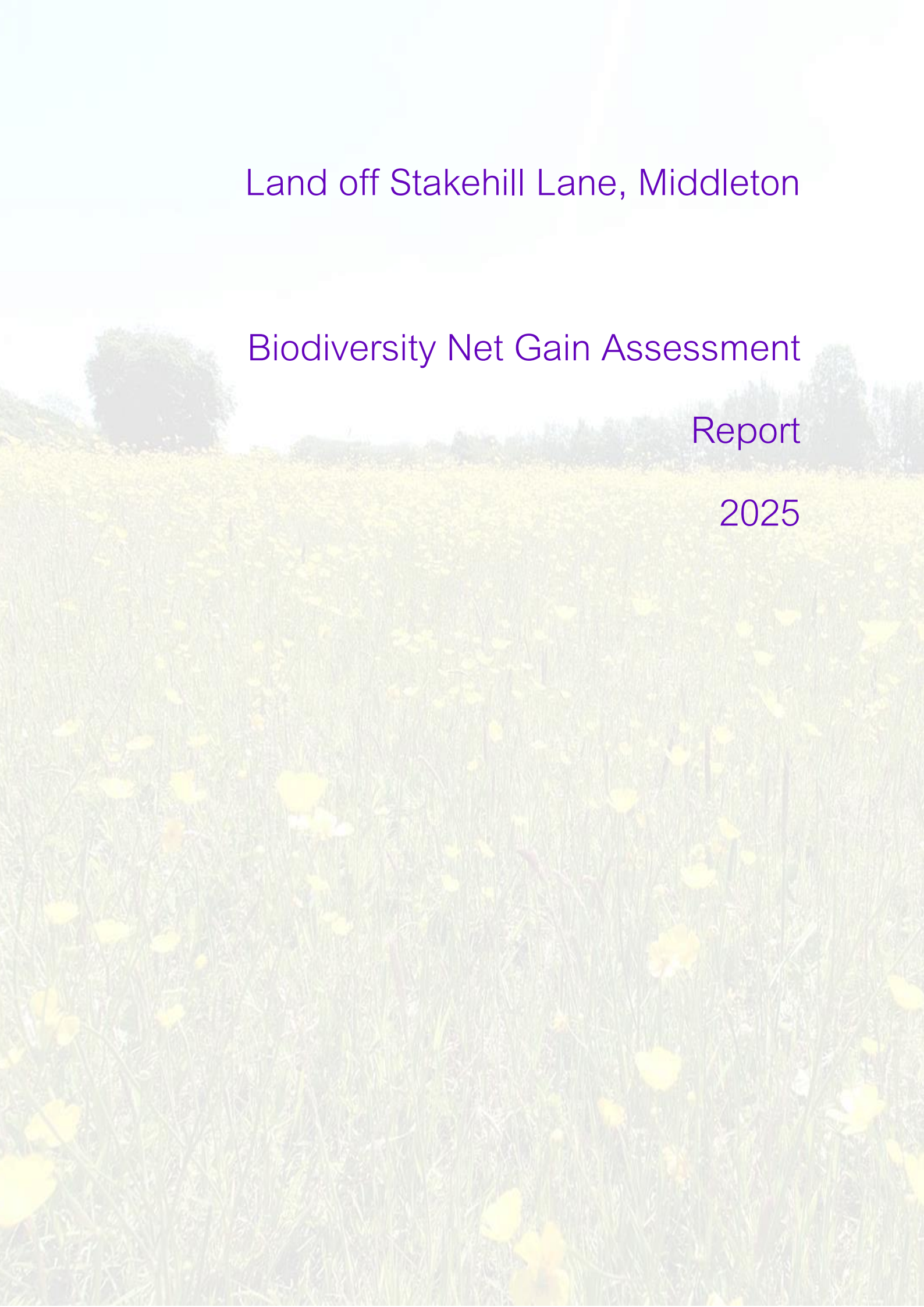




Land off Stakehill Lane, Middleton

Biodiversity Net Gain Assessment

Report

2025

Client Trustees of J. P. Milne Will Trust

Project Title Land off Stakehill Lane, Middleton

Project Reference RHE.4098

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# Executive Summary

## Development Details

The client is proposing mixed-use development on land off Stakehill Lane, Middleton, hereafter referred to as 'the site'.

## Biodiversity Impact Assessment

Baseline habitats on site score a total of 78.83 habitat units, 5.86 hedgerow units and 0.70 watercourse units. Post-development assessment scores are 104.34 habitat units, 1.91 hedgerow units and 0.70 watercourse units. This represents a net gain of 25.51 habitat units (+32.37%) and a net loss of 3.95 hedgerow units (-67.40%). Watercourse units are at equilibrium. The trading rules relating to habitats have not been satisfied, due to a loss of trees.

