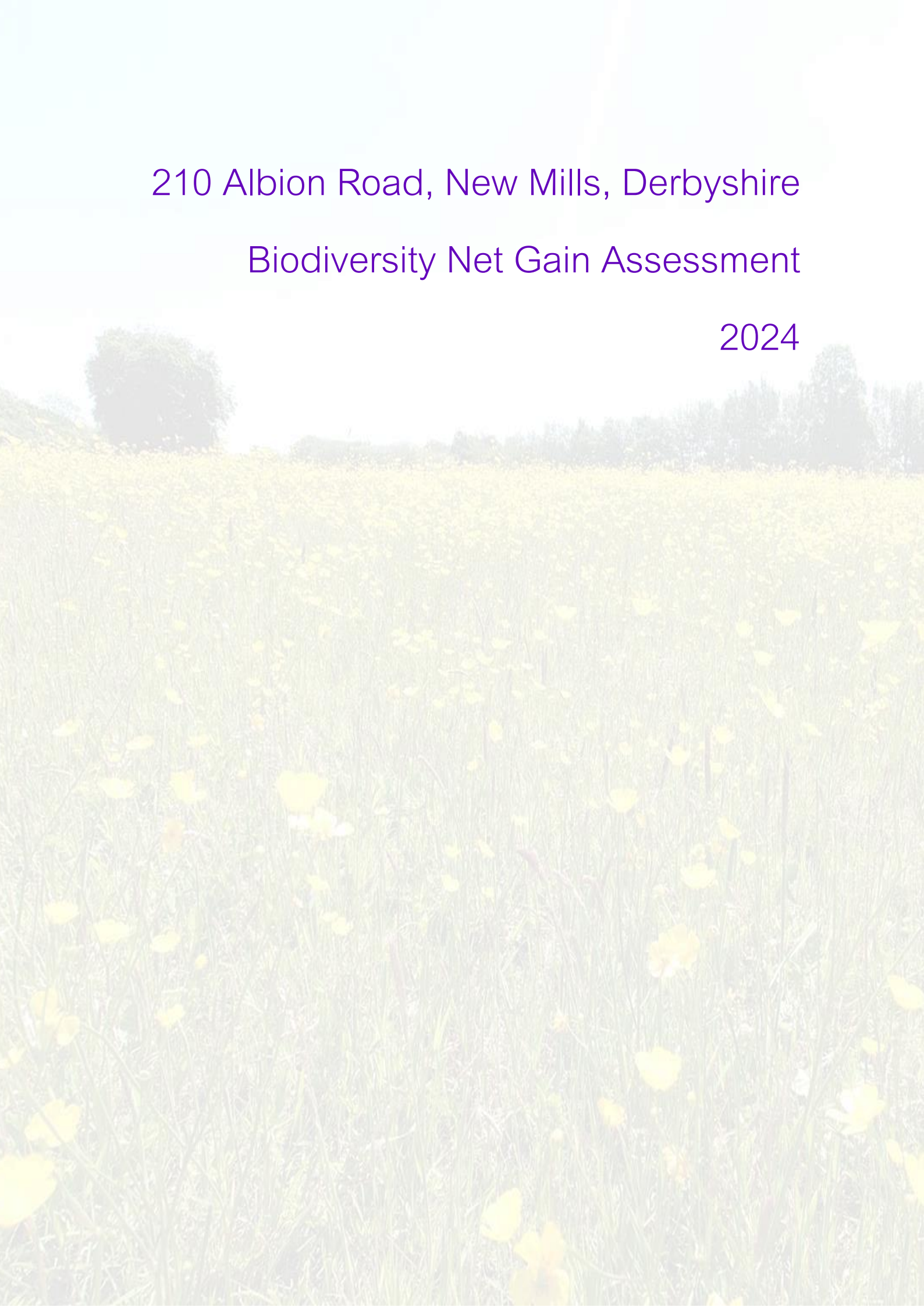


The background of the page is a photograph of a field filled with numerous yellow wildflowers, possibly buttercups, growing in tall grass. In the distance, a line of trees is visible under a pale, overcast sky. The overall tone is soft and natural.

