THE ENVIRONMENT PARTNERSHIP

Haile Moor Mine

Haile, Egremont

Biodiversity Net Gain (BNG) Assessment

Prepared For: Electricity North West Limited

Document Reference: 10969.01.004

April 2025

Version 1.0

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The conclusions and recommendations contained in this document are based upon information gathered by TEP and provided by third parties. Information provided by third parties and referred to herein has not been independently verified by TEP, unless otherwise expressly stated in the document.

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

1. The site is located at Haile Moor Mine, approximately 0.8km east of Haile village, Egremont (approximate central grid ref: NY 04182 08702). The site consists entirely of grazing pasture.

2. The proposals for the site consist of the installation of a lattice tower, generator and equipment cabin. Detailed proposals are provided within Appendix C.

3. The site is comprised entirely of 0.10ha of Modified Grassland in Good condition worth 0.58 habitat units. To facilitate the proposals, 0.01ha of this habitat will be permanently lost and 0.09ha will be retained. New habitats will be created in the form of 0.01ha of Developed land; sealed surface (condition N/A) worth 0.0 area habitat units and the planting of 9 new small Rural trees in Moderate condition, worth 0.11 area habitat units.

4. The headline results show that the proposals will deliver a net gain of +10.61% (0.06 habitat units), which achieves the mandatory +10% net gain threshold and satisfies the trading rules.

1.0 Introduction

1.1 This Biodiversity Net Gain (BNG) Assessment has been prepared by TEP on behalf of Electricity North West Limited ("the applicant") to inform a planning application for the installation of a lattice tower at Haile Moor Mine, Haile, Egremont, Cumbria, CA22 2PE ("the site").

1.2 This BNG Assessment provides a baseline value and a post-development scenario for the site.

1.3 The Statutory Biodiversity Metric published by Defra[1] has been used to assess the net gain output.

Relevant Legislation

1.4 In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act (TCPA) 1990 (as inserted by Schedule 14 of the Environment Act 2021)[2]. A 10% biodiversity net gain requirement is mandatory under the Environment Act 2021 for major and minor developments made under the TCPA 1990, subject to the confirmed exemptions. The 10% net gain is expected to become mandatory for Nationally Significant Infrastructure Projects in November 2025.

1.5 The BNG Regulations most directly relevant to planning are:

- The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 - commence BNG for most types of new planning applications and provides transitional arrangements for section 73 permissions;
- The Biodiversity Gain Requirements (Exemptions) Regulations 2024 - prescribe exemptions for categories of development to which BNG does not apply;
- The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 which set out the modifications for irreplaceable habitat; and
- The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 - amend the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 to include provisions in respect of applications for planning permission and the submission and determination of Biodiversity Gain Plans, as well as modifications of Schedule 7A of the Town and Country Planning Act 1990 for phased development.

[1] https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides
[2] Environment Act 2021, 2021 CHAPTER 30 - https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted

1.6 National Planning Policy Guidance for BNG[3] details the statutory framework for net gain and advises how BNG should be applied through the planning process, including:

- consideration of the Biodiversity Gain Hierarchy[4] during site selection and design, prior to submission of a planning application
- conformance with National Planning Policy Framework 2024 (NPPF) and the mitigation hierarchy;
- how the Biodiversity Gain Objective of at least 10% gain should be proven using the statutory biodiversity metric[5];
- advice regarding exemptions and examples of de minimis exemptions;
- approval of a Biodiversity Gain Plan once planning permission has been granted; and
- enforcement and monitoring.

1.7 The Biodiversity Gain Hierarchy is distinct from the mitigation hierarchy. The Biodiversity Gain Hierarchy sets out a list of priority actions (which are not applicable to irreplaceable habitats):

- In relation to onsite habitats which have a medium, high and very high distinctiveness (a score of four or more according to the statutory biodiversity metric), the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects; and
- In relation to all onsite habitats which are adversely affected by the development, the adverse effect should be compensated by prioritising in order, where possible, the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.

1.8 The mitigation hierarchy is set out in the NPPF at Paragraph 193(a)[6], which states that a planning application should be refused if significant harm to biodiversity resulting from the development cannot be:

- avoided (through locating on an alternative site with less harmful impacts);
- adequately mitigated; or, as a last resort,
- compensated for.

[3] Guidance Biodiversity net gain - https://www.gov.uk/guidance/biodiversity-net-gain
[4] As set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
[5] Guidance Calculate biodiversity value with the statutory biodiversity metrichttps://www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development
[6] NPPF Paragraph 193(a) https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment

Local Policy

1.9 Aligning with the National Planning Policy Framework (NPPF), Cumberland Council explain their requirement for a 10% biodiversity net gain within Strategic Policy N3 of the Copeland Local Plan 2021-2039 (Adopted November 2024)[7].