## Outcomes

Further tree planting or offsetting will be required if the proposed development is to achieve 10% biodiversity net gain with habitats by satisfying the trading rules. Offsetting will be required to achieve 10% biodiversity net gain for hedgerows and watercourses (or for the latter, to de-culvert). The level and means of this will need to be agreed with the Local Planning Authority.



# 1. Introduction

## 1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited (RHE) was commissioned in 2025 by the Trustees of the JP Milne (Deceased) Will Trust (the Client) to carry out a Biodiversity Net Gain (BNG) assessment of a parcel of land off Stakehill, Middleton, Greater Manchester, hereafter referred to as the 'site'. The site is located at O.S. grid reference: SD 893 084 (see Figure 1).



Figure 1. Map showing the location of the site © Open Street Maps

### Description of Development

- 1.1.2 The site is the subject of an outline planning application for up to 350 houses and 25,000 sqft of employment floorspace (planning ref. 25/00381/OUT). RHE undertook an Ecological Impact Assessment <sup>1</sup> for the proposed development, which included details of a BNG assessment.
- 1.1.3 As part of the planning application, Greater Manchester Ecology Unit (GMEU) commented, requesting further details regarding the BNG assessment, including assessments of the watercourses (culverts), the strategic significance of the site, grassland conditions and classifications and whether there is scope to retain some hedgerows. This BNG report addresses those comments.

<sup>1</sup> RHE.4098.01 Land off Stakehill Lane Middleton\_EcIA 2025

## 1.2 Scope of Work

1.2.1 The Client commissioned RHE to carry out the following works:

- Calculate the baseline and post-development biodiversity units and predicted post-development biodiversity units.
- Provide advice regarding design changes to achieve the mandatory 10% biodiversity net gain where necessary.



## 2. Methods

### 2.1 Biodiversity Net Gain

- 2.1.1 During the site walkover the ecological condition of each habitat was assessed in accordance with the Defra (2024) guidelines<sup>2</sup>. Habitat types recorded and mapped during the field survey were converted from the JNCC system to the UK Habitat Classification system<sup>3</sup>.
- 2.1.2 Habitat data including type, area (or length), condition and strategic location were uploaded to the Defra Statutory Biodiversity Metric Calculator spreadsheet to determine the baseline value of the site. The extent of any habitats to be retained or enhanced was also entered into baseline worksheets.
- 2.1.3 The post-development masterplan was interrogated to determine areas of hard standing, buildings, and associated infrastructure. New, retained and enhanced habitats were classified and allocated a target condition, based on habitat type, location and management input. This information was uploaded to the metric spreadsheet to obtain a post-development value.
- 2.1.4 The pre- and post-development values were compared to determine whether the yield of biodiversity units achieved a deficit or gain.

### 2.2 Mitigation Hierarchy

- 2.2.1 Mitigation measures should be embedded within the masterplan design and planning application process. Measures during the construction phases should be included in a Construction Environmental Management Plan: Biodiversity (CEMP). This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:
- Aim to avoid negative effects through the design process.
  - Mitigate if negative effects cannot be avoided.
  - Use compensation measures to offset residual impacts.
  - Identify and implement opportunities to enhance biodiversity.

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<sup>2</sup> The\_Statutory\_Biodiversity\_Metric\_-\_User\_Guide\_.pdf (publishing.service.gov.uk)

<sup>3</sup> UKHab-v2.01-July-2023-Final-2.pdf. at <http://UKhab.org>

## 3. Baseline Habitats

- 3.1.1 Please refer to *RHE.4098 The Statutory Biodiversity Metric Calculation Tool Macro enabled 011025* throughout.
- 3.1.2 The baseline is calculated to be 78.83 habitat units (a minor reduction since the original BNG assessment due to re-assessing grasslands and measurements), 5.10 hedgerow units and 0.61 watercourse units.
- 3.1.3 The site is comprised of several different habitat types, for clarity habitats below are listed in the same order they appear on The Statutory Biodiversity Metric Calculator Tool. The habitat survey map is located in Appendix 1.
- 3.1.4 Most habitats on site lie within a Nature Improvement Area, which is of strategic significance. Some habitats (e.g. the fishing lodges) lie outside this designation.

### 3.2 Area Habitats

#### Modified Grassland

- 3.2.1 Most of the site comprises species-poor intensively managed grassland, dominated by Yorkshire Fog *Holcus lanatus*, with other similar lush sward species. Herbs are rarely encountered. This habitat achieves poor condition only due to a lack of species diversity. This measures 18.088ha and delivers 41.60 habitat units.

#### Other Neutral Grassland (semi improved on map)

- 3.2.2 Other neutral (dry) grassland accounts for 1.975ha, is condition assessed as poor due to a lack of species diversity and delivers 9.09 habitat units.

