



Nile and Villiers Sunderland Biodiversity Net Gain (BNG) Report

TEP
Genesis Centre
Birchwood Science Park
Warrington
WA3 7BH

Tel: 01925 844004

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Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

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Executive Summary

Introduction	<p>The Environment Partnership (TEP) were commissioned by TOWN to undertake a Biodiversity Net Gain (BNG) assessment of a proposed planning application for a new residential development at Nile and Villiers, Sunderland.</p>
Surveys Undertaken	<p>The BNG Assessment was informed by a Phase 1 habitat survey and habitat condition assessment survey. The Statutory Biodiversity Metric has been used to calculate the net gain output of the site.</p> <p>The development proposals within Landscape General Arrangement drawings provided by Create streets were used to inform the assessment.</p>
Key Constraints	<p>The assessment was undertaken within the optimal period for vegetation surveys.</p>
Implications	<p>There is a net loss of -8.75% which equates to 0.09 Biodiversity Units (BU) for area-based habitats and a net gain of 0.05BU, for linear habitats. No percentage is calculated as there are no baseline linear habitats.</p> <p>The metric trading rules are not satisfied for habitats on site.</p>
Avoidance / Mitigation	<p>The proposals will lead to a decrease in biodiversity on the site. Off site mitigation is being sought through habitat enhancement or the purchase of credits.</p>
Compensation / Enhancement	<p>In order to achieve 10% BNG, 0.19 BU are required. A biodiversity offsetting strategy will be developed in order to provide this shortfall off-site.</p> <p>To fully meet BNG requirements on-site, a detailed 30-year management and monitoring plan will need to be produced. The plan includes management prescriptions which aim to achieve the specific target condition for each habitat, based on the Statutory Biodiversity Metric condition criteria.</p>

This Executive Summary is not a substitute for the full report. Refer to the full text of this report for further detail.

1.0 Introduction

Commission

- 1.1 The Environment Partnership (TEP) were commissioned by TOWN to undertake a Biodiversity Net Gain (BNG) assessment of a proposed planning application for Nile and Villiers; hereafter referred to as the "Scheme".
- 1.2 The Statutory Biodiversity Metric has been used to assess the net gain output.

Site Description

- 1.3 The footprint of the Scheme boundary measures 0.83ha and is located in the City of Sunderland. The Scheme is bordered by residential and business development.

Objectives

- 1.4 This report details the ecological surveys undertaken to establish a baseline position, and what the anticipated impacts are. Biodiversity Metric 4.0 has been used to inform the biodiversity net gain assessment.
- 1.5 The aims of this report are to:
 - Set out the methods used to assess the habitat baseline of the Scheme.
 - Set out the methods and assumptions used to assess the post development habitat scoring of the Site.
 - Assess the BNG that is delivered as a result of the site design and offsetting required; and
 - Demonstrate how the BNG good practice principals for development have been addressed.
- 1.6 A Landscape Management Plan may also be required to support the planning application, unless the Local Planning Authority has indicated that this document can be conditioned.

Proposed Development

- 1.7 The proposed development is for the construction of residential properties and associated landscaping. Proposed hard landscaping elements include buildings and areas of hard standing. Proposed soft

landscaping elements include SuDS basins, rain gardens, mown grassland, wildflower grassland, planters and scattered trees.

Relevant Policy and Legislation

National Policies

- 1.8 Paragraph 180(d) of the NPPF (2023)¹ states that "Planning policies and decisions should contribute to and enhance the natural and local environment by [...] minimising impacts on and providing net gains for biodiversity [...]" The Government 25-year Environment Plan states that government will "[...] embed environmental net gain principle for development".
- 1.9 In July 2019, the government issued revised planning practice guidance² (NPPG) with details on how planners can implement "net environmental gain" requirements when assessing development proposals, including new advice on protecting wildlife.
- 1.10 Revised guidance recently published by the government³ says that net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain. It states: "Planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity".
- 1.11 In terms of measuring net gain, the guidance states that using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved. It goes on to state that "[...] tools such as

1 National Planning Policy Framework (2023). Department for Levelling Up, Housing and Communities. *National Planning Policy Framework* (publishing.service.gov.uk)

2 Natural environment - GOV.UK (www.gov.uk) (accessed ###)

3 Biodiversity net gain - GOV.UK (www.gov.uk) (accessed ###)

the Defra biodiversity metric can be used to assess whether a biodiversity net gain outcome is expected to be achieved".

- 1.12 The Environment Act 2021 received Royal Assent on 9th November 2021 and includes a mandatory 10% biodiversity net gain on all Town and Country Planning Act 1990 developments. 10% gain is now mandatory.

Local Policies

- 1.13 Aligning with the National Planning Policy Framework (NPPF), Sunderland Council explain their implementation of biodiversity net gain within Policy NE2 of the Sunderland Local Plan⁴.
- 1.14 There are no specific references to a target requirement of biodiversity net gain within the Local Plan, so it is expected that the Mandatory 10% net gain has been adopted for this development. The strategy enforces that developments present no net loss and 10% net gain of biodiversity following the completion of planning projects in Sunderland, and that planning applications can only be granted if the planning officer has received evidence that measurable net gains of biodiversity will be met.

- ⁴ *oce21157 Core Strategy and Development Plan Final Cover A4.qxp (sunderland.gov.uk)*

2.0 Methods

Ecological and Survey Reference Documents

- 2.1 To support this assessment the following ecological survey reports were reviewed:
- Ecological Desk Study – TEP Ref: 10113.002 (August 2023); and
 - Ecological Impact Assessment – TEP Ref: 10113.001 (September 2023).