210 Albion Road, New Mills, Derbyshire

Biodiversity Net Gain Assessment

2024

Client Mark Lane Estates Limited

Project Title 210 Albion Road, New Mills

Project Reference RHE.4135.02

Project Leader Megan Johnson

Contact Details megan@rachelhackingecology.co.uk

	Name	Position	Date
Authors	Megan Johnson	Ecologist	14/08/2024
Reviewer	Dr Rachel Hacking	Principal Ecologist	27/08/2024
Revision	Megan Johnson	Ecologist	26/09/2024



RACHEL
HACKING
ECOLOGY

The Stables, Paradise Wharf, Ducie Street, Manchester, M1 2JN

0161 465 8971



RACHEL
HACKING
ECOLOGY

www.rachelhackingecology.co.uk

mail@rachelhackingecology.co.uk



Report

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Executive Summary

Development Details

The client is proposing a residential development at 210 Albion Road, New Mills, Derbyshire. This report assesses the predicted changes in biodiversity units resulting from the proposed development.

Biodiversity Impact Assessment

Baseline assessment scores are 0.65 habitat units and 0.09 hedgerow units. Post-development assessment scores are 0.25 habitat units and zero hedgerow units. This represents a net loss of -0.25 habitat units (-61.38%) and -0.09 hedgerow units (-100%).

Outcomes

The proposed development is predicted to result in a net loss of biodiversity units. The trading rules of the metric are not met due to the loss of scrub and an individual tree. Recommendations are included relating to the unit/trading rule deficits and for achieving net gain off-site.



1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited was commissioned in 2024 by Mark Lane Estates Limited to carry out a Biodiversity Net Gain Assessment of land at 210 Albion Road, New Mills, Derbyshire. The site is located at O.S. grid reference: SJ 99413 84631 (see Figure 1).



Figure 1. Map showing the location of the site courtesy of OpenStreetMap

- 1.1.2 The proposed development site comprises ephemeral vegetation, continuous and scattered scrub and mature trees. The site is adjacent to a patch of woodland to the west. The Peak Forest Canal is located 198m north of the site and the River Goyt 454m from site. The site is set in a suburban area surrounded by residential properties with mature gardens.

Description of Development

- 1.1.3 The site is the subject of a planning application with High Peak Borough Council (HPBC) for the construction of 3no. part two-storey, part three-storey dwellings (planning reference: HPK/2024/0194).

Relevant Planning History

- 1.1.4 As part of the current planning application, Derbyshire Wildlife Trust (DWT) were consulted by HPBC. DWT requested that the development achieve 10% BNG, assessed through a BNG assessment.

2. Methods

2.1 Habitat Survey

- 2.1.1 A Preliminary Ecological Appraisal of the site was undertaken on 26th March 2024 (Rachel Hacking Ecology). The site was walked, and habitats were recorded and mapped. The survey was undertaken by Megan Johnson (Ecologist).

2.2 Biodiversity Net Gain Assessment

- 2.2.1 During the site walkover the ecological condition of each habitat was assessed in accordance with the Defra (2024) guidelines¹. Habitat types recorded and mapped during the field survey were converted from the JNCC system to the UK Habitat Classification system². Please refer to the relevant Ecological Appraisal Report for more information³.
- 2.2.2 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.
- 2.2.3 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.
- 2.2.4 The pre- and post-development values were compared to determine whether the yield of biodiversity units achieved a deficit or gain.

¹ The_Statutory_Biodiversity_Metric_-_User_Guide_.pdf (publishing.service.gov.uk)

² Butcher, B., Carey, P., et al. (2020). UK Habitat Classification – Habitat Definitions V1.1. at <http://UKhab.org>

³ RHE.4153.01 Ecological Appraisal at 210 Albion Road, New Mills, 2024

3. Results

3.1 Baseline Habitats

- 3.1.1 The UK Habs Habitat Map can be found at Appendix 2. The proposed plan can be found in Appendix 3. Headline BNG results can be found in Appendix 4. See the associated Statutory BNG condition assessment and metric spreadsheets for more information.

Mixed Scrub

- 3.1.2 The mixed scrub covers an area of 0.015ha along the western boundary of the site. This habitat is assessed as being in poor condition as it passes 1 of the 5 condition criteria (see Table 1). This habitat is of medium distinctiveness and low strategic importance. It brings 0.06 habitat units to the site.

