Biodiversity Net Gain Baseline and Feasibility Report

Park Head Inn, Thornhill, Egremont, Cumbria, CA22 2RP

2025

Report commissioned by:

Mr Ken Thompson
Coniston Consultants Architects
2 Coniston Close
Workington
Cumbria
CA14 3PZ

Report compiled by:

Sam Griffin ACIEEM
Hesketh Ecology
Moss Side Farmhouse
Newton Arlosh
Wigton
Cumbria
CA7 5HE

Hesketh Ecology
Web; www.heskethecology.co.uk Email; info@heskethecology.co.uk
Tel; 016973 61028 Mob; 07786318302

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Nothing in this report constitutes legal advice or opinion. If legal opinion is required a qualified legal professional should be contacted for advice.

Contents

1. Introduction

1.1. Background and Pre-Existing Site Information

This report presents a Biodiversity Net Gain Baseline calculation and Feasibility study conducted at Park Head Inn, Thornhill, Egremont, Cumbria, CA22 2RP (Nat. Grid Ref. NY 01414 09300 - Approx. centre of site).

Plans 'as existing' have been provided (See Table 1 and Figure 2). It is understood pers. comms. Ken Thompson - Coniston Consultants - that a proposal exists for a change of use (from Public House to office space) but no plans 'as proposed' have been provided and it is therefore currently unclear what - if any - physical alterations to the Site are proposed.

This report has been commissioned to determine the Biodiversity Net Gain baseline habitats and biodiversity units on Site and explore the feasibility of / potential for achieving the required 10% (minimum) net gain.

Ken Thompson - Coniston Consultants - commissioned Hesketh Ecology to complete this survey and report in March 2025. It is understood that this report will be used to accompany a full planning application for the proposed works.

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1 (below).

Document Name / Drawing Number	Author
Park Head Inn, Thornhill, Egremont; Location Plan	Ken Thompson - Coniston Consultants
Park Head Inn, Thornhill, Egremont; Block Plan	Ken Thompson - Coniston Consultants

Table 1: *Documentation provided by client.* ***BOLD*** *text indicates plans reproduced below (Figure 2).*

1.2. Full Details of Proposed Works on Site

It is currently unclear what the proposals for the Site are. It is understood that the applicant is seeking '*a change of use to offices with rear car parking*' and that '*the Planning Officer [is] of the opinion that this may fall within the 10% rule*' (pers. comms. Ken Thompson, email dated 27th Feb 2025).