Survey Methods

Desk Study

- 2.2 Information regarding planning policies, historic species records and protected sites was collated from a variety of sources. Statutorily protected sites within the National Site Network (NSN) were searched for within 10km of the Scheme. Other statutorily protected sites were searched for within 5km of the site and non-statutory designations were searched for within 2km of the Scheme.

Phase 1 Habitat Survey

- 2.3 The updated Phase 1 Habitat survey was undertaken by a suitably qualified and experienced TEP Ecologist (FISC Level 4) on 29th August 2023 using the standard JNCC Phase 1 habitat assessment method (2010)⁵. This method records the habitat types present in and immediately surrounding the Scheme, based on the JNCC descriptions. Plant species are identified in accordance with Stace (2010)⁶ and recorded as target notes using the DAFOR scale⁷.

⁵ JNCC (2010) Handbook for Phase 1 Habitat Survey: A technique for environmental audit. Joint Nature Conservation Committee, Peterborough.

⁶ Stace, C. (2010) New Flora of the British Isles. 3rd Ed. Cambridge University Press

⁷ DAFOR = Dominant, Abundant, Frequent, Occasional & Rare

UK Habitat Classification Conversion

- 2.4 Phase 1 habitat results were converted to UK Habitat classification code with reference to the UK Hab conversions provided in the 'Technical Data' button in the calculation tool of the Statutory Biodiversity Metric, the UK Habitat Classification - Habitat Definitions⁸ and the UK Habitat Classification Field Key⁹.

Condition Assessment

- 2.5 Condition assessment surveys of the area-based habitats present pre-development were undertaken by a suitably experienced ecologist (FISC Level 4) on 29th August 2023.
- 2.6 The condition assessments were undertaken using guidance presented in the Statutory Biodiversity Metric- Technical Supplement¹⁰.

BNG Assessment

- 2.7 The Scheme was assessed in June 2023 using the Statutory Biodiversity Metric in line with the User Guide (draft, November 2023) provided.
- 2.8 Although the condition assessments were undertaken using a previous version of the Technical Supplement it is considered that they can be transferred for use in the Statutory Metric without affecting the robustness of this assessment.
- 2.9 The Statutory Biodiversity Metric is a tool designed to enable developers to measure the change in biodiversity across their site. It determines if there will be net gain, net loss or no net loss of biodiversity following completion of their development and any subsequent management regime.
- 2.10 To calculate the change in biodiversity across the Scheme, a site survey is undertaken by a suitably qualified ecologist to determine the habitats present on site, their location, size, and condition. This information is then digitised, and the resulting information fed into the Statutory Biodiversity Metric.
- 2.11 The principles of biodiversity net gain as set out in the Biodiversity Net Gain Good Practice Guidelines¹¹ have been considered throughout this process.

⁸ Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). The UK Habitat Classification - Habitat Definitions V1.1 at <http://www.ukhab.org/>

⁹ UK Hab Field Key V2.1 September 2020

¹⁰ *Statutory_Biodiversity_Metric_Condition_Assessments.xlsx*

¹¹ CIEEM, IEMA & CIRIA (2019). Biodiversity Net Gain. Good Practice Principles for Development. A Practical Guide

Determining Strategic Significance

- 2.12 Strategic significance was determined through a thorough desktop review of local planning policy and other relevant documentation. The desk-based assessment provides full details of local policy and legislation covering the site. This includes biodiversity policies and the policies map within the Sunderland Core Strategy (adopted 30 January 2020).
- 2.13 For the purpose of the BNG Assessment particular reference has been paid to the relevant green infrastructure and other ecology specific policies including:
- NE2 - Biodiversity and geodiversity
- 2.14 Consideration has also been given to the location of Local Wildlife Sites, as well as county wide and nationally designated wildlife sites, specifically where they are referenced in local policy as providing important connectivity.
- 2.15 Strategic significance utilises published local strategies and objectives to identify local priorities for targeting biodiversity and nature improvement. Strategic significance will be high if the habitat location is identified in local plans, strategies, or policies. Medium strategic significance should be used where habitat was deemed ecologically desirable for a particular habitat type such as acting as a wildlife corridor or buffer.
- 2.16 When assigning high, medium, and low strategic significance to habitats in both the baseline and the post development calculations for this Scheme, the lack of proximity to high ecological value areas such as local wildlife sites, and the lack of ecologically valuable habitats ascertains that all habitats on the site were assigned low strategic significance.

Post-Development Calculations

2.17 Post-development calculations have been based on the Landscape General Arrangement Plan provided by Create Streets, as detailed below:

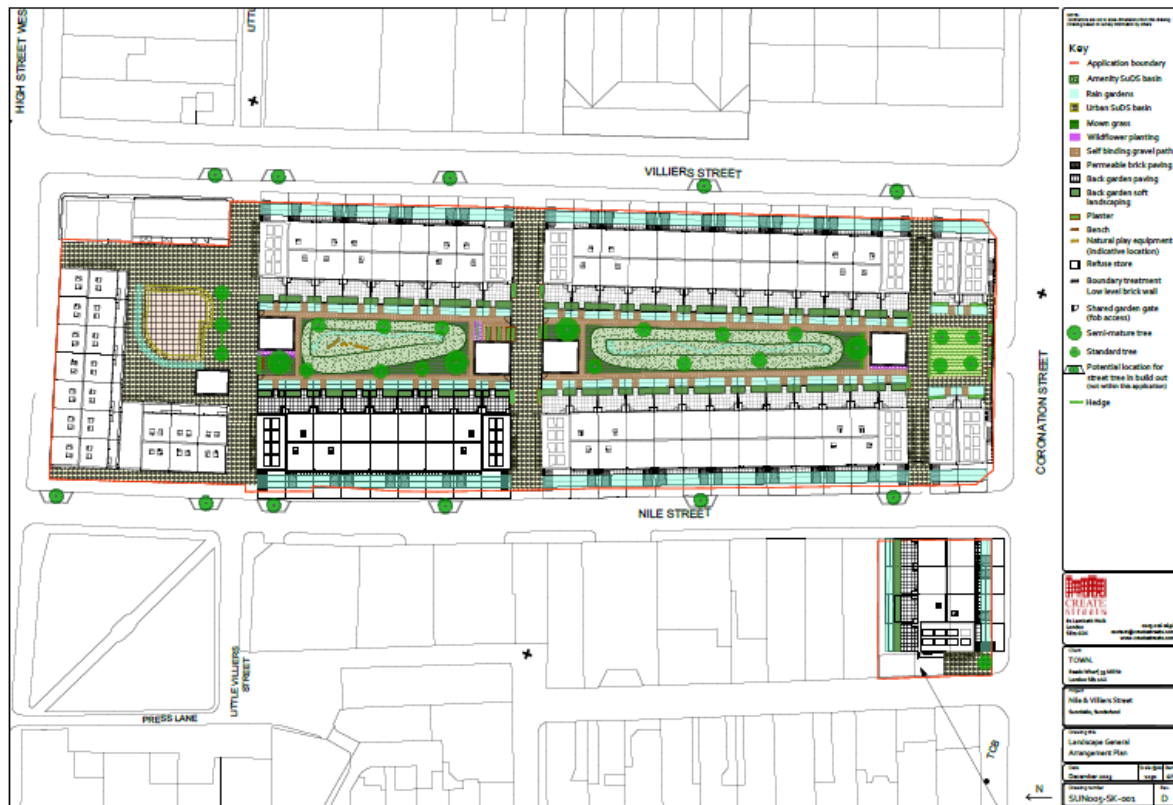


Figure 1. Create Streets landscape plan (SUN005-SK-001)

2.18 The most appropriate UK Habitat Classification type for each habitat parcel was assigned based on the landscape design, and a target condition was assigned for each parcel based upon the condition assessment criteria for habitats within the Statutory Biodiversity Metric draft user guide and condition assessment instructions. The target condition for habitat types varied depending upon their location, likely levels of use and management measures required.

Limitations

2.19 The baseline and condition assessment survey was undertaken during the optimum survey period and therefore no limitations were encountered.

3.0 Baseline conditions

Important Ecological Features

- 3.1 There are three internationally designated sites within 10km of the site. The closest of these are Northumbria Coast Special Protection Area (SPA) and Northumbria Coast Ramsar, both located approximately 2.46km to the northeast of the site and designated for wintering and breeding birds.
- 3.2 There are ten nationally designated sites within 5km of the site. Of these sites four Sites of Special Scientific Interest (SSSIs) are designated for biodiversity. The remaining six are SSSIs designated for geological reasons. The closest sites designated for biodiversity are Tunstall Hill and Ryhope Cuttings SSSI which is located 2.55km northeast of the site and is designated for its Magnesian limestone grassland and geological features; and Durham Coast SSSI, located 2.65km southeast of the site designated for Magnesian limestone grassland, dune habitats, wintering coastal birds and Durham argus butterfly *Aricia artaxerxes salmacis*.
- 3.3 SSSI Impact Risk Zones (IRZ) highlight the potential for effects on a SSSI if certain types of development are planned within a specified radius of it. The site falls within the Impact Risk Zones (IRZ) for Durham Coast SSSI but does not fall into an impact risk criteria for the site.
- 3.4 There are no locally designated statutory sites within 2km of the site.

Non-Statutory Wildlife Sites

- 3.5 There are four non-statutory wildlife sites identified within 2km of the site. The closest to the site is Mowbray Park Local Wildlife Site (LWS), located approximately 0.26km to the southwest of the site, designated for parkland habitat.

On-Site Baseline

- 3.6 The Scheme is dominated by amenity grassland and hardstanding, with a limited area of tall ruderal vegetation, scattered scrub, a sub-station building and an area of bare ground also present.
- 3.7 The wider area and landscape are dominated by residential and business development. The site is poorly connected to the wider area as it is bounded on all sides by residential and commercial development.
- 3.8 Full details of the conversion from Phase 1 habitat to the UK Habitat Classification along with the results of the condition assessment are provided in the Assessor Comments column within the completed Statutory Biodiversity Metric (provided under separate cover, TEP Ref x10113.001). The following drawings are provided:
- Phase 1 Habitat Survey Results (TEP Drawing No: G10113.008);
 - Baseline UK Habitats (TEP Drawing No: G10113.009); and

- Existing Habitat Condition and Strategic Significance (TEP Drawing No: G10113.010).

Post Development Habitats

- 3.9 Details regarding post-development habitats are provided in the following document and drawing:
- Proposed UK Habitats (TEP Drawing No: G10113.011A);
 - Proposed Habitat Condition and Strategic Significance (TEP Drawing No: G10113.012A); and
 - Habitat Impact (TEP Drawing No: G10113.013A).
- 3.10 Habitats to be provided within the post development proposals include:
- 0.088ha of Bioswale;
 - 0.047ha SUDS;
 - 0.026ha of modified grassland;
 - 0.018ha of vegetated garden;
 - 0.46ha of Artificial unvegetated; unsealed surface;
 - 0.048km of non-native and ornamental hedgerow.
 - 24 trees
- 3.11 All ecologically valuable habitats present within the Scheme boundaries, including the modified grassland, are to be lost.
- 3.12 Full details of the conversion from the masterplan to the UK Habitat classification along with the target condition are provided in the Assessor Comments within the completed Statutory Biodiversity Metric (provided under separate cover, TEP Ref: X10113.001).