1.10 The strategy enforces that developments present no net loss and 10% net gain of biodiversity following the completion of planning projects in Cumberland, and that planning applications can only be granted if the planning officer has received evidence that measurable net gains of biodiversity will be met.

Site Description

1.11 The site (central grid reference NY 04182 08702) is located approximately 0.8km east of Haile village and is depicted by the red line shown in Figure 1.

1.12 The surrounding landscape is predominantly agricultural with pockets of woodland located northwest of the site boundary. A series of becks namely Kirk Beck, Hannah Beck, Comb Beck and Black Beck are also present in the wider area.

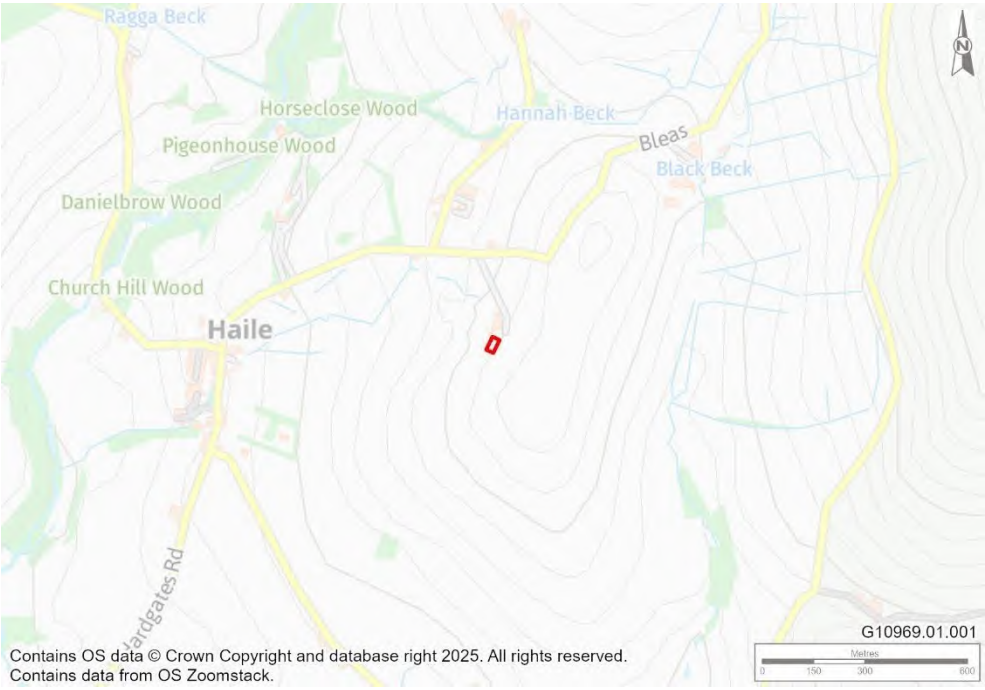

Figure 1: Site location

Proposed Development

1.13 The proposals for the site consist of the installation of a lattice tower, generator and equipment cabin. Detailed proposals are provided within Appendix C.

[7] Copeland Local Plan - https://www.copeland.gov.uk/sites/default/files/attachments/copeland_local_plan.pdf

2.0 Methods

Ecological Survey Reference Documents

2.1 To support this assessment the following ecological survey reports were reviewed:

- Ecological Desk Study - TEP 2025
- Ecological Impact Assessment - TEP 2025

Survey Methods

UK Habitat (UKHab) Classification Survey

2.2 An extended UK Habitat survey was undertaken by a suitably qualified TEP Ecologist, certified to Level 4 under the Field Identification Skills Certification.[8] The survey was completed on 21st March 2025 in accordance with the UK Habitat Classificaion (UKHab) assessment method[9]. This method records the habitat types present in the site, based on the UKHab descriptions. Plant species are identified in accordance with Stace (2010)[10] and recorded as target notes using the DAFOR scale[11].

Condition Assessment

2.3 Condition assessment surveys of the area-based habitats present pre-development were undertaken by a qualified TEP ecologist on 21st March 2025. The condition assessments were undertaken using guidance presented in the Statutory Biodiversity Metric User Guide[12] and the Statutory Biodiversity Metric condition assessments[13].

Limitations

2.4 The UKHab Survey and Condition Assessments were undertaken outside of the optimum survey period (April to mid-October). Therefore, a precautionary approach to habitat classification has been taken. Given the habitat types present, this is not considered to be an overriding constraint.