#### Bare Ground

- 3.2.3 Bare ground habitat extends to 0.336ha, is condition assessed as poor and delivers 0.67 habitat units.

#### Developed Land; Sealed Surface

- 3.2.4 Developed land; sealed surface habitat on site includes 0.087ha of buildings and 0.928ha of hardstanding.
- 3.2.5 Developed land; sealed surface does not qualify to be condition assessed. Collectively developed land; sealed surface accounts for 1.094ha and contributes zero habitat units.

#### Bracken

- 3.2.6 A small portion of Bracken habitat exists on site. Bracken habitat on site accounts for 0.046ha, does not qualify for a condition assessment and contributes 0.09 habitat units.



#### Bramble Scrub

- 3.2.7 Bramble scrub habitat on site accounts for 0.165ha, is condition assessed as poor and contributes 0.66 habitat units.

#### Mixed Scrub

- 3.2.8 Mixed scrub habitat on site accounts for 0.16ha, is condition assessed as poor and contributes 0.64 habitat units.

#### Ruderal/Ephemeral

- 3.2.9 Ruderal/ephemeral habitat on site accounts for 0.077ha, is condition assessed as poor and contributes 0.15 habitat units.

#### Tall Forbs

- 3.2.10 Tall forbs habitat on site accounts for 0.345ha, is condition assessed as poor and contributes 0.69 habitat units.

#### Introduced Shrub

- 3.2.11 Introduced shrub habitat on site accounts for 0.047ha, does not qualify for a condition assessment and contributes 0.09 habitat units.

#### Ponds (Non-priority Habitat)

- 3.2.12 Multiple ponds exist on site and collectively, ponds on site account for 1.06ha. All the ponds are condition assessed as poor, contributing 4.24 habitat units.

#### Non-cereal Crops

- 3.2.13 Non-cereal crops habitat on site accounts for 0.024ha. This habitat does not qualify to be condition assessed and contributes 0.05 habitat units.

#### Rural Trees

- 3.2.14 To calculate the correct area (ha) for trees on site the tree helper, located on the Main Menu tab of The Statutory Biodiversity Metric Calculation Tool was used. Trees are not identified within the local strategy and all trees on site have been condition assessed as moderate.

#### Small Trees

- 3.2.15 Small trees on site account for 0.936ha and contribute 7.49 habitat units.

#### Medium Trees

- 3.2.16 Medium trees on site account for 0.342ha and contribute 2.74 habitat units.

#### Large Trees

- 3.2.17 Large trees on site account for 0.1466ha and contribute 1.17 habitat units.

#### Very Large Trees

- 3.2.18 Very large trees on site account for 0.1529ha and contribute 1.22 habitat units.



### Marshy Grassland

- 3.2.19 Marshy grassland habitat on site accounts for 0.548ha, is condition assessed as poor and is not identified within the local strategy. This habitat contributes 2.19 habitat units.

### Other Neutral Grassland – Semi Improved / Tall Ruderal Mosaic

- 3.2.20 Other neutral grassland (semi improved/tall ruderal mosaic) habitat on site accounts for 0.922ha, is condition assessed as poor and is not identified within the local strategy. This habitat contributes 3.69 habitat units.

## 3.3 Hedgerow (Linear) Habitats

- 3.3.1 A total of 15 hedgerows exist on site and hedgerows are all identified within the local strategy.

### H1

- 3.3.2 Hedgerow one (H1) is a native hedgerow, extending to 0.0956km and is condition assessed as moderate. H1 contributes 0.38 hedgerow units.

### H2

- 3.3.3 Hedgerow two (H2) is classified as a non-native and ornamental hedgerow, it extends to 0.0505km, is condition assessed as poor and contributes 0.05 hedgerow units

### H3

- 3.3.4 Hedgerow three (H3) is a native hedgerow, extending to 0.0548km, is condition assessed as moderate and contributes 0.22 hedgerow units.

### H4

- 3.3.5 Hedgerow four (H4) is a native hedgerow, extending to 0.129km, is condition assessed as moderate and contributes 0.52 hedgerow units.

### H5

- 3.3.6 Hedgerow five (H5) is a native hedgerow, extending to 0.0898km, is condition assessed as moderate and contributes 0.36 hedgerow units.

### H6

- 3.3.7 Hedgerow six (H6) is a native hedgerow, extending to 0.0374km, is condition assessed as poor and contributes 0.07 hedgerow units.

### H7

- 3.3.8 Hedgerow seven (H7) is a native hedgerow, extending to 0.101km, is condition assessed as poor and contributes 0.20 hedgerow units.

### H8

- 3.3.9 Hedgerow eight (H8) is classified as a non-native and ornamental hedgerow, extending to 0.144km. It is condition assessed as poor and contributes 0.14 hedgerow units.



