

Irreplaceable Habitat

- Irreplaceable habitats have not been found on-Site

Habitat Degradation¹

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

Biodiversity Metric

- Habitat types, conditions, and areas have been entered into the Statutory Biodiversity Metric Calculation Tool alongside information on their strategic significance.

- The Statutory Biodiversity Metric Calculation Tool (published 23/07/2024), is provided alongside this assessment, in Excel spreadsheet BM-8370-01, and may be useful in investigating design options for the Site.

Table 1 Habitat and hedgerow types.

| Habitat | Label ref. | Irreplaceable? | Distinctiveness | Condition | See Condition Assessment sheet |
|--------------------------------|------------|----------------|-----------------|-----------|--------------------------------|
| Cereal Crops | - | No | Low | N/A | N/A |
| Modified grassland | - | No | Low | Poor | 5A |
| Artificial unvegetated | - | No | Very Low | N/A | N/A |
| Developed land; sealed surface | - | No | Very Low | N/A | N/A |
| Native hedgerow | - | No | Low | Moderate | 8A |
| Individual Trees | T1 | No | Medium | Good | 9B |
| | T2 | | | 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

- 15. 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.
- 16. Once trading rules are complied with, the ‘gain’ component can come from any distinctiveness category.

Habitat Unit Score

- 17. The Site has been assessed as having a baseline score of 16.84 Habitat Units. 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 |
|-----------------|-------|---|
| Very Low | 0 | No compensation required. |
| Low | 11.72 | Losses must be replaced with area habitat units of the same or higher distinctiveness. |
| Medium | 5.12 | Losses must be replaced by area habitat units of either medium distinctiveness habitats within the same broad habitat type, or any habitat from a higher distinctiveness from any broad habitat type. |
| High | 0 | Losses must be replaced with area habitat units of the same habitat type. |
| Very High | 0 | Priority should be given to replacing losses with area habitat units of the same habitat type. |
| Irreplaceable | 0 | Cannot be compensated for. |

Hedgerow Unit Score

- 18. The Site has been assessed as having a baseline score of 0.16 Hedgerow Units. These break down as shown in Table 3, below.

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

| Distinctiveness | Units | Approach to compensation if lost |
|-----------------|-------|--|
| Very Low | 0 | Losses must be replaced with hedgerow units of the same or of a higher distinctiveness. |
| Low | 0.16 | Losses must be replaced with hedgerow units of the same or of a higher distinctiveness. |
| Medium | 1.95 | Losses must be replaced with hedgerow units of the same or of a higher distinctiveness. |
| High | 0 | Losses must be replaced with hedgerow units of the same habitat type or of a higher distinctiveness. |
| Very High | 0 | Losses must be replaced with hedgerow units of the same habitat type. |

Planning your development

19. The Biodiversity Gain Hierarchy of Avoid - Enhance - Create - Offset, as set out in the Planning Practice Guidance, is a material consideration of planning, and as such a project should also be able to illustrate how it has complied with this. Its relevance to this Site is set out in Table 4 below.

Table 4 Biodiversity Gain Hierarchy summary.

| Level of Hierarchy | Requirement at this Site |
|-------------------------------|--|
| <i>First</i> Avoid | Clearance of the Medium-distinctiveness habitats - namely rural trees - should be avoided wherever possible, and minimised where it is not avoidable. |
| <i>then</i> Enhance | Retained habitats on-Site should be enhanced where possible as an important source of Habitat Units post-development. The modified grassland presents the greatest opportunity for enhancement, as it is in Poor condition currently. |
| <i>then</i> Create | Any 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. |
| <i>then</i> Offset | If a 10% Net Gain cannot be achieved on-Site, any remaining deficit will need to be compensated for off-Site. |

20. Assuming the recommendations set out above can be followed, it seems likely that both the Mitigation Hierarchy and the Biodiversity Gain Hierarchy can be complied with. These recommendations should be a consideration of any design work.

21. It will be essential that the project can evidence engagement with this process in documents presented at the planning stage (e.g. the completed Biodiversity Net Gain Report). Evidence could also be required as prerequisite for accessing off-Site or statutory biodiversity credits. You will need to:

- **Ensure that biodiversity and BNG are considered at an early stage** of your project design. Look at how you *could* comply with the hierarchy opposite.
- **Keep evidence of early-stage designs** which were considered and record evidence of why these were not appropriate / achievable.
- **Provide information to your ecologist** on the above process - they will need this to complete the next part of BNG reporting.