4.0 Change in Ecological Value

4.1 A biodiversity assessment has been undertaken, using the Statutory Biodiversity Metric calculator, to quantify the change in biodiversity units for the planning application area between the pre-development baseline and post-development retained, enhanced, and created habitats. Detailed results of the assessment are provided in the Statutory Biodiversity Metric in Appendix A.

Summary of Biodiversity Impact

4.2 The Scheme area totals 0.83ha. All habitats within the site will be lost.

4.3 Permanent losses account for 0.83ha and include the following habitats:

- 0.503ha - Modified grassland;
- 0.257ha - Developed land; sealed surface;
- 0.061ha - Artificial unvegetated; unsealed surface; and
- 0.008ha - Ruderal / ephemeral

4.4 Figure 1 presents the headline results, prior to off-site assessment, taken from the metric and based on the above figures and impacts.

Figure 2: Headline results

FINAL RESULTS		
Total net unit change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	-0.09
	<i>Hedgerow units</i>	0.05
	<i>Watercourse units</i>	0.00
Total net % change <small>(Including all on-site & off-site habitat retention, creation & enhancement)</small>	<i>Habitat units</i>	-8.75%
	<i>Hedgerow units</i>	N/A
	<i>Watercourse units</i>	0.00%
Trading rules satisfied?	No - Check Trading Summaries ▲	

4.5 Based on the Scheme footprint alone, the headline results indicate a loss of -8.75% which equates to a loss of 0.09 Biodiversity Units (BU) for area-based habitats and a net gain of 0.05 BU for linear habitats/hedgerows (hedgerow percentage will not show as there is no hedgerow within the baseline to gauge comparison).

Trading Rules Summary

- 4.6 Trading rules have not been satisfied for the scheme, predominantly due to the loss of low distinctiveness grassland habitats. Offsite habitats will be required to be of the same or higher distinctiveness to satisfy trading rules.

Biodiversity Net Gain

- 4.7 In addition to it being a statutory requirement, the Local Authority are committed to attaining a 10% net gain on all development. This target has been used to inform the assessment. Figure 4 shows that 10% net gain has not been achieved and that 0.19 BU are required to achieve this.

Figure 3: BNG unit deficit to attain 10% Net gain

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
<i>Habitat units</i>	10.00%	1.02	1.12	0.19
<i>Hedgerow units</i>	10.00%	0.00	0.00	0.00
<i>Watercourse units</i>	10.00%	0.00	0.00	0.00

- 4.8 As it has not been possible to achieve 10% net gain on site, a biodiversity offsetting strategy will be required to provide the shortfall in biodiversity units off-site.
- 4.9 Discussions with the LPA are taking place with the intention of securing the shortfall through the purchase of biodiversity credits, which will be used to for enhancement and creation of new and existing habitat/wildlife sites to increase the biodiverse connectivity and ecological corridors within the authority.

5.0 Implementation, Management and Monitoring

- 5.1 This BNG assessment has been undertaken in support of a full planning application and details of the landscape design have also been provided by Create Streets. These have been assessed to indicate the condition of habitats that is expected to be achieved following completion of the development.
- 5.2 To fully meet BNG requirements, a detailed 30-year management and monitoring plan will be necessary. It is assumed that this information can be committed to using a suitably worded condition attached to the application's decision notice.
- 5.3 The plan will need to include management prescriptions which aim to achieve the specific target condition for each habitat, based on the Statutory Biodiversity Metric condition criteria. The plan will also need to include the methods and reporting processes to be used for monitoring the success of habitat enhancement and creation along with options for remedial intervention where needed if a habitat is not achieving its targeted condition. Roles and responsibilities, along with financial and legal requirements should also be included.

6.0 BNG Good Practice Principles

6.1 An appraisal of the scheme against the ten good practice principles for development is set out in Table 2.

Table 1: Appraisal against Ten Good Practice Principles

Good Practice Principle:		Commentary:
1.	Apply the mitigation hierarchy.	The proposals avoid impacts on the Local Wildlife Sites to the north, and areas identified in Local Policy as strategically significant wildlife corridors. Development is mainly focussed on hardstanding and low distinctiveness grasslands in poor condition.
2.	Avoid losing biodiversity that cannot be offset by gains elsewhere.	No irreplaceable habitats will be lost or affected by this application
3.	Be inclusive and equitable.	Discussions have been held between TEP and the client to give feedback throughout the assessment process to maximise net gains on site. There has been no discussion between TEP and the LPA Ecologist regarding BNG at this Site.
4.	Address risks.	The standard difficulty and timings have been used for habitat creation. In the absence of information on development phasing and any lag between the losses occurring and gains being fully realised, it has been assumed that habitat creation will take place in the same year as losses. A 30 year Landscape Management Plan must be produced for the site. The plan must detail descriptions for the management of each habitat on site so that the target condition can be achieved
5.	Make a measurable Net Gain contribution.	There will be a net loss of -0.16 Biodiversity Units (-8.75%) on site under the proposals. The development achieves a net gain of 0.05 hedgerow units.
6.	Achieve the best outcomes for biodiversity.	The creation of new habitats within the scheme, will increase opportunities for wildlife in the area.
7.	Be additional.	The proposals avoid impacts on the Local Wildlife Sites to the north, and areas identified in Local Policy as strategically significant wildlife corridors.