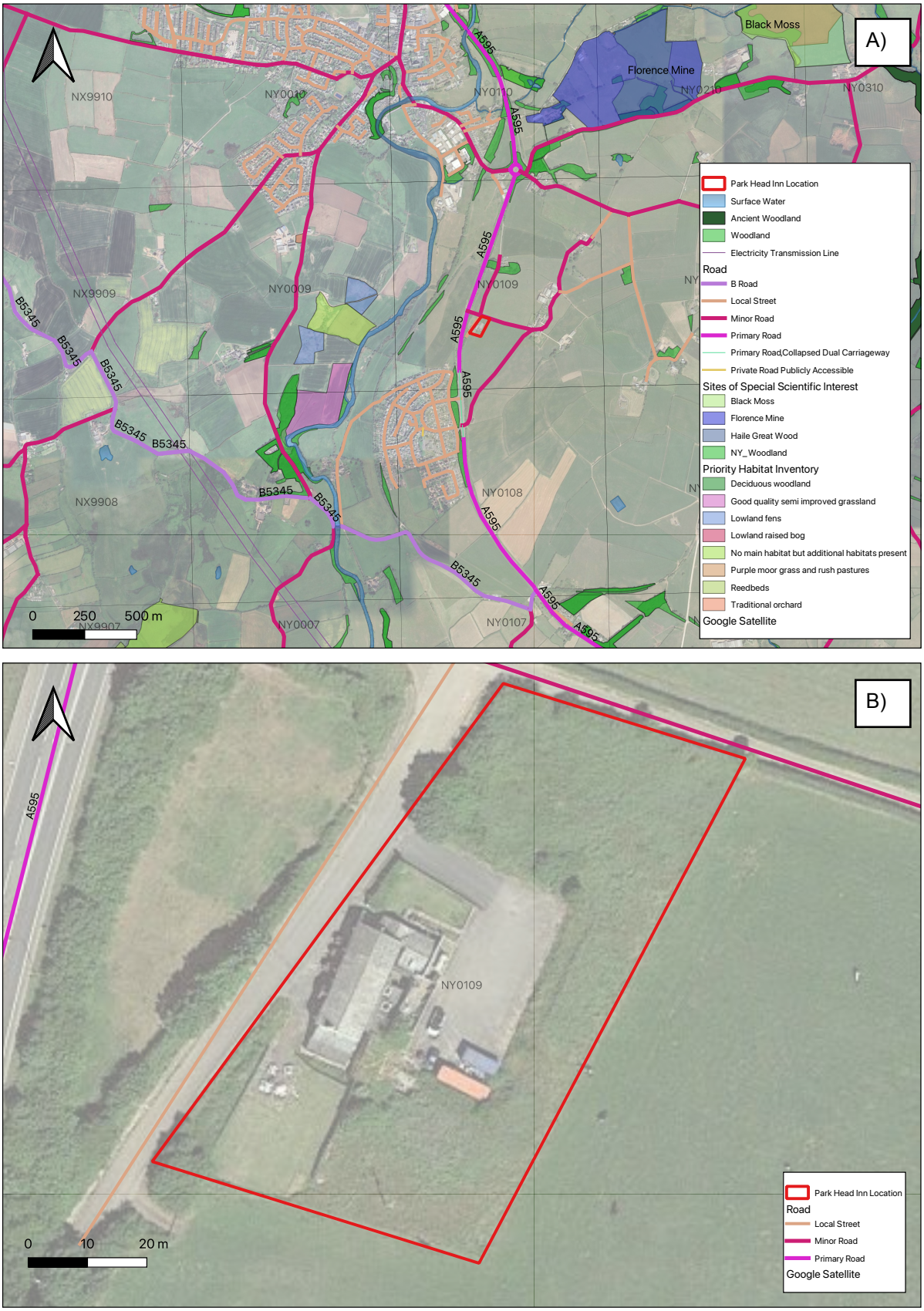

Figure 1: *Park Head Inn, Egremont A) Location Plan and B) Site boundary.*

