

Meltham Greenway Phase 3A



Biodiversity Net Gain Assessment

Report Ref. ER-7872-07

11/09/2025

Kirklees Council

Report reference	ER-7872-03 - Biodiversity Net Gain Assessment
Author	Ruth Highley MBiol (Hons) ACIEEM Ecologist
Technical Review	Christopher Shaw BSc (Hons), CEcol, MCIEEM Associate Ecologist
QA	Beth Chesworth BSc (Hons) Graduate Ecologist
Project Manager	Ruth Highley MBiol (Hons) ACIEEM Ecologist
Date	11/09/2025
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.



Brooks Ecological Ltd has prepared this report for the sole use of Kirklees Council. The information which we have prepared and provided is in accordance with the CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions. This report does not constitute legal advice. The report is in accordance with the agreement under which our services were performed. No warranty, express or implied, is made as to the advice in this report or any other service provided by us. This report may not be relied upon by any other party except the person, company, agent or any third-party for whom the report is intended without the prior written permission of Brooks Ecological Ltd. This report presents a snapshot of the site at the date it was surveyed; the conditions and the species recorded present, or likely absent, can change rapidly. Resurvey is recommended to any third-party seeking reliance on this report. The content of this report may, in part, be based upon information provided by others and on the assumption that all relevant information has been provided by those parties from whom it has been requested. Information obtained from any third-party has not been independently verified by Brooks unless otherwise stated in the report. This report is the copyright of Brooks Ecological Ltd. Unauthorised reproduction or usage by any person is prohibited.

Unit A, 1 Station Road, Guiseley, Leeds, LS20 8BX
Phone: 01943 884451
01943 879129
www.brooks-ecological.co.uk
Registered in England Number 5351418

Introduction

1. Brooks Ecological Ltd was commissioned by Kirklees Council to carry out a Biodiversity Net Gain (BNG) Assessment of the proposed development Site at Meltham Greenway Phase 3A.
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-7872-01A.
4. 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.
5. For the purposes of metric calculations, the Site area has been measured using GIS against the provided red line boundary as 0.21ha.
6. 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-7872-03 and should be submitted as part of the application.

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



Pre-development baseline

Habitats identified

7. 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

8. Habitat condition has been assessed as part of the Preliminary Ecological Appraisal of the Site.
9. Information on condition assessments is provided in the Excel spreadsheet CA-7872-02 provided alongside this report.

Strategic Significance

10. Part of the Site overlaps with habitat designated in the West Yorkshire Wildlife Habitat Network (WHN) and so is mapped as ‘formally identified in local strategy’.

Irreplaceable habitat

11. Irreplaceable habitats have not been found on Site.

Habitat Degradation¹

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

Biodiversity Metric

13. Habitat types, conditions, and areas have been entered into the Statutory Biodiversity Metric Calculation Tool, alongside information on their strategic significance.
14. The Statutory Biodiversity Metric Calculation Tool (published 03/07/2025), is provided alongside this

assessment, in Excel spreadsheet BM-7872-03, and may be useful in investigating design options for the Site.

Table 1 Habitat Types.

Habitat	Label ref.	Irreplaceable?	Distinctiveness	Condition	See Condition Assessment sheet
Lowland mixed deciduous woodland	W1 and W2	No	High	Poor	24B

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 1.48 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	0	Can be replaced with <u>any</u> habitat of the same distinctiveness (low) or any habitat from a higher distinctiveness (Medium, High or Very High)
Medium	0	<u>Can not</u> be replaced with habitats from a lower distinctiveness. Compensation needs to be like for like, or like for better. This means it can only be replaced by habitat from the same broad categories in Medium distinctiveness, or any habitat from a higher distinctiveness category (High or Very High).
High	1.48	Can only be replaced with the same habitat.
Very High	0	Can only be replaced with the same habitat; bespoke compensation required.
Irreplaceable	0	Bespoke compensation required, outside of BNG.

Post Development - De minimis exemption

Proposed habitats

18. Figures 3 and 4 opposite show the Construction Details Plans dwg. HD/ADV-207/CON/1-1A and dwg. HD/ADV-207/CON/1-1B (Highways Service Kirklees Council, September 2024).
19. The Site has a baseline value of 1.48 Habitat Units made up of lowland mixed deciduous woodland. Plans show works to tarmac an existing unsealed path that sits beneath the tree canopy. These works will not have a significant enough effect to change the habitat type and condition, where the woodland canopy will continue to sit above the area of works. Some selective thinning of the canopy will occur, however this will not have a degrading effect on the condition assessment as the woodland is already assessed as being in poor condition and it may have a positive impact on the woodland condition. As a result, there will be no loss of habitat on-Site post development.