Good Practice Principle:		Commentary:
		Development is mainly focussed on hardstanding and low distinctiveness grasslands in poor condition.
8.	Create a Net Gain legacy.	No irreplaceable habitats will be lost or affected by this application
9.	Optimise sustainability.	Discussions have been held between TEP and the client to give feedback throughout the assessment process to maximise net gains on site. There has been discussion between the client, TEP and the LPA Ecologist regarding BNG at this Site.
10.	Be transparent.	<p>The standard difficulty and timings have been used for habitat creation. In the absence of information on development phasing and any lag between the losses occurring and gains being fully realised, it has been assumed that habitat creation will take place in the same year as losses.</p> <p>A 30 year Landscape Management Plan must be produced for the site. The plan must detail descriptions for the management of each habitat on site so that the target condition can be achieved</p>

Annex A: Statutory Biodiversity Metric (provided as separate document)

Annex B: Baseline Condition Assessment

Drawings

Drawing 1: G10113.008: Phase 1 Habitat Survey

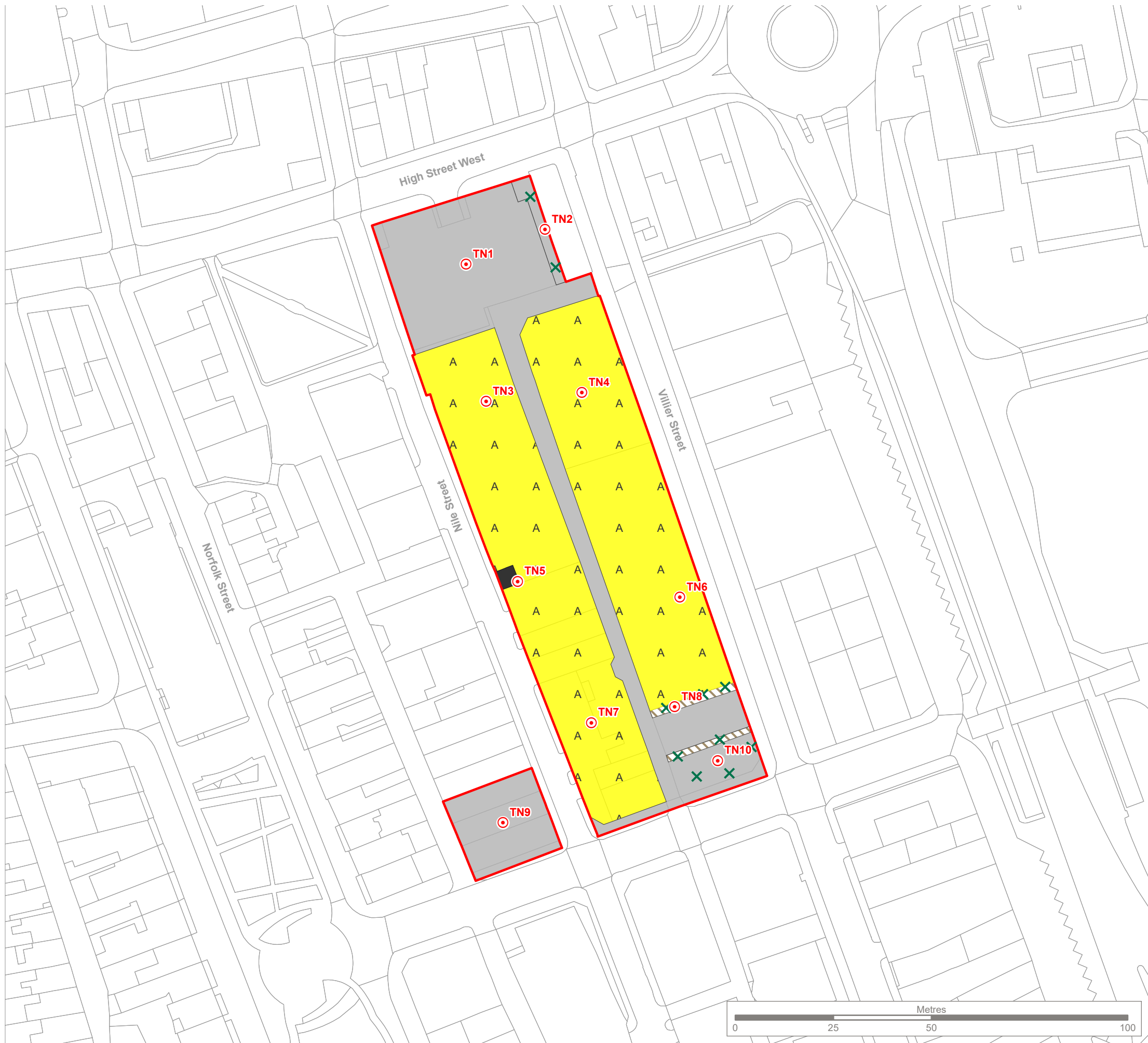
Drawing 2: G10113.009: UK Habitat Classification Baseline

Drawing 3: G10113010: Existing Habitats Condition and Significance

Drawing 4: G10113.011A: Proposed Uk Habitats

Drawing 5: G10113.012A Proposed Habitat Condition

Drawing 6: G10113.013A Habitat Impact



KEY

- Site boundary
- ⊙ Target note
- X Scattered scrub
- Amenity grassland
- Building
- Hardstanding

Note:

The locations of habitats and habitat features are indicative.