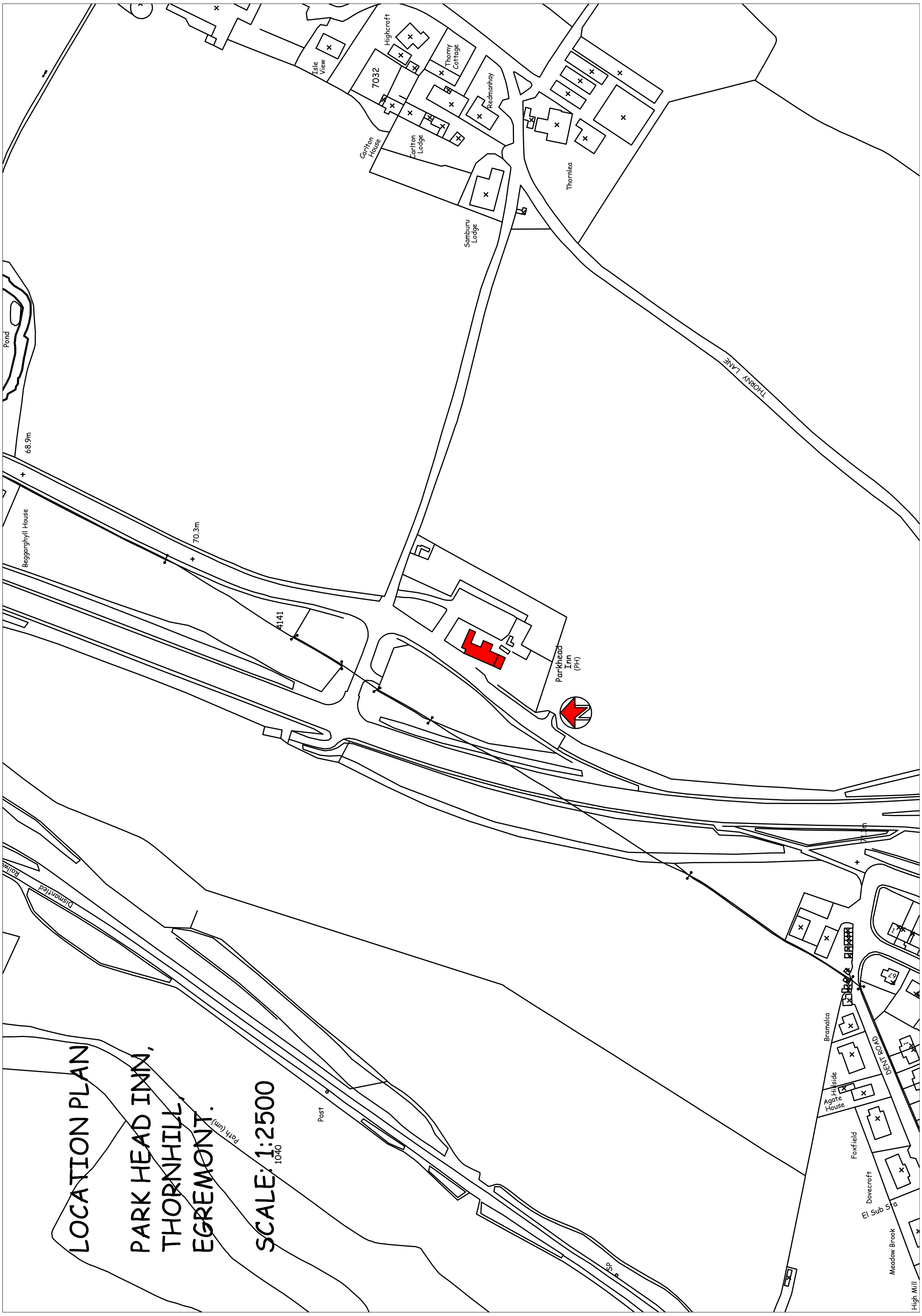

Figure 2: *Park Head Inn, Thornhill, Egremont; Location Plan by Ken Thompson - Coniston Consultants.*