#### H9

- 3.3.10 Hedgerow nine (H9) is classified as a non-native and ornamental hedgerow, extending to 0.2km. It is condition assessed as poor and contributes 0.20 habitat units.

#### H10

- 3.3.11 Hedgerow ten (H10) is a native hedgerow, extending to 0.144km, is condition assessed as moderate and contributes 0.58 hedgerow units.

#### H11

- 3.3.12 Hedgerow eleven (H11) is a native hedgerow, extending to 0.111km, is condition assessed as moderate and contributes 0.44 hedgerow units.

#### H12

- 3.3.13 Hedgerow twelve (H12) is a native hedgerow, extending to 0.163km, is condition assessed as good and contributes 0.98 hedgerow units.

#### H13

- 3.3.14 Hedgerow 13 (H13) is a native hedgerow, extending to 0.223km, is condition assessed as moderate and contributes 0.89 hedgerow units.

#### H14

- 3.3.15 Hedgerow fourteen (H14) is a native hedgerow, extending to 0.014km, is condition assessed as poor and contributes 0.03 hedgerow units.

#### H15

- 3.3.16 Hedgerow fifteen (H15) is a native hedgerow extending to 0.016km, is condition assessed as poor and contributes 0.03 hedgerow units.

## 3.4 Watercourse (Linear) Habitats

- 3.4.1 Three watercourse culverts exist on site, all watercourses were identified in the Flood Risk Assessment and their associated cross reference letters are included below. Culverts are not identified within the local strategy.

#### Whit Brook (Watercourse C)

- 3.4.2 Whit Brook watercourse is culverted beneath the site. The culvert extends to 0.13km, is condition assessed as poor and contributes 0.20 watercourse units.

#### Watercourse A

- 3.4.3 Watercourse A extends to 0.24km, is condition assessed as poor and contributes 0.28 watercourse units.

#### Watercourse D

- 3.4.4 Watercourse D extend to 0.14km, is condition assessed as poor and contributes 0.22 watercourse units.



## 4. Proposed Habitats

### 4.1 Retained Habitats

- 4.1.1 The summary of the retained habitats as part of the proposals are shown within the Table 1 below. A further breakdown of this calculation for each habitat to be retained is below. No habitats to be retained are identified with the local strategy. For clarity habitats are listed in the order that they appear on the accompanying Metric Calculator document.

| Table 1. Showing a summary of the retained and enhanced habitats on site |                   |
|--------------------------------------------------------------------------|-------------------|
| Metric section                                                           | Units Achieved    |
|                                                                          | Retained Habitats |
| Habitat Units                                                            | 16.70             |
| Hedgerow Units                                                           | 1.91              |
| Watercourse Units                                                        | 0.70              |

#### Habitat Units

- 4.1.2 Ponds and the majority of trees are to be retained on site, the details of these are specified below.

#### Ponds (Non-priority Habitat)

- 4.1.3 All ponds on site will be retained; this will result in the retention of 4.24 habitat units.

#### Small Trees

- 4.1.4 0.13 habitat units will be lost in regard to small trees, retaining the remaining 7.42 habitat units.

#### Medium Trees

- 4.1.5 A total of 20 of the 21 medium trees on site are to be retained. This will result in the retention of 3 habitat units.

#### Large Trees

- 4.1.6 All large trees on site will be retained resulting in the retention of 1.35 habitat units.

#### Very Large Trees

- 4.1.7 One very large tree on site will be retained; this will result in the retention of 0.70 habitat units.

#### Hedgerow Units

- 4.1.8 H1, H2, H3, H12 and H15 will be retained in their entirety as part of the development. This results in the retention of 1.91 hedgerow units.



### Watercourse Units

- 4.1.9 The majority of all three culverts on site are proposed to be retained meaning the site will retain all baseline watercourse units. Specific lengths to be retained for each watercourse are detailed below.

### Whit Brook (Watercourse C)

- 4.1.10 0.13km of Whit Brook (watercourse C) will be retained. This results in the retention of 0.20 watercourse units.

### Watercourse A

- 4.1.11 0.18km of watercourse A will be retained. This will result in the retention of 0.28 watercourse units.

### Watercourse D

- 4.1.12 0.14km of watercourse D will be retained. This will result in the retention of 0.22 watercourse units.

## 4.2 Created Habitats

- 4.2.1 The summary of the created habitats as part of the proposals is shown below in Table 2. A further breakdown of this calculation for each habitat is present below, in the order it appears on the accompanying Metric Calculator document. It is anticipated that the habitats of higher ecological value (i.e. the species-rich mixed scrub and wildflower grassland) will be retained within the Nature Improvement Area (NIA), and the developed areas, including buildings, gardens, SUDS etc., will be removed from the NIA.

| Table 2. Showing a summary of the created habitats on site |                  |
|------------------------------------------------------------|------------------|
| Metric section                                             | Units Achieved   |
|                                                            | Created Habitats |
| Habitat Units                                              | 87.64            |
| Hedgerow Units                                             | 0                |
| Watercourse Units                                          | 0                |

### Heathland and Shrub; Mixed Scrub

- 4.2.2 The proposed development will provide a total of 50.68 habitat units as part of a woodland buffer of native scrub habitat, extending to 5.244ha. This habitat is of medium distinctiveness and is proposed to be of good condition, with a target to condition of 10 years.