<i>Table 1 Showing the condition assessment of the Mixed Scrub</i>														
The scores below show pass 'P' or fail 'F' for each criterion or 'NA' for any irrelevant criteria numbers where condition sheet contains fewer than 13 criteria.														
Criterion	A	B	C	D	E	F	G	H	I	J	K	L	M	TOTAL
Result	F	F	P	F	F	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1
Are any criteria non-negotiable? (Y/N) If Yes are they passed?	No					Condition (Good/Moderate /Poor):					Poor			

Sparsely Vegetated Land; Ruderal/Ephemeral

- 3.1.3 An area of ephemeral vegetation exists across the the site, extending to 0.023ha. This habitat is of low distinctiveness and low strategic importance. The ephemeral habitat is in good condition as it passes 3 of the condition criteria (see Table 2). It brings 0.14 habitat units to the site.

<i>Table 2 Showing the condition assessment of the Ephemeral</i>														
The scores below show pass 'P' or fail 'F' for each criterion or 'NA' for any irrelevant criteria numbers where condition sheet contains fewer than 13 criteria.														
Criterion	A	B	C	D	E	F	G	H	I	J	K	L	M	TOTAL
Result	P	P	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3
Are any criteria non-negotiable? (Y/N) If Yes are they passed?	Yes					Condition (Good/Moderate /Poor):					Good			

Urban; Bare Ground

- 3.1.4 An area of unsealed bare ground exists across the site, extending to 0.001ha. This habitat is of low distinctiveness and low strategic importance. The bare ground habitat is in poor condition as it passes 1 of the 3 condition criteria (see Table 3). It brings 0.00 habitat units to the site.

Table 3 Showing the condition assessment of the Ephemeral														
The scores below show pass 'P' or fail 'F' for each criterion or 'NA' for any irrelevant criteria numbers where condition sheet contains fewer than 13 criteria.														
Criterion	A	B	C	D	E	F	G	H	I	J	K	L	M	TOTAL
Result	F	F	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1
Are any criteria non-negotiable? (Y/N) If Yes are they passed?	Yes						Condition (Good/Moderate /Poor):			Poor				

Scattered Trees

- 3.1.5 1 medium tree is present on site and 1 exists along the western boundary of the site. Using the 'Tree Helper' element of the metric gives these a total cover of 0.0326ha. The trees are assessed as being in good condition as they pass 5 of the 6 condition criteria (see Table 4). This habitat is of medium distinctiveness and high strategic importance, as the trees are situated on the edge of a priority deciduous woodland. The trees and the area of oversailing canopy however, have not been included as woodland habitat, this would be considered disproportionate. The trees overhang poor quality mixed scrub that is dominated by Box. They bring 0.45 habitat units to the site.

Table 4 Showing the condition assessment of the Trees														
The scores below show pass 'P' or fail 'F' for each criterion or 'NA' for any irrelevant criteria numbers where condition sheet contains fewer than 13 criteria.														
Criterion	A	B	C	D	E	F	G	H	I	J	K	L	M	TOTAL
Result	P	P	P	F	P	P	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5
Are any criteria non-negotiable? (Y/N) If Yes are they passed?	No						Condition (Good/Moderate /Poor):			Good				

Ornamental Hedgerow

- 3.1.6 Hedgerow 1 is a Garden Privet *Ligustrum ovalifolium* hedgerow towards the northeastern corner of the site measuring 0.09km. Habitat condition assessment is automatically pre-set to poor for Non-native and ornamental hedgerow within the metric. This habitat is of low distinctiveness and low strategic importance. It brings 0.09 hedgerow units to the site.

3.2 Retained Habitats

Individual Trees

- 3.2.1 The individual tree on-site are to be retained as part of development proposals, measuring 0.0163ha of individual tree. This retains 0.22 habitat units.

3.3 Created Habitats

- 3.3.1 The Proposed Layout Plan from which the proposed measurements have been taken is provided at Appendix 3.

Buildings - Urban; Developed Land; Sealed Surface

- 3.3.2 The proposed new buildings on-site cover an area of 0.0142ha. This habitat is of very low distinctiveness and low strategic importance. Developed land; sealed surface has a condition assessment of N/A (pre-set within the Metric) and scores zero habitat units.

Buildings - Urban; Developed Land; Sealed Surface

- 3.3.3 The proposed new hardstanding on-site covers an area of 0.0102ha. This habitat is of very low distinctiveness and low strategic importance. Developed land; sealed surface has a condition assessment of N/A (pre-set within the Metric) and scores zero habitat units.