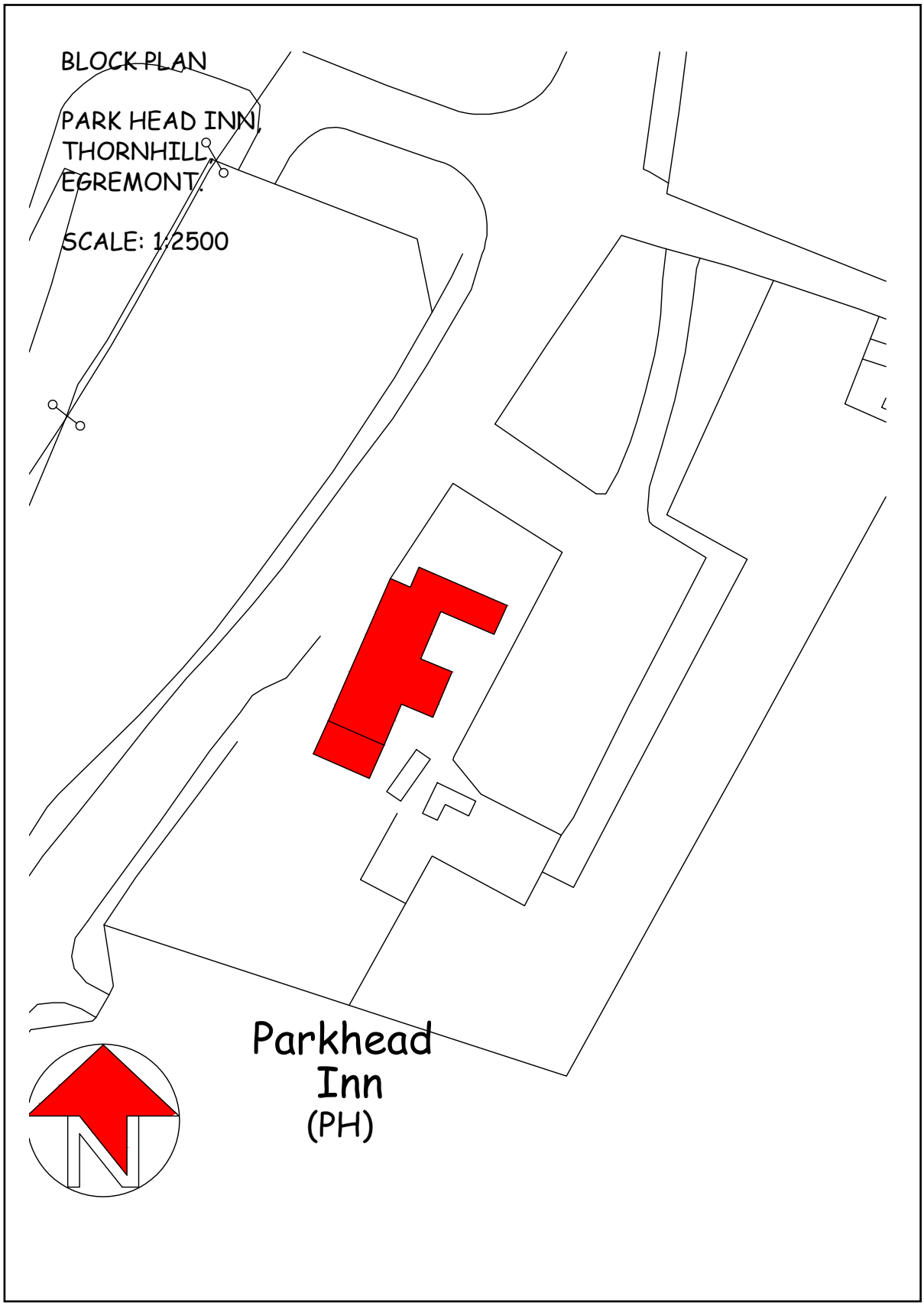

Figure 2: *Park Head Inn, Thornhill, Egremont; Block Plan by Ken Thompson - Coniston Consultants.*

2. Legislation and Policy

2.1. National Planning Policy Framework (NPPF) 2019

The National Planning Policy Framework (NPPF) was originally published by the Department of Communities and Local Government in 2012, consolidating over two dozen previously issued documents called Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) for use in England. A revised NPPF was published by the UK Government's Ministry of Housing, Communities and Local Government in 2018 and then again in 2019. The revised National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in 2012, and revised in 2018.

Chapter 15 of the NPPF, Conserving and Enhancing the Natural Environment, states (NB the following is a summary only, selecting points which relate to biodiversity and species only, for the full text see National Planning Policy Framework; February 2019, Ministry of Housing, Communities and Local Government ;

> *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*
>
> - *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);*
>
> - *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'*
>
> Paragraph 170, Pg. 49.
>
> *To protect and enhance biodiversity and geodiversity, plans should:*
>
> - *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
>
> - *promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

Paragraph 174, Pg. 50.

> *When determining planning applications, local planning authorities should apply the following principles:*
>
> - *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mit-*

igated, or, as a last resort, compensated for, then planning permission should be refused;

- *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;*

Paragraph 175, Pg. 50.

2.2. Environment Act 2021

The Environment Act includes provision for biodiversity net gain to be applied to every planning permission.

Schedule 14 of the Environment Act sets out amendments to Schedule 7A of the Town and Country Planning Act 1990, amended by the Levelling Up and Regeneration Act 2023, for the inclusion of biodiversity net gain as follows:

"*Biodiversity gain objective*

(1) The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage.
(2) The biodiversity value attributable to the development is the total of—
(a) the post-development biodiversity value of the onsite habitat,
(b) the biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development, and
(c) the biodiversity value of any biodiversity credits purchased for the development.
(3) *The relevant percentage is 10%.*"

The statutory framework for biodiversity net gain has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, unless exempt, a Biodiversity Gain Plan must be submitted and approved prior to the commencement of that development.

3. Methodology

3.1. UK Habitat Classification Survey

A survey of the site was conducted during which all areas of the site were inspected in detail. The survey was conducted in accordance with The UK Habitat Classification System V4. All habitats within the Site boundary were identified and mapped. Areas immediately adjacent the site were inspected from public rights of way only.