Summary & Recommendations

Baseline value

22. The Site’s baseline value is measured as 16.84 Habitat Units, 0.16 Hedgerow Units.

Trading Rules

23. As shown in Table 2, a proportion of the Site’s baseline value is accounted for by medium distinctiveness habitat types. Satisfying Trading Rules therefore needs to be a key consideration during the design process.

Recommendations

24. Recommendations are set out in the table opposite.

Biodiversity Offsetting

25. Development of the Site is very likely to result in the requirement to offset losses elsewhere. Potential means of achieving this would be:
- Creating a bespoke offset on land available to the developer, as locally as possible.
 - Making use (through contribution) of any Local Authority habitat banking scheme, if this is available.
 - Purchasing the necessary Units from a broker or habitat banking scheme, again as locally as possible (and ideally within the same Local Authority or National Character area/s as the development).
 - Purchasing Statutory Credits from the UK government scheme. This is the last resort and is deliberately priced to be uncompetitive. Twice as many Credits will be required as there are Units to offset.

Table 5 Summary of Planning Considerations.

| Recommendation | Rationale |
|---|--|
| Required during the design stage process | |
| R1 Produce a layout which minimises loss of biodiversity | Engage with the recommendations set out above, involve your ecologist in designs at an early stage, as required. The proposals will need to consider the NPPF hierarchy of Avoid – Mitigate – Compensate in minimising any loss of biodiversity. |
| R2 Produce a Habitat Retention Plan | Make sure your design team follows ecological advice to and make sure there are no design conflicts. The Habitat Retention Plan should identify areas which can be excluded from <u>any</u> impacts of clearance and construction. In producing the Plan you should consider the need to provide (amongst other things) Site compounds, to store and move materials, to install drainage, flood storage, access and services - all with suitable easements. |
| R3 Consider your planning boundary | <u>Decide on the extent of red-line vs blue/black-line land.</u> Minimising the extent of your red line can limit exposure to BNG, but can also leave you needing separate legal agreements to use off-Site land for BNG delivery. Work out at an early stage what is right for your project. Your planning consultant should be able to help with this decision. |
| R4 Biodiversity Gain Strategy (BGS) | Engage an ecologist to work with the design team to maximise available Biodiversity Units on-Site, taking into account Trading rules. Identify opportunities to address any losses off-Site. |
| R5 Landscape Design | Make sure your landscape architect follows ecological advice or the BGS to maximise Biodiversity Units on-Site and make sure there are no design conflicts. |
| To be completed once a fixed Site Layout is agreed | |
| R6 Calculate the final Biodiversity Impact Score | Once the Site Layout is fixed and a Habitat Retention Plan is produced, the Statutory Metric will be used to quantify change in biodiversity unit value at the Site. This report will then be updated to include the post-development scores. |

Information Required

26. Once a layout is available we can calculate the post-development BNG value of the Site -this will be required for any planning submission. It is helpful if the layout is as progressed as possible (ideally fixed) as recalculating different plans can be a lengthy process.
27. Establishment of the post development value of the Site will need to be 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 | <p><u>Timing</u></p> <p>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.</p> <p>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.</p> | <p>Please provide a realistic timescale for the period between loss of habitat (Site clearance) and the completion of new on-Site habitat areas.</p> |
| 2 | <p><u>Phasing</u></p> <p>Unless you have told us otherwise, we have assumed that development will not be phased (in planning terms) and that habitat will be lost and created in a single phase.</p> | <p>Please confirm whether development will be phased.</p> |
| 3 | <p><u>Habitat Retention</u></p> <p>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.</p> | <p>Please provide a habitat retention plan showing area which can be retained unaffected by clearance, excavation, storage, compounds etc.</p> <p>Identify also any areas of temporary impacts - these may be impacted but can be returned to the same habitat within 2 years.</p> |
| 4 | <p><u>Other limiting factors</u></p> <p>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.</p> <p>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:</p> | <p>Provide information and reports or references any of the factors which you know will be, or could be, limiting in terms of habitat creation.</p> |

| | | |
|--|--|--|
| | <ul style="list-style-type: none"> • 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) • 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 <p>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</p> | |
|--|--|--|

References

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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>

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Appendices

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

- BM-8370-01 - Statutory Biodiversity Metric Calculation Tool
- CA-8370-01 - Statutory Biodiversity Metric Condition Assessments
- ER-8370-01 - Preliminary Ecological Appraisal

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**.