Urban; Vegetated Garden

- 3.3.4 The proposed garden space on site covers an area of 0.0135ha. This habitat is of low distinctiveness and low strategic importance. Condition assessment is not applicable to this habitat, which scores 0.03 habitat units.

4. Summary

4.1.1 The summary of the predicted changes in Biodiversity Units is shown within Table 5.

Table 5 showing a summary of the Biodiversity Net Gain Assessment							
Metric section	Units Achieved					Results	
	Baseline	Post-development				Change in Units	Percentage Change
		Retained	Enhanced	Created	Total		
Habitat Units	0.65	0.22	0.00	0.03	0.25	-0.40	-61.38%
Hedgerow Units	0.09	0.00	0.00	0.00	0.00	-0.09	-100.00%

4.1.2 The baseline habitats score 0.65 habitat units and 0.09 hedgerow units.

4.1.3 The proposed post development habitats are calculated to provide 0.25 habitat units and zero hedgerow units.

4.1.4 The proposed development is predicted to result in a net loss of -0.40 habitat units, which equates to a -61.38% net loss in habitat units. The proposed development is also predicted to result in a net loss of -0.09 hedgerow units, which equates to a -100.00% net loss in hedgerow units.

4.1.5 The extra habitat units required to achieve 10% net gain on site are 0.46. The extra hedgerow units required to achieve 10% net gain on site are 0.10.

4.1.6 The Trading Rules are not satisfied due to a loss of scrub and individual tree.

5. Recommendations

- 5.1.1 The proposed development is predicted to result in a net loss of habitat units and hedgerow units and does not satisfy the Trading Rules.
- 5.1.2 For the proposed development to achieve 10% net gain for biodiversity and satisfy the Trading Rules, it will be necessary to seek mitigation or compensation for any shortfall in units either by direct management of land owned by the applicant or the purchase of biodiversity units from a third party.
- 5.1.3 On-site mitigation has been explored under the Mitigation Hierarchy rules. This could only be achieved at Albion Road by reducing the developed area and adding an area of scrub and individual trees on site, to be managed and maintained for 30 years (outside of residential curtilages). This would render the scheme unviable. Therefore, on-site BNG provision is not possible.
- 5.1.4 Due to the inability to compensate the impacts on-site, it should be considered whether the developer owns any extra land, outside of the application site and would involve the creation of scrub and planting of individual trees on such land, to be managed and maintained for 30 years.
- 5.1.5 Off-setting is also an option, where units are bought from a third party. This could be The Environment Bank, Derbyshire Wildlife Trust, or another third-party landowner. As a last resort, Statutory Biodiversity Credits are available.

Habitat Trading Rules

- 5.1.6 The habitat Trading Rules within the metric have not been satisfied. This is due to the proposed loss of the scrub and an individual tree on the site.
- 5.1.7 The scrub recorded within the baseline provides 0.06 habitat units. To satisfy the trading rule this loss must be replaced by a similar habitat type.
- 5.1.8 The trees recorded within the baseline provides 0.45 habitat units and 0.22 habitat units are to be retained. To satisfy the trading rule this loss must be replaced by a similar habitat type.

Hedgerow Trading Rules

- 5.1.9 The hedgerow Trading Rules within the metric have not been satisfied. This is due to the proposed loss of the existing ornamental hedgerow at the site. The hedgerow recorded within the baseline provides 0.09 hedgerow units. To achieve 10% net gain in hedgerow units and meet trading requirements for hedgerows it will be necessary to replace the loss with a medium distinctiveness hedgerow, such as a native hedgerow, and this must achieve 0.10 hedgerow units.

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2023) 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 180 and 186, shown below:

- 180. 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;
 - 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.
- 186. 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 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.