A relevant condition assessment was undertaken for each habitat parcel identified on site. Condition assessment sheets were obtained from 'The Statutory Biodiversity Metric -Technical Annex 1: Condition Assessment Sheets and Methodology'- July 2024 (v1.0.2). Each habitat parcel was assessed according to the attributes presented in the relevant condition assessment sheet as either 'poor', 'moderate' or 'good' condition.

3.2. Biodiversity Net Gain (BNG) Assessment

This Biodiversity Net Gain assessment has been conducted using the following best practice methodologies;

- DEFRA (2024) The Statutory Biodiversity Metric User Guide
- CIEEM, IEMA & CIRIA (2019). Biodiversity Net Gain: Good Practice Principles for Development - A Practical Guide

The 'Statutory Biodiversity Metric' was used to calculate biodiversity units.

3.3. Limitations

This BNG report only addresses impacts to habitats. Potential ecological impacts to protected species and designated sites are not considered in this report.

The baseline on-site habitats were identified during field surveys which identified the habitat type and condition and were subsequently mapped using GIS, at which point all habitat areas and lengths were rounded to three decimal places. The Statutory Biodiversity Metric Calculation Tool rounds total areas and units to three decimal places.

The Biodiversity Metric requires the strategic significance of baseline and enhanced / created habitats, both on-site and off-site, to be identified. The relevant user guides state that;

"*Where a Local Nature Recovery Strategy (LNRS) has been published, you should use the relevant published LNRS and the descriptions set out in table 7 to assign strategic significance. [...] If an LNRS has not yet been published, a relevant planning authority should specify alternative documents for assigning strategic significance whilst an LNRS is put in place*."

Cumbria does not currently have a published LNRS, however the county was selected by the Department for Environment Food and Rural Affairs (DEFRA) to be one of five pilot areas for LNRSs, which took place between August 2020 and September 2021.

The LNRS pilot led to the development of the Cumbria Local Nature Recovery Network (CLNRN). This includes the CLNRN interactive map, which identifies specific areas, zones or networks where we should aim to take action for nature. The CLNRN map is considered to be the current best and most coherent strategy with regards to prioritising nature recovery and will form the basis of the future LNRS; in conjunction with this guidance document, it will be used to determine strategic significance in Cumbria until the LNRS is published.

Whilst the above factors are acknowledged as limitations to this BNG assessment, there are considered to be no significant constraints to this assessment.

3.3. Timing

The survey was conducted on 24th April 2025.

3.4. Weather conditions

Date	Activity	Weather conditions			
		Temp (°C)	Wind (Beaufort scale)	Cloud (%)	Precipitation
24/04/2025	Field Survey; UKHabs / Condition Assessment	12	0	30	None

Table 2: *Weather conditions.*

3.5. Personnel

The site inspection and report were completed by Sam Griffin BSc ACIEEM, (NE Bat Licence CL 18 Survey Level 2; No. 2022-10877-CL18-BAT, GCN Licence Surveys Level 1; No. 2022-10878-CL08-GCN, Natterjack toad Survey Licence; No. 2022-63069-SCI-SCI, Freshwater pearl mussel Survey Licence; No. 2023-64607-SCI-SCI). Sam is an experienced and competent ecologist, with over 22 years experience of study, training and work in the field of wildlife conservation and ecology, working with protected and native species, exotics and rare breed animals. He has 18 years experience in bat survey and mitigation, has held a bat survey licence and roost visitors licence since 2006 and previously worked as an Advisor at Natural England providing consultation responses to planning applications.

4. Baseline Habitats

4.1. INTRODUCTION

The site covers 0.474ha. The baseline biodiversity map showing the existing habitats across the site is shown in Figure 3 (below). The habitats on site are as follows;

- Urban - Developed Land; Sealed Surface (u1b). 0.136ha.
- Grassland - Modified Grassland (g4). 0.302ha.
- Dense Scrub - Bramble (h3). 0.036ha.
- Native Hedgerow (h2). 0.009km.
- Individual Tree; Urban. 0.032ha.