Grassland; Other Neutral Grassland

- 4.2.3 The proposed development will include wildflower grassland extending to 2.322ha and providing 22.44 habitat units. This habitat is of medium distinctiveness and is proposed to be of good condition, with a target to condition of 10 years.

Urban; Rain Garden

- 4.2.4 The proposed development includes a rain garden extending to 0.476ha and delivering 1.71 habitat units. This habitat is of low distinctiveness and is proposed to be of moderate condition, with a target to condition of 3 years.

Urban; Sustainable Drainage System

- 4.2.5 Sustainable urban drainage attenuation and associated habitat planting is included within the proposed the development. This habitat will extend to 0.813ha and deliver 1.96 habitat units. This habitat is of low distinctiveness and is proposed to be of moderate condition, with a target to condition of 3 years.

Grassland; Other Neutral Grassland

- 4.2.6 The proposed development will provide 0.62 habitat units as part of amenity grassland, extending to 0.32ha. This habitat is of low distinctiveness and is proposed to be of poor condition, with a target to condition of 1 year.

Individual Trees; Urban Tree

- 4.2.7 219 heavy standard trees are proposed to be planted as part of the development, this will deliver 1.71 habitat units. Urban trees are of medium distinctiveness and are proposed to be of moderate condition, with a target to condition of 27 years.

Urban; Developed Land; Sealed Surface

- 4.2.8 Urbanisation is proposed on the site. This section includes buildings, roads and pavements. Developed land; sealed surface does not deliver any habitat units and is of very low distinctiveness and does not qualify to receive a target condition. This area will extend to 10.237ha and the proposed time of the creation is zero years.

Urban; Vegetated Garden

- 4.2.9 Further urbanisation in the form of vegetated gardens in proposed on site. This habitat will deliver 8.53 habitat units and extend to 4.42ha. Proposed vegetated garden habitat is of low distinctiveness and does not qualify to receive a condition target. The proposed time of this habitat creation is 1 year.

## 5. Assessment

- 5.1.1 Achieving 10% BNG is now a mandatory requirement for most developments in England under the Town & Country Planning Act 1990. The BNG SPD requires development proposals “to demonstrate how they have increased the size of the core area, increased the quality and quantity of priority habitat and/or created new priority habitat that can act as stepping stones or corridors.” If the application of the Mitigation Hierarchy demonstrates that on-site delivery is not feasible or is insufficient to achieve a net gain and comply with the BNGSPD requirements it will be necessary to deliver off site projects, as identified by reference to the ecological network, which will “prioritise projects that are deliverable and can secure the greatest benefit for biodiversity.”
- 5.1.2 The summary of the predicted changes in Biodiversity Units is included within Table 3 below.

| Table 3 showing a summary of the Biodiversity Changes on site |                |                  |         |        |                 |                   |
|---------------------------------------------------------------|----------------|------------------|---------|--------|-----------------|-------------------|
| Metric section                                                | Units Achieved |                  |         |        | Results         |                   |
|                                                               | Baseline       | Post-development |         |        | Change in Units | Percentage Change |
|                                                               |                | Retained         | Created | Total  |                 |                   |
| Habitat Units                                                 | 78.83          | 16.70            | 87.64   | 104.34 | +25.51          | +32.37%           |
| Hedgerow Units                                                | 5.86           | 1.91             | 0.0     | 1.91   | -3.95           | -67.40%           |
| Watercourse Units                                             | 0.70           | 0.70             | 0.0     | 0.70   | 0.0             | 0%                |

- 5.1.3 The baseline habitats are calculated to provide 78.83 habitat units, 5.86 hedgerow units and 0.70 watercourse units.
- 5.1.4 The proposed post development habitats are calculated to provide 104.34 habitat units, 1.91 hedgerow units and 0.70 watercourse units.
- 5.1.5 The trading rules have not been satisfied, due to the loss of trees. This can be rectified by the planting of more trees within the development, which need to provide a minimum of 0.385 habitat units.
- 5.1.6 For the proposed development to achieve an overall net gain for biodiversity it will be necessary to seek mitigation or compensation for shortfalls within habitat, hedgerow and watercourse units either by the creation of hedgerows on site, the opening up of the culverts, direct management of land by the applicant or the purchase of biodiversity units from a third party.
- 5.1.7 Scenario A is on-site mitigation, which will be required to achieve a minimum of 4.54 hedgerow units and a minimum of 0.07 watercourse units. If on-site mitigation is insufficient to deliver a post-development net gain for biodiversity, two other options are available:

- 5.1.8 Scenario B: the developer is unable to compensate all impacts on-site but is able to secure local compensatory habitat creation. This scenario is not modelled explicitly and would require making assumptions for what an individual development might look like.
- 5.1.9 Scenario C: the developer is unable to compensate on site and is unable to find local compensatory habitat in which to invest. Instead, they have to pay for their units through a biodiversity unit offsetting market. This could be The Environment Bank, or a body/organisation identified by the LPA.