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Rev	Description	Drawn	Approved	Date

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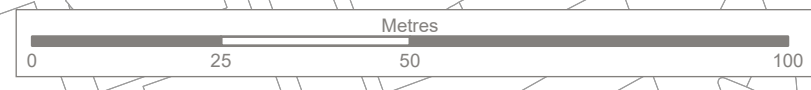
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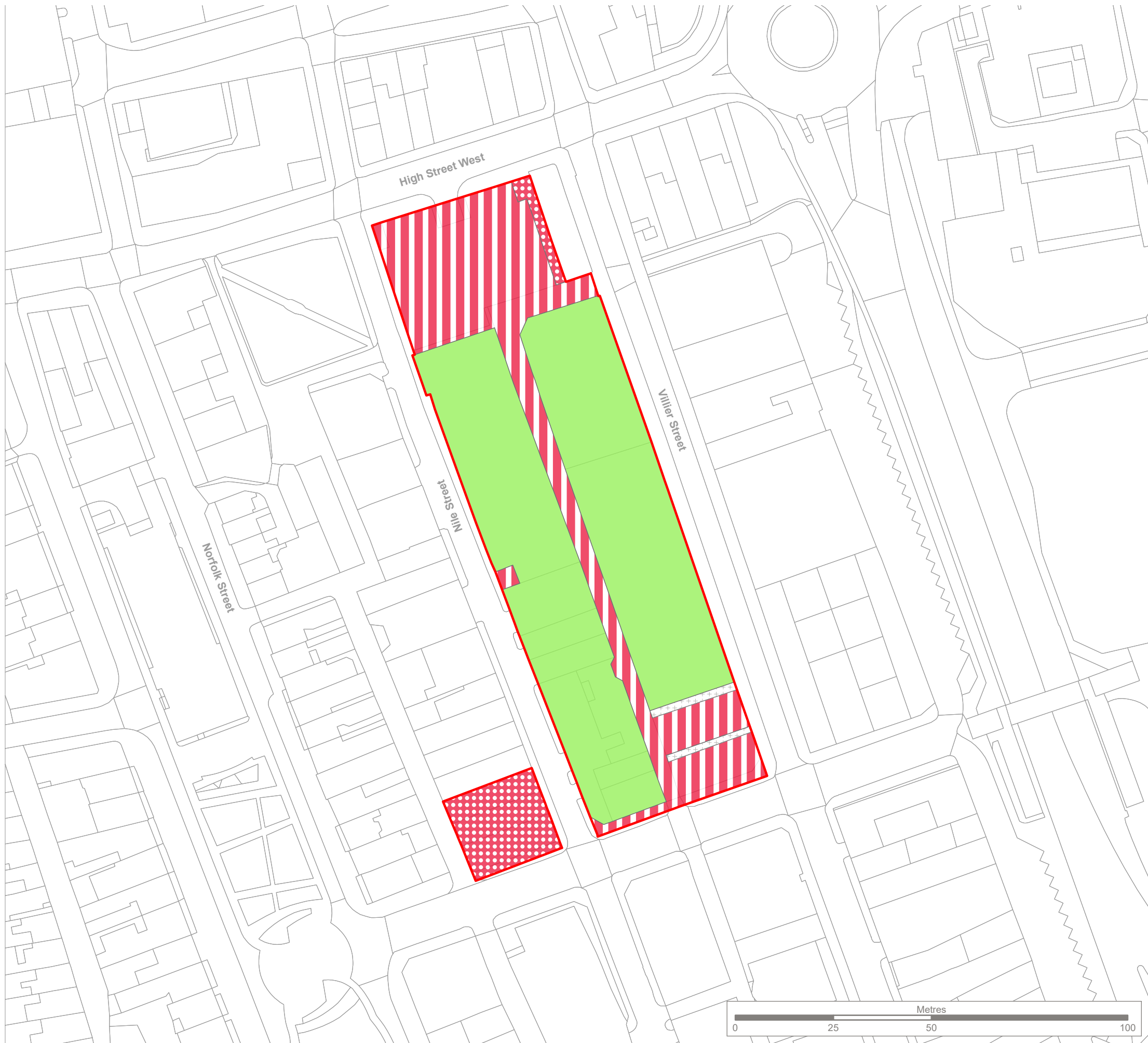
Project
Nile and Villiers

Title
Phase 1 Habitat Survey

Drawing Number
G10113.008

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	28/09/2023





KEY

- Site boundary
- Grassland**
- Modified grassland
- Sparsely Vegetated Land**
- Ruderal/ephemeral
- Urban**
- Artificial unvegetated, unsealed surface
- Developed land, sealed surface

Note:
The locations of habitats and habitat features are indicative.



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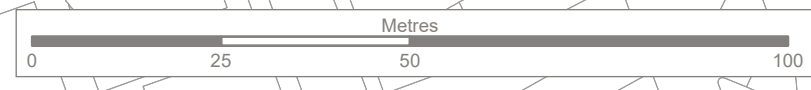
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Nile and Villiers

Title
Baseline UK Habitats

Drawing Number
G10113.009

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	28/09/2023





KEY

- Site boundary
- Habitat Condition**
- Moderate
- Poor
- Condition assessment not applicable
- Strategic Significance**
- Area/compensation not in local strategy/no local strategy

Note:

The locations of habitats and habitat features are indicative.