Figure 3: *On-Site Baseline Habitats.*

4.2. AREA HABITATS

Urban - Developed Land Sealed Surface (u1b)

The red line boundary includes the Public House building, with a formal parking area to the rear (east), a sealed surface outdoor seating area adjacent the road to the west and an area of footpath on the western boundary. Two small detached outbuildings are shown on the block plan; these are no longer present, the footprint of one having vegetated over (and therefore mapped as bramble scrub) the footprint of the other still unvegetated and mapped as sealed surface.

The area mapped as 'Urban - Developed Land Sealed Surface (u1b)' contains areas in which the '*soil surface* [is] *sealed with impervious materials as a result of urban development and infrastructure construction*'. The Level 3 UKHabs definition of u1 habitats explicitly includes '*rural settlements*' and '*farm buildings*' in this habitat definition.

'Urban - Developed Land Sealed Surface (u1b)' is a very low distinctiveness habitat for which compensation is not required. No Condition Assessment is necessary for this area habitat.

Grassland - Modified Grassland (g4)

The red line boundary contains 0.302ha of modified grassland which appears to have been previously managed as a pub garden and therefore routinely mown. The modified grassland exists in two distinct areas - one small (0.01ha) lawn area adjacent the northern end of the building complex, the other being a larger area (0.292ha) surrounding the car park and enclosed within a recently erected security fence. Small areas of this habitat have been impacted by the installation of the security fence, which has resulted in some bare earth and disturbed ground. This appears to have occurred within the last 12 months and therefore the habitat which existed prior to these impacts - as identified via historic areal photography - has been mapped, and must be used in the calculation of the baseline Biodiversity Units.

The area mapped as 'Grassland - Modified Grassland (g4)' contains managed grassland '*dominated by a few fast-growing grasses on fertile neutral soils*'. The habitat is broadly homogenous throughout all parcels. The species recorded within this area habitat included perennial ryegrass (*Lolium perenne*), Yorkshire fog (*Holcus lanatus*), annual meadow grass (*Poa annua*), creeping buttercup (*Ranunculus repens*), meadow buttercup (*R. acris*), broad-leaved dock (*Rumex obtusifolius*), spear thistle (*Cirsium vulgare*), greater plantain (*Plantago major*) and dandelion (*Taraxacum official* sp. agg.). A total of four 1m x 1m quadrats were sampled per modified grassland unit - the maximum number of species recorded per m^2 was 6; mode = 4.

'Grassland - Modified Grassland (g4)' is a low distinctiveness habitat for which 'same distinctiveness or better habitat' is required. A Condition Assessment is required for this area habitat (See Tables 3 & 4 - below).

Condition Assessment Criteria		Criterion passed (Yes or No)	Notes (such as justification)
A	There are 6-8 vascular plant species per m2 present, including at least 2 forbs (these may include those listed in Footnote 1). Note - this criterion is essential for achieving Moderate or Good condition. Where the vascular plant species present are characteristic of medium, high or very high distinctiveness grassland, or there are 9 or more of these characteristic species per m2 (excluding those listed in Footnote 1), please review the full UKHab description to assess whether the grassland should instead be classified as a higher distinctiveness grassland. Where a grassland is classed as medium, high, or very high distinctiveness, please use the relevant condition sheet.	No	Four 1m x 1m quadrats sampled per modified grassland parcel. Maximum number of species per m^2 = 6; mode = 4.
B	Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed.	No	Varied sward height exclusively a result of revegetated disturbed ground around security fence.
C	Any scrub present accounts for less than 20% of the total grassland area. (Some scattered scrub such as bramble Rubus fruticosus agg. may be present). Note - patches of scrub with continuous (more than 90%) cover should be classified as the relevant scrub habitat type.	Yes	Previously managed by mowing, bramble scrub is mappable as discreet habitat.
D	Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities.	No	Damage evident where security fence has been installed.
E	Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens)2.	No	Damage evident where security fence has been installed.
F	Cover of bracken Pteridium aquilinum is less than 20%.	Yes	No bracken present.
G	There is an absence of invasive non-native plant species3 (as listed on Schedule 9 of WCA4).	Yes	No INNS present.
Essential criterion achieved (Yes or No)			No
Number of criteria passed			3