## 6. Summary

- 6.1.1 The proposed development is predicted to result in a net loss of hedgerow and watercourse units.
- 6.1.2 For the proposed development to achieve Biodiversity Net Gain it will be necessary to seek mitigation or compensation for any shortfall in units, either by direct management of land by the applicant or the purchase of biodiversity units from a third party, such as the LPA or at third-party owner.



# Appendix 1: Planning Policy & Legislation

## National Policy

The National Planning Policy Framework (NPPF 2025) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 187 and 193, shown below:

- 187. Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
  - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
  - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 193. 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;



- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>70</sup> and a suitable compensation strategy exists; 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.

## Legislation

The Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CRow Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.

- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;
- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.

The Environment Act 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a ‘biodiversity gain plan’ alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Act 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Act 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, ‘for reasons of overriding public interest’, and two additional tests for the granting of such licences: that there is ‘no other satisfactory solution’ and that granting the licence is ‘not detrimental to the survival of any the population of the species concerned’. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

## Appendix 2: Phase 1 Habitat Maps

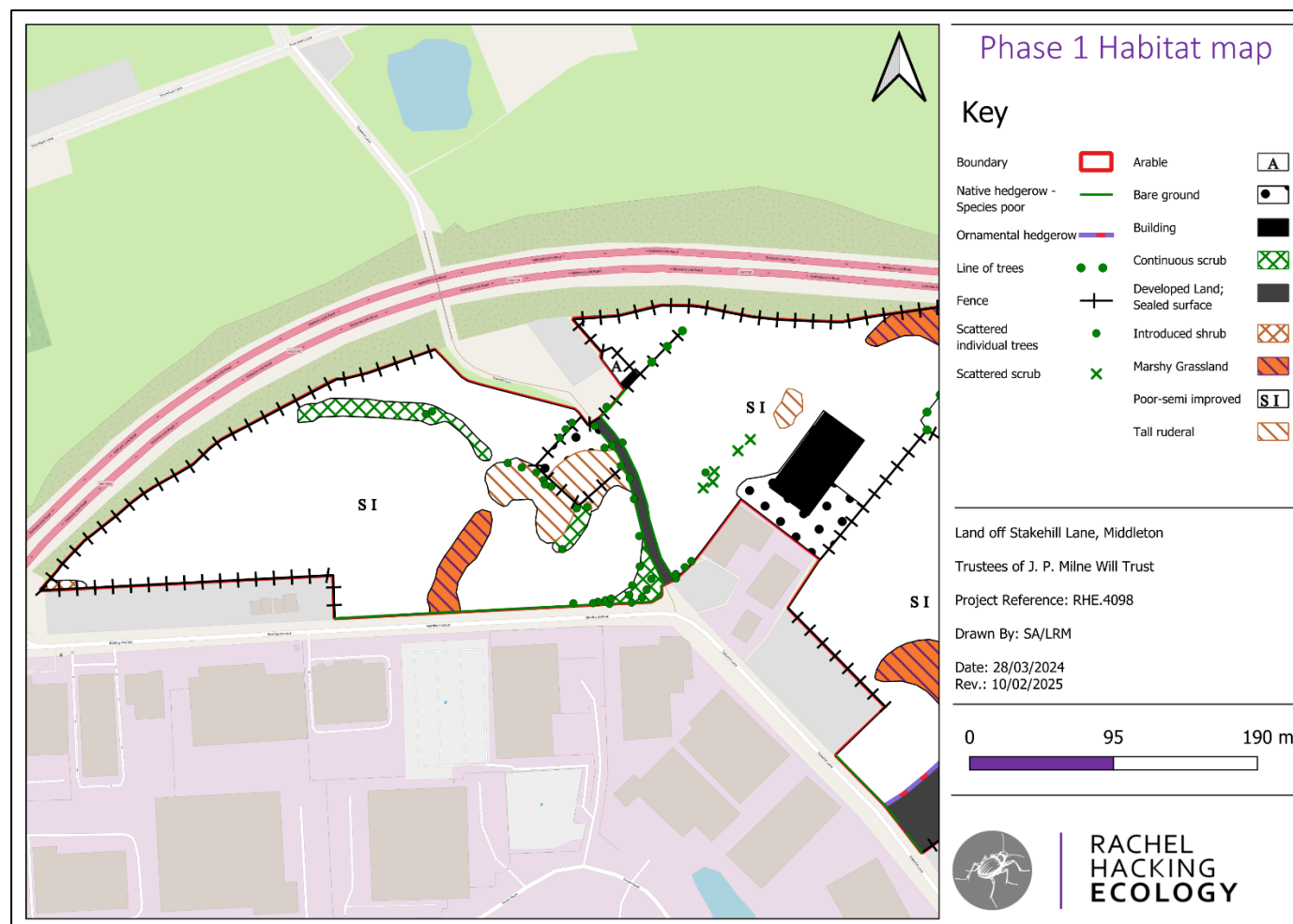


Figure 2 Habitat map 1 of 3

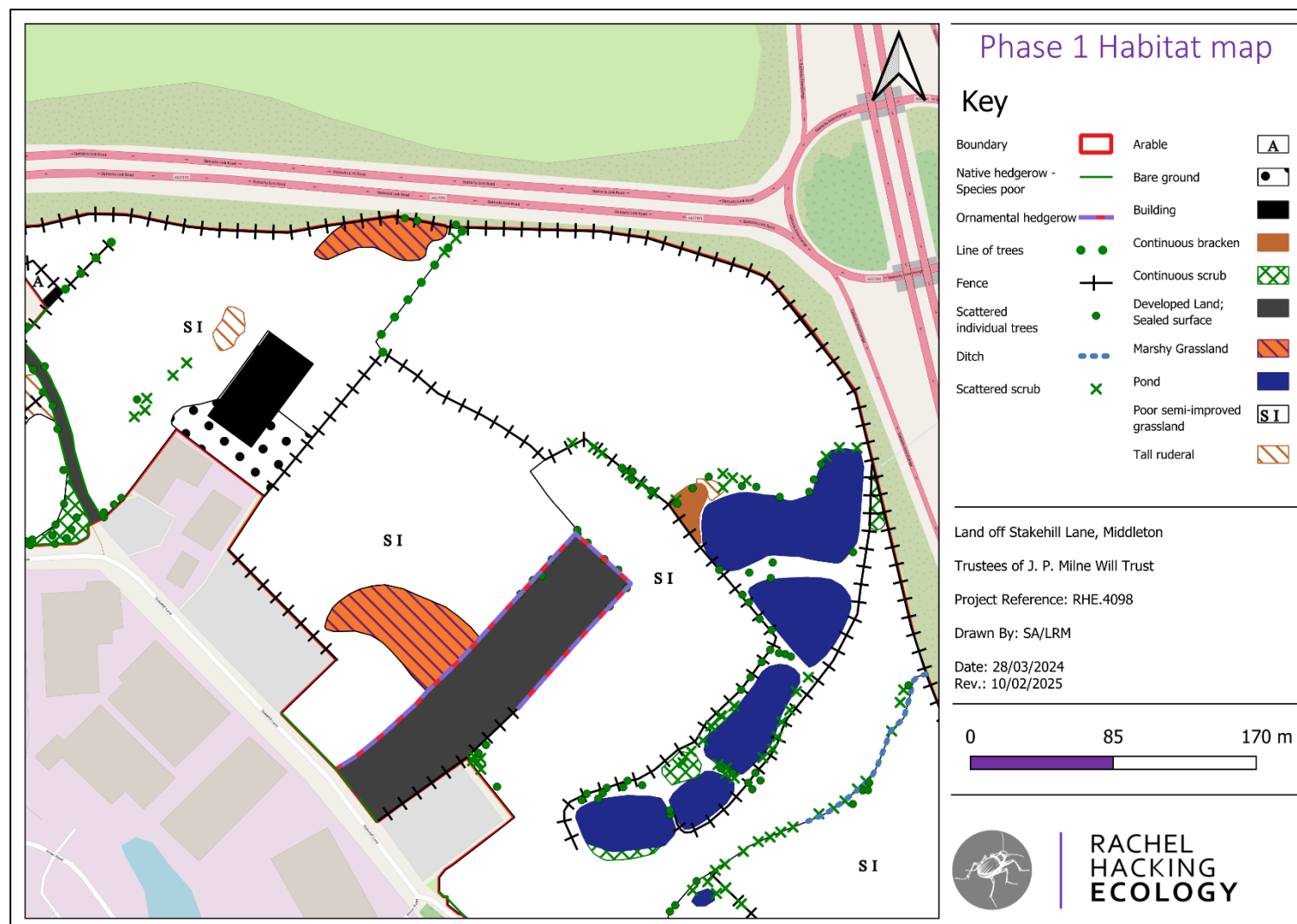


Figure 3 Habitat map 2 of 3

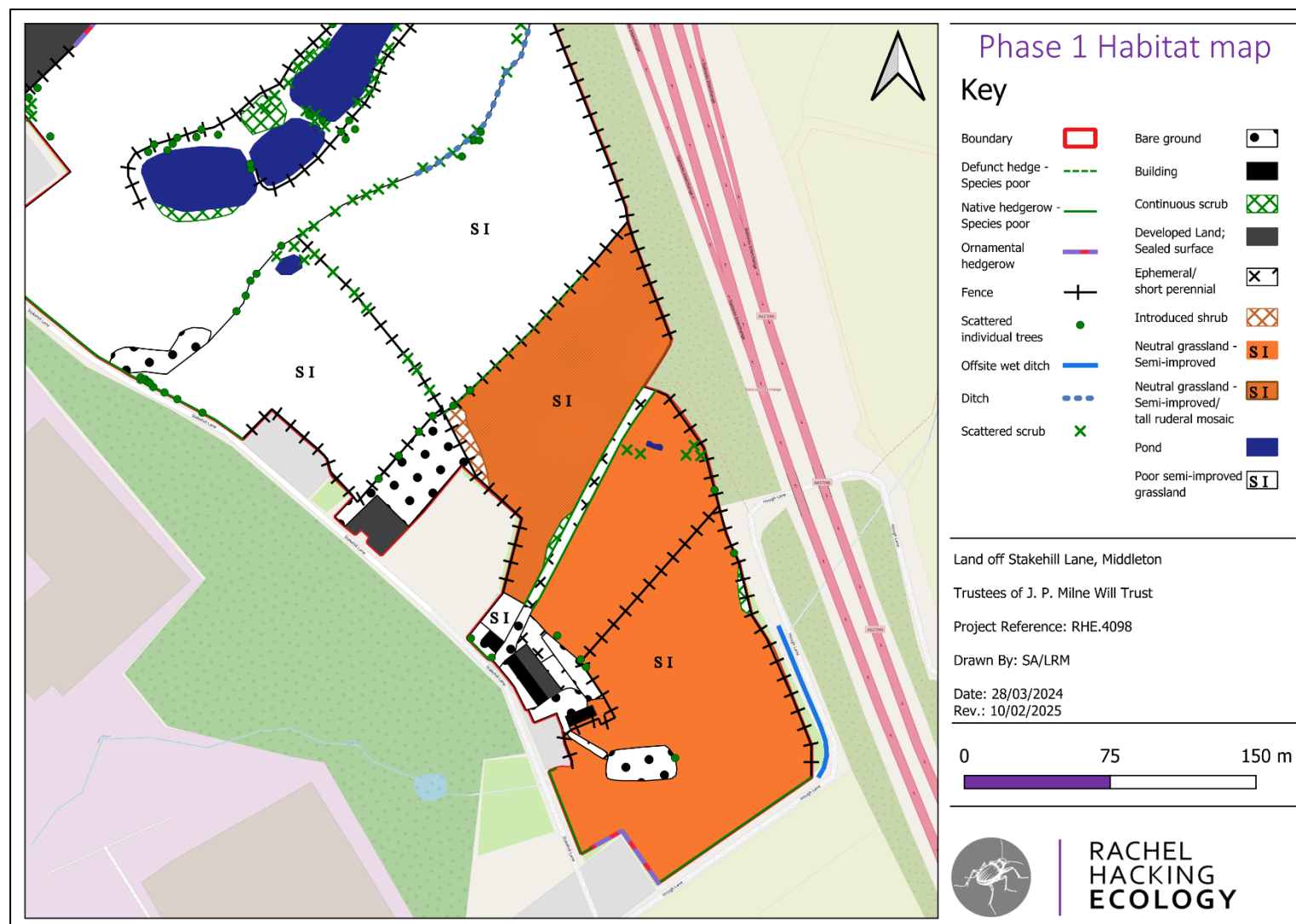


Figure 4 Habitat map 3 of 3

## Appendix 3: Landscape Plan



# Appendix 4: Headline Results

| FINAL RESULTS                                                                                                                |                                |         |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------|
| Total net unit change<br><small>(Including all on-site &amp; off-site habitat retention, creation &amp; enhancement)</small> | Habitat units                  | 25.51   |
|                                                                                                                              | Hedgerow units                 | -3.95   |
|                                                                                                                              | Watercourse units              | 0.00    |
| Total net % change<br><small>(Including all on-site &amp; off-site habitat retention, creation &amp; enhancement)</small>    | Habitat units                  | 32.37%  |
|                                                                                                                              | Hedgerow units                 | -67.40% |
|                                                                                                                              | Watercourse units              | 0.00%   |
| Trading rules satisfied?                                                                                                     | No - Check Trading Summaries ▲ |         |