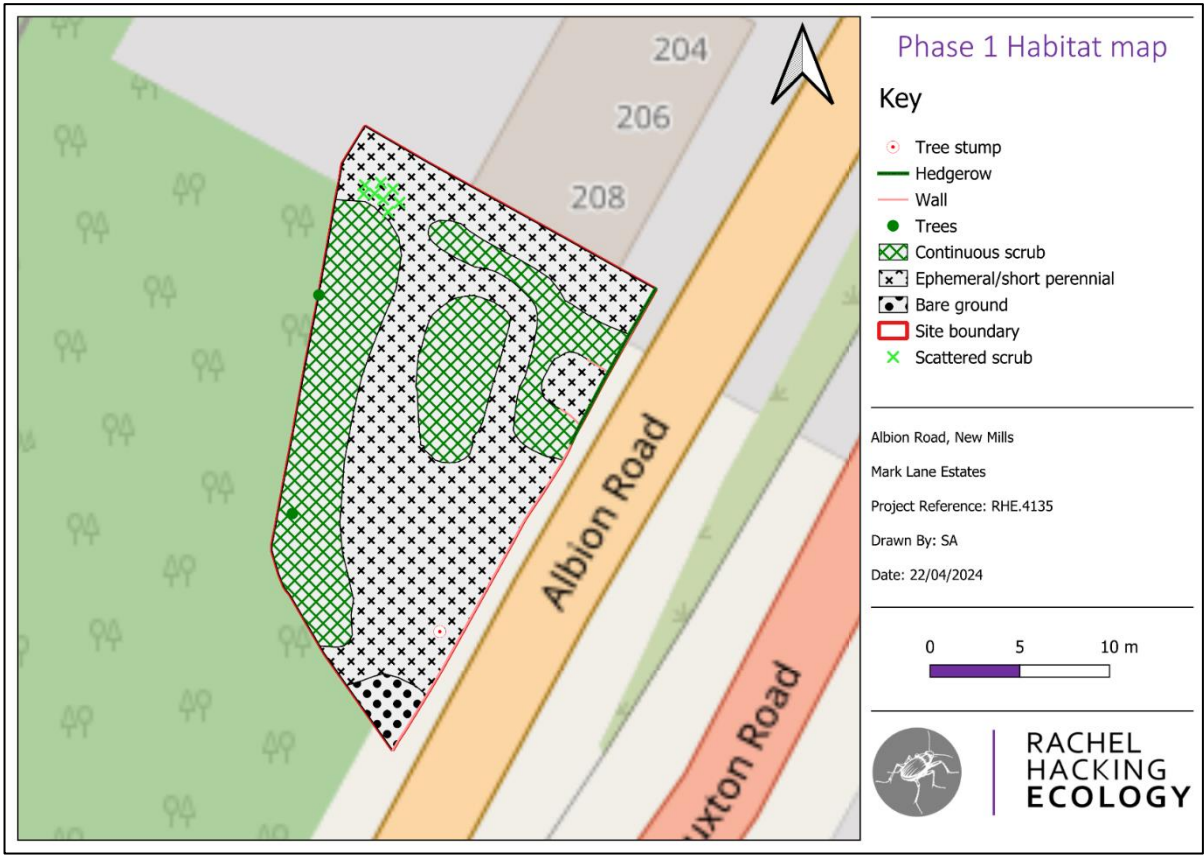
Legislation

The Environment Bill 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.