Table 3: *Condition Assessment 'GRASSLAND Habitat Type (low distinctiveness).*

Condition Assessment Result (out of 7 criteria)	Condition Assessment Score	Score Achieved ×/✓	
Passes 6 or 7 criteria including passing essential criterion A	Good (3)		
Passes 4 or 5 criteria including passing essential criterion A	Moderate (2)		
Passes 3 or fewer criteria; OR Passes 4 - 6 criteria (excluding criterion A)	Poor (1)	✓	
Footnotes			
Footnote 1 – Creeping thistle Cirsium arvense, spear thistle Cirsium vulgare, curled dock Rumex crispus, broad-leaved dock Rumex obtusifolius, common nettle Urtica dioica, creeping buttercup Ranunculus repens, greater plantain Plantago major, white clover Trifolium repens and cow parsley Anthriscus sylvestris. Footnote 2 – For example, this could include small, scattered areas of bare ground allowing establishment of new species, or localised patches where not exceeding 10% cover. Footnote 3 – Assess this for each distinct habitat parcel. If the distribution of invasive non-native species varies across the habitat, split into parcels accordingly, applying a buffer zone around the invasive non-native species with a size relative to its risk of spread into adjacent habitat, using professional judgement. Footnote 4 – Wildlife and Countryside Act 1981 (as amended).			

Table 4: *Condition Assessment Results 'GRASSLAND Habitat Type (low distinctiveness).*

The condition assessment undertaken for the modified grassland area habitat delivers a result of 'poor' condition. This is purely as a result of the limited species diversity within the sward which is an essential criteria for achieving 'moderate' or 'good' condition.

Dense Scrub - Bramble Scrub (h3).

The 'Bramble Scrub' consists of a single stand of dense bramble which exists on a slope to the east of the car park. Bramble dominates this area, but this has colonised a previously managed shrubbery. Individual immature Cypress trees and fruit trees do exist within. Bramble scrub does not require a condition assessment.

Individual Tree - Urban. 0.032ha.

Two 'Individual Trees - Urban' (0.032ha) occur on the western boundary of the Site adjacent the northern side of the car park entrance.

'Individual Tree - Urban' is a medium distinctiveness habitat for which 'same distinctiveness or better habitat' is required. A Condition Assessment is required for this habitat (See Tables 5 & 6 - below).

Condition Assessment Criteria		Criterion passed (Yes or No)		Notes (such as justification)
A	The tree is a native species (or at least 70% within the block are native species).	No	Yes	Sycamore and Ash
B	The tree canopy is predominantly continuous, with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide (individual trees automatically pass this criterion).	Yes	Yes	
C	The tree is mature (or more than 50% within the block are mature)1.	No	No	Sycamore is multi-stemmed (c.13 stems) Max = 23cm DBH; Ash 34cm DBH.
D	There is little or no evidence of an adverse impact on tree health by human activities (such as vandalism, herbicide or detrimental agricultural activity). And there is no current regular pruning regime, so the trees retain >75% of expected canopy for their age range and height.	No	No	Both very poorly pruned and severe ground disturbance at base. V. Poor specimens.
E	Natural ecological niches for vertebrates and invertebrates are present, such as presence of deadwood, cavities, ivy or loose bark.	Yes	Yes	
F	More than 20% of the tree canopy area is oversailing vegetation beneath.	Yes	Yes	
Number of criteria passed		3	4	

Table 5: *Condition Assessment INDIVIDUAL TREES Habitat Type.*

Condition categories for Individual Tree - Urban		
Condition Assessment Results (out of 6 criteria)	Condition Assessment Score	Score Achieved
Passes 5 or 6 criteria	Good (3)	
Passes 3 or 4 criteria	Moderate (2)	✓ (both trees)
Passes 2 or fewer criteria	Poor (1)	

Table 6: *Condition Assessment Results INDIVIDUAL TREES Habitat Types.*

4.3. Linear Habitats

Hedgerow (h2).

A short length of 'hedgerow' (0.009km) bounds the western side of the lawn area to the north of the pub building complex on. This hedgerow is disconnected from other hedgerows and measures only 9m and is therefore only just greater than the recommended Minimum Mapping Unit (MMU) of 5m.