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Rev	Description	Drawn	Approved	Date



THE ENVIRONMENT PARTNERSHIP

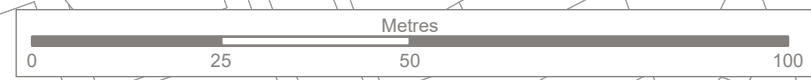
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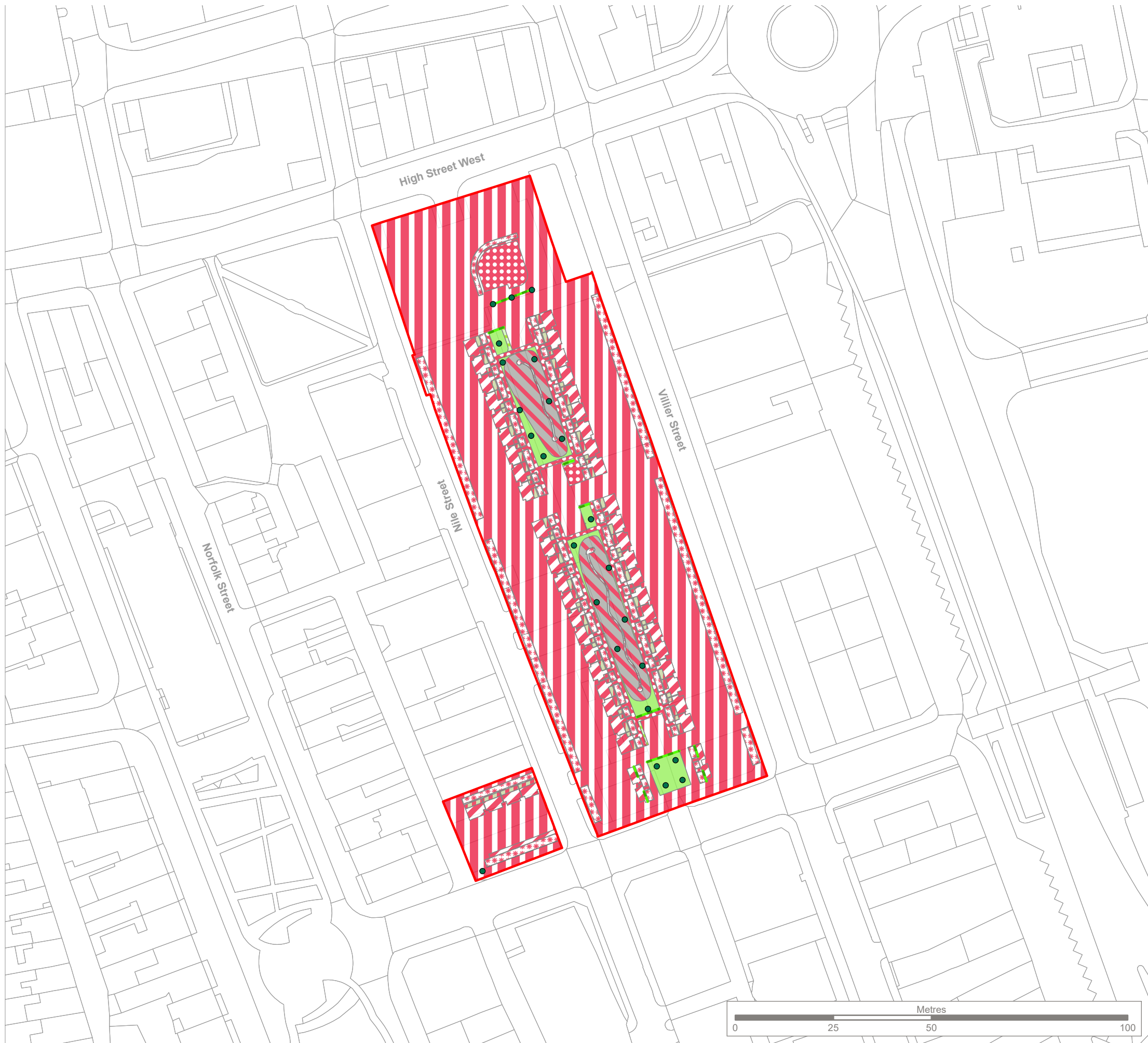
Project
Nile and Villiers

Title
Existing Habitat Condition and Strategic Significance

Drawing Number
G10113.010

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	28/09/2023





KEY

- Site boundary
- Individual Trees**
- Urban tree
- Hedgerows**
- Non-native and ornamental hedgerow
- Grassland**
- Modified grassland
- Other neutral grassland
- Urban**
- Artificial unvegetated, unsealed surface
- Bioswale
- Developed land, sealed surface
- Sustainable drainage system
- Unvegetated garden
- Vegetated garden

Note:

The locations of habitats and habitat features are indicative. Based on drawing SUN005-SK001-D Landscape GA-A1 provided by the client.



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Rev	Description	Drawn	Approved	Date
A	Update to proposed layout.	MK	PA	23/01/2024

TEP | **THE ENVIRONMENT PARTNERSHIP**

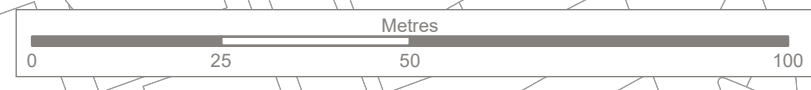
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
 Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Nile and Villiers

Title
Proposed UK Habitats

Drawing Number
G10113.011A

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	28/02/2024





KEY

Site boundary

Individual Tree Condition

Moderate

Hedgerow Condition

Poor

Habitat Condition

Good

Poor

Condition assessment not applicable

Strategic Significance

All areas with value of area/compensation not in local strategy/
no local strategy

Note:

The locations of habitats and habitat features are indicative.
Based on drawing SUN005-SK001-D Landscape GA-A1
provided by the client.