De minimus exemption

20. Under the Biodiversity Gain Requirements (Exemptions) regulations 2024, the biodiversity planning condition may not apply when a development meets both of the following conditions:
 - 1) Development does not impact an on-site priority habitat.
 - 2) Development impacts:
 - a. less than 25m² of on-site area habitat with a biodiversity value greater than zero; and
 - b. less than 5m in length of any on Site linear habitat
21. In the context of this legislation, habitat is defined as impacted where habitat is lost or degraded such that there is a decrease in biodiversity value of that habitat.
22. Woodland on-Site is mapped as priority habitat but will not be subject to impacts that cause the loss or degradation of the existing habitat. Development will not impact areas greater than 25m² of area habitat with a biodiversity value greater than zero, or areas greater than 5m of on-Site linear habitat.
23. As such this Site qualifies to be considered under the de minimis exemption.

Figure 3 Construction Details dwg. HD/ADV-207/CON/1-1A

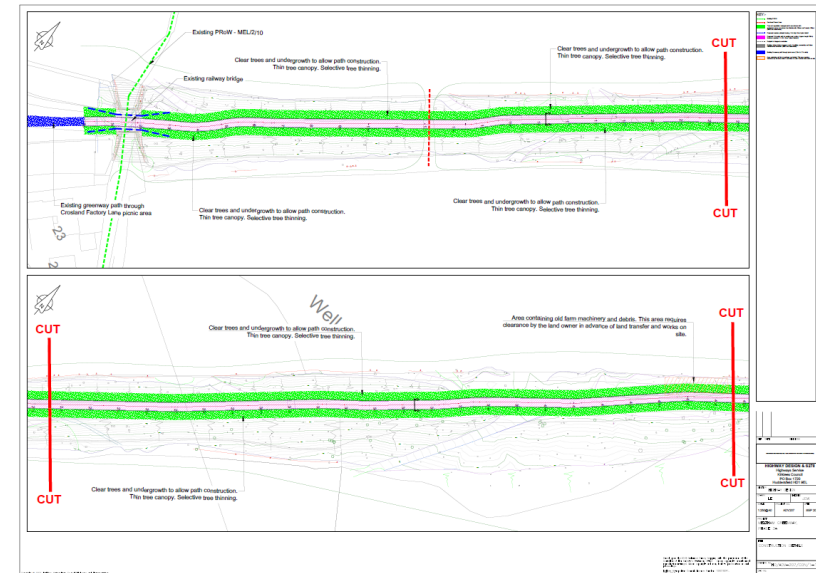
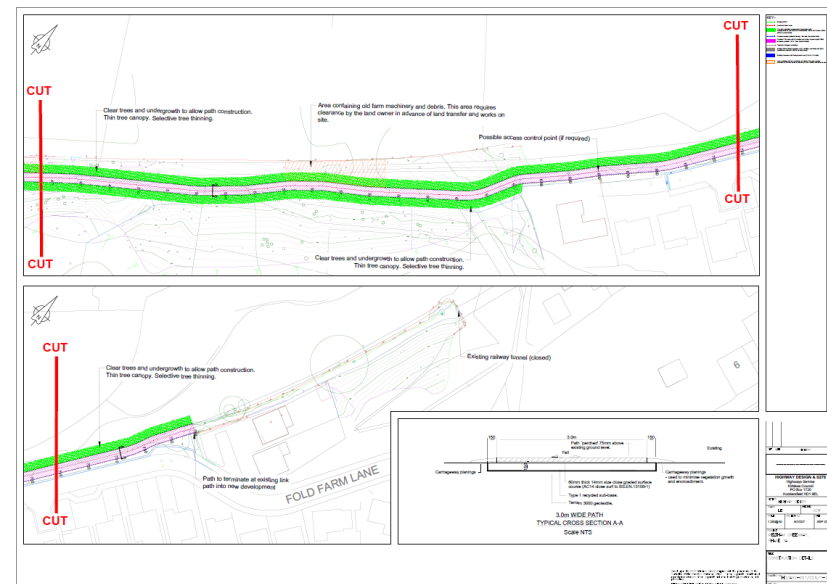


Figure 4 Construction Details dwg. HD/ADV-207/CON/1-1B



Conclusion

24. The Statutory Metric has been used to calculate the baseline Habitat Units for the Site, which is returned as 1.48 Habitat Units comprising entirely of Lowland Mixed Deciduous Woodland.
25. There are no priority habitats on-Site that will be impacted by works and no change in Habitat Units is predicted post development. This is as all habitats with a value greater than zero will be retained and the condition unaffected.
26. The development is therefore considered to qualify under the de minimis exemption, meaning the Biodiversity Gain condition should not apply. This will need to be confirmed with the Local Planning Authority.

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/>

Ministry of Housing, Communities & Local Government. 2024. *National Planning and Policy Framework*. London: Her Majesty's Government. [Online]. Available from: <https://assets.publishing.service.gov.uk/media/675abd214cbda57cacd3476e/NPPF-December-2024.pdf>

The Statutory Biodiversity Metric User Guide. 2025. 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). 2025. 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. 2025. 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-7872-03 – Statutory Biodiversity Metric Calculation Tool
- CA-7872-02 – Statutory Biodiversity Metric Condition Assessments
- ER-7872-01A – 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**.