This hedgerow contains hawthorn (*Crataegus monogyna*), Camilia (Camilia sp.) and grey willow (*Salix cinerea*) and is a 'non-native and ornamental hedgerow'.

'Non-native and ornamental hedgerow (h2)' is a very low distinctiveness habitat for which 'same distinctiveness or better habitat' is required. No Condition Assessment is required for this linear habitat as 'non-native and ornamental hedgerows' automatically achieve 'poor' condition within the Statutory Biodiversity Metric.

4.4. Summary of Baseline Units

Within the Site, area based habitats total 0.51ha and generate 1.00 biodiversity units; linear habitats total 0.009km and generate 0.01 biodiversity habitat units.

Ref.	Broad Habitat	Habitat Type	Irreplaceable Habitat	Area (ha)	Distinctiveness	Condition	Strategic Significance	Habitat Units
1	Urban	Developed Land; Sealed Surface	No	0.136	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	0.00
2	Grassland	Modified Grassland	No	0.302	Low	Poor	Area/compensation not in local strategy/ no local strategy	0.60
3	Heathland and Shrub	Bramble Scrub	No	0.036	Medium	Condition Assessment N/A	Area/compensation not in local strategy/ no local strategy	0.14
4	Individual Tree	Urban Tree	No	0.032	Medium	Moderate	Area/compensation not in local strategy/ no local strategy	0.26
TOTAL HABITAT AREA				**0.51**	**TOTAL HABITAT UNITS**			**1.00**
Site Area (Excluding area of individual trees)				**0.47**				

Table 7: *Baseline Area Habitat Units assessment results.*

Ref.	Hedge Number	Habitat Type	Length (km)	Distinctiveness	Condition	Strategic Significance	Habitat Units
1	1	Non-native and ornamental hedgerow	0.009	V.Low	Poor	Area/compensation not in local strategy/ no local strategy	0.30
TOTAL HABITAT LENGTH			**0.009**	**TOTAL HABITAT UNITS**			**0.01**

Table 8: *Baseline Linear Habitat Units assessment results.*

Assuming that the proposal is *not* exempt from the 10% BNG requirement and no habitat will be retained / enhanced, to achieve the required 10% net gain a total of **1.10 biodiversity units will be required for area habitats** and **0.01 biodiversity units for linear habitats.**

5. Photographs

Figure 4: *Showing Modified Grassland on Site.*

Figure 5: *Showing Modified Grassland (foreground), Bramble Scrub (left) and Urban - Developed Land Sealed Surface (right) on Site.*

Figure 6: *Showing Modified Grassland (foreground) and Individual Trees - Urban.*

6. Proposed Habitat Change

6.1. INTRODUCTION

No plans 'as proposed' have been provided. It is understood that the applicant is seeking '*a change of use to offices with rear car parking*' and that '*the Planning Officer [is] of the opinion that this may fall within the 10% rule*' (pers. comms. Ken Thompson, email dated 27th Feb 2025).

Under the Environment Act 2021, very small-scale developments may be exempt from the mandatory 10% BNG requirement if they meet certain criteria, specifically a development can claim *de minimus* exemption if it doesn't impact *any* area / length of Priority Habitat, impacts less than 25 square meters of non-priority area habitat and impacts less than 5 meters of non-priority linear habitat.

In this case - as it is understood that no physical development is currently proposed - the change of use of Park Head Inn (as it is currently understood to be) can claim exemption from the mandatory 10% BNG requirement.

As the areas mapped as 'Urban - Developed Land Sealed Surface' are entirely un-vegetated, and therefore achieve no biodiversity units - no compensation would be required for development entirely contained within these areas.

7. Summary

7.1. Summary

Based on The Statutory Biodiversity Metric Calculation Tool calculations, the baseline Biodiversity Unit figure of area based habitats total 0.51ha and generate 1.00 biodiversity units; linear habitats total 0.009km and generate 0.01 biodiversity habitat units.

Current proposals for the Site do not involve any impacts to existing habitats and therefore the proposal qualifies for the *de minimus* exemption to the 10% BNG requirement. No compensation is therefore required.

10. References / Bibliography

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