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Rev	Description	Drawn	Approved	Date
Rev	Update to proposed layout.	MK	PA	23/01/2024
Rev	Description	Drawn	Approved	Date



THE ENVIRONMENT PARTNERSHIP

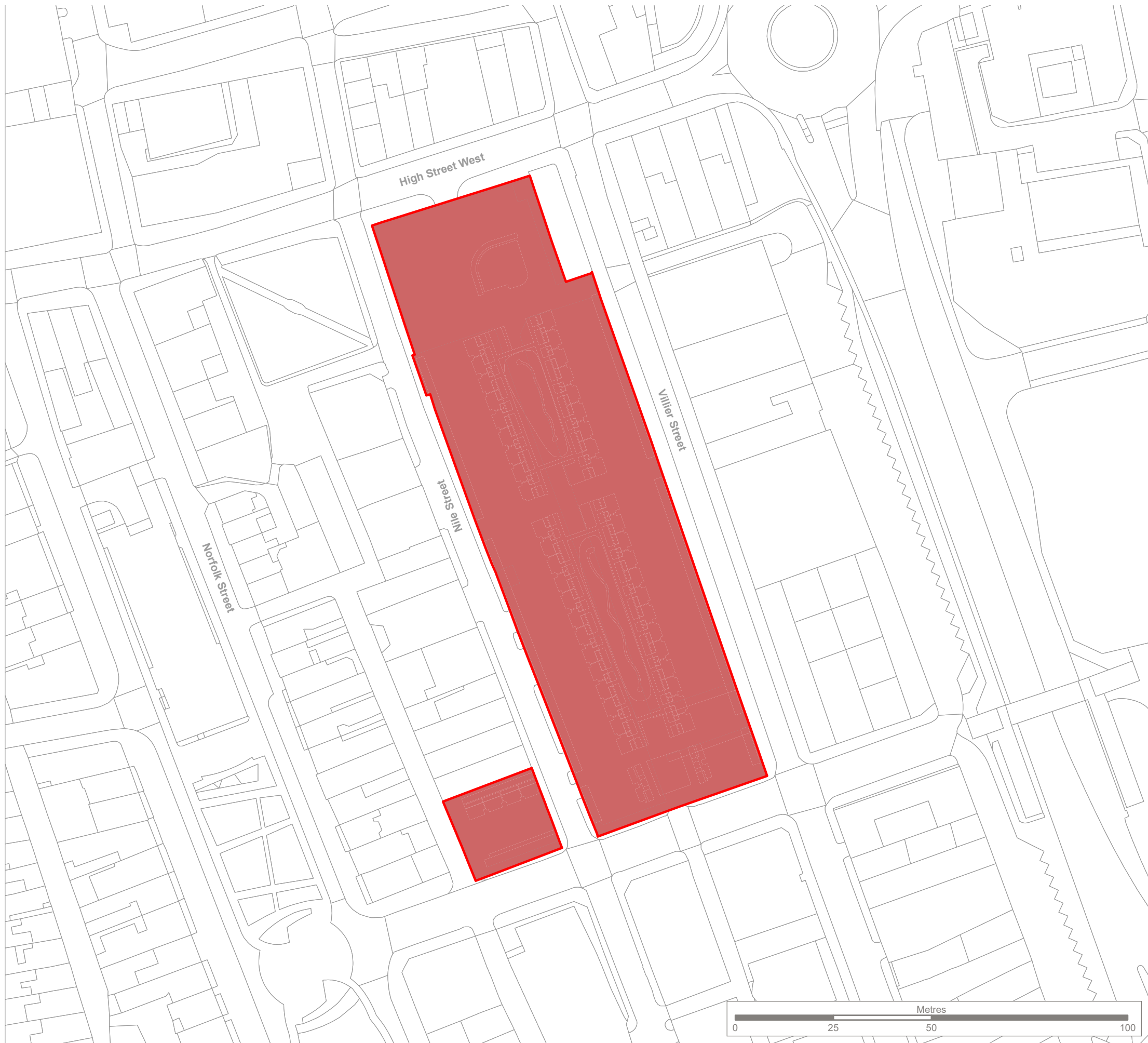
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Nile and Villiers

Title
Proposed Habitat Condition and Strategic Significance

Drawing Number
G10113.012A

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	28/02/2024



KEY

- Site boundary
- Habitat Impact**
- Lost

Note:
 The locations of habitat impacts are indicative.
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Rev	Description	Drawn	Approved	Date
A	Update to proposed layout.	MK	PA	24/01/2024



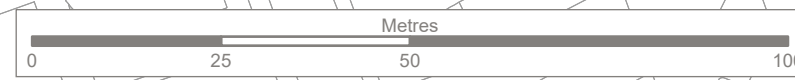
401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
 Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Nile and Villiers

Title
Habitat Impact

Drawing Number
G10113.013A

Drawn	Checked	Approved	Scale	Date
CW	BJ	PA	1:1,000 @ A3	23/01/2024





THE
ENVIRONMENT
PARTNERSHIP

HEAD OFFICE

MARKET HARBOROUGH

GATESHEAD

LONDON

CORNWALL

WARRINGTON

01925 844004

01858 383120

0191 605 3340

020 3096 6050

01326 240081

tep@tep.uk.com

mh@tep.uk.com

gateshead@tep.uk.com

london@tep.uk.com

cornwall@tep.uk.com