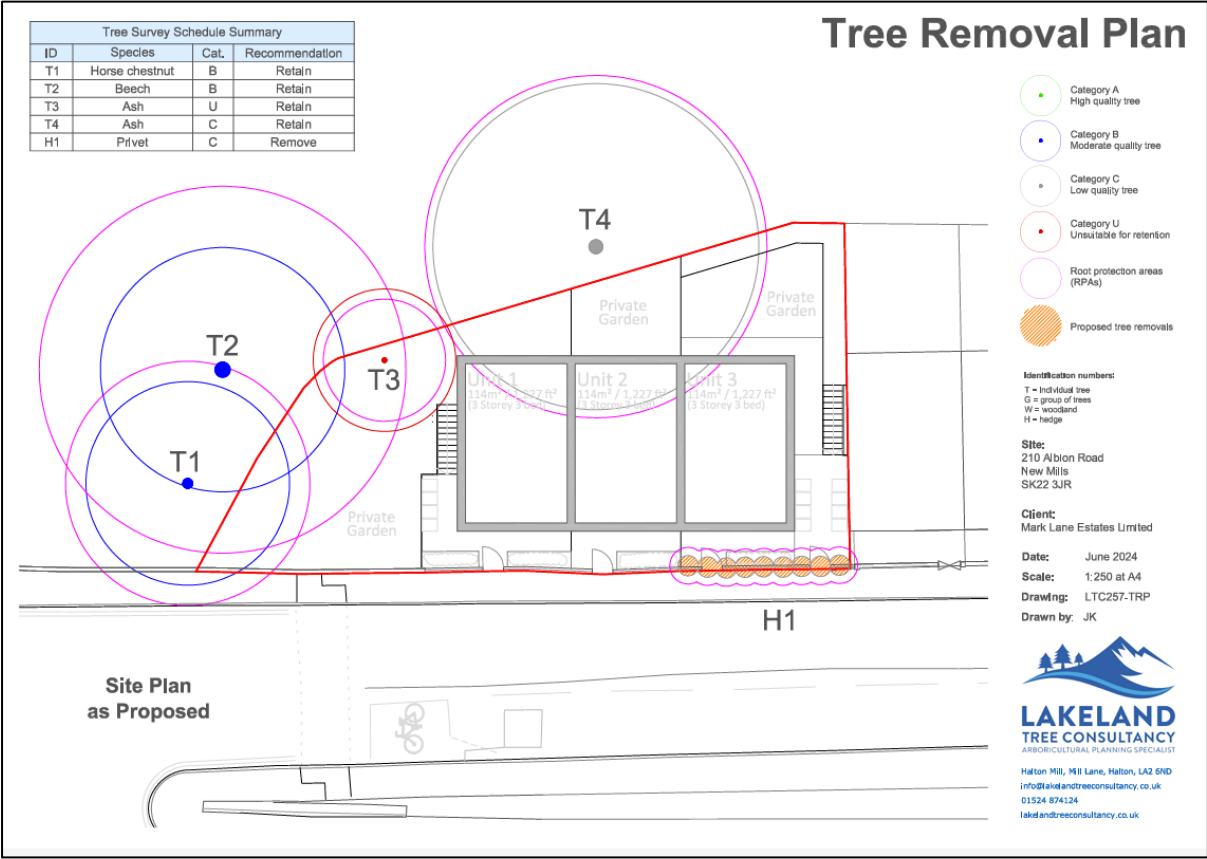
The Environment Bill 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Bill 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: Habitats Survey Plan



Appendix 3: Landscaping Proposals



Appendix 4: BNG Headline Results

210 Albion Road, New Mills

Return to results menu

Headline Results

Scroll down for final results ▲

On-site baseline

Habitat units

0.65

Hedgerow units

0.09

Watercourse units

0.00

On-site post-intervention

(Including habitat retention, creation & enhancement)

Habitat units

0.25

Hedgerow units

0.00

Watercourse units

0.00

On-site net change

(units & percentage)

Habitat units

-0.40

-61.38%

Hedgerow units

-0.09

-100.00%

Watercourse units

0.00

0.00%

On-site net gain is less than target set ▲

On-site net gain is less than target set ▲

Off-site baseline

Habitat units

0.00

Hedgerow units

0.00

Watercourse units

0.00

Off-site post-intervention

(Including habitat retention, creation & enhancement)

Habitat units

0.00

Hedgerow units

0.00

Watercourse units

0.00

Off-site net change

(units & percentage)

Habitat units

0.00

0.00%

Hedgerow units

0.00

0.00%

Watercourse units

0.00

0.00%

Combined net unit change

(Including all on-site & off-site habitat retention, creation & enhancement)

Habitat units

-0.40

Hedgerow units

-0.09

Watercourse units

0.00

Spatial risk multiplier (SRM) deductions

Habitat units

0.00

Hedgerow units

0.00

Watercourse units

0.00

FINAL RESULTS

Total net unit change

(Including all on-site & off-site habitat retention, creation & enhancement)

Habitat units

-0.40

Hedgerow units

-0.09

Watercourse units

0.00

Total net % change

(Including all on-site & off-site habitat retention, creation & enhancement)

Habitat units

-61.38%

Hedgerow units

-100.00%

Watercourse units

0.00%

Total net gain achieved is less than target set ▲

Total net gain achieved is less than target set ▲

Trading rules satisfied?

No - Check Trading Summaries ▲

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.65	0.71	0.46
Hedgerow units	10.00%	0.09	0.10	0.10
Watercourse units	10.00%	0.00	0.00	0.00

No additional watercourse units required to meet target ✓