2.5 Any ecological survey represents a snapshot of ecological conditions at the time of the survey; ecological conditions may change over time. Efforts to identify dominant

[8] A national skills certification scheme operated by the Botanical Society of Britain and Ireland. FISC 4 is the competency level recommended for UKHab field assessments and BNG Condition Assessments.
[9] 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/
[10] Stace, C. (2010) New Flora of the British Isles. 3rd Ed. Cambridge University Press
[11] DAFOR = Dominant, Abundant, Frequent, Occasional & Rare
[12] Statutory biodiversity metric: user guide (July 2024)
[13] Statutory biodiversity metric: condition assessments (July 2024)

plant species for the purposes of characterising broad habitat types do not constitute a detailed botanical survey.

BNG Assessment

2.6 The site was assessed in March 2025 using the Statutory Biodiversity Metric calculator tool and condition assessments following the User Guide.

2.7 To calculate the change in biodiversity across the site, a field 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.

2.8 The principles of biodiversity net gain as set out in the BNG Good Practice Guidelines have been considered throughout this process.

Determining Strategic Significance

2.9 Strategic significance was determined through a thorough desktop review of local planning policy and other relevant documentation. This includes biodiversity policies and the policies map within the Copeland Local Plan 2021-2039 (Adopted November 2024)[14].

2.10 For the BNG Assessment particular reference has been paid to the following policies relevant to biodiversity and nature conservation:

- Strategic Policy N1 – Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2 – Local Nature Recovery Networks
- Strategic Policy N3 – Biodiversity Net Gain
- Strategic Policy N5: Protection of Water Resources
- Strategic Policy N9 – Green Infrastructure
- Policy N14 – Woodlands, Trees and Hedgerows

2.11 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.

2.12 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,

[14] Warrington Local Plan - https://www.warrington.gov.uk/sites/default/files/2023-12/Warrington%20local%20plan%20-%202021-22%20-%202038-39%20-%20Adopted%20December%202023.pdf

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.

2.13 As the site is not allocated by any policies listed in the Copeland Local Plan 2021-2039, all habitats have been assigned Low strategic significance.

Post-Development Calculations

2.14 Post-development calculations have been based on correspondence with the applicant and proposals within Appendix C. The new trees included within the post-development calculations do not appear within the proposals within Appendix C but have been agreed with the applicant.

2.15 The most appropriate UK Habitat Classification type for each habitat parcel was assigned based on the landscape design and planting lists, 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.

3.0 Baseline Conditions

3.1 Details regarding the baseline habitats are provided in the following drawings:

- Baseline UK Habitats (TEP Ref: G10969.01.009)
- Baseline Habitat Condition and Strategic Significance (TEP Ref: G10969.01.010)

3.2 Full details regarding the classification of the habitats on site can be found in the Assessor Comments column within the completed Statutory Biodiversity Metric (provided as a separate document, TEP Ref: x10969.01.001). A full account of the results of the Condition Assessment of the area habitats on site can be found within Appendix B.

3.3 The site is comprised entirely of 0.10ha of Modified Grassland in Good condition worth 0.58 habitat units.

4.0 Post Development Habitats

4.1 Details regarding post-development habitats are provided in the following drawings:

- Proposed UK Habitats (TEP Ref: G10969.01.011)
- Proposed Habitat Condition and Strategic Significance (TEP Ref: G10969.01.012)
- Habitat Impact (TEP Ref: G10969.01.013)
- Large Site Plan (Client Ref: P2407_002-GA-007-A)

4.2 Baseline habitat falling within the area referred to within the Proposed Site Plan as "Ground to be re-graded locally" will be re-instated post-development and has therefore been treated as retained.

4.3 Full details of the conversion of proposed habitats within the Proposed Site Plan to UKHab along with the target condition are provided in the Assessor Comments within the completed Statutory Biodiversity Metric (TEP Ref: x10969.01.001).

4.4 The following area habitats will be created by the post-development proposals:

- 0.01ha of Developed land; sealed surface (condition N/A) worth 0.0 area habitat units; and
- 0.04ha of Rural trees in Moderate condition worth 0.11 area habitat units.

4.5 The proposals include the planting of 9 new Small trees in Moderate condition.

5.0 Change in Ecological Value

5.1 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 (TEP Ref: x10969.01.001).

5.2 The site area totals 0.10ha of Modified Grassland in Good condition of which 0.01ha will be permanently lost and 0.09ha will be retained.

Biodiversity Net Gain

5.3 Figure 2 presents the headline results taken from the metric and based on the above figures and impacts.

FINAL RESULTS		
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	0.06
	Hedgerow units	0.00
	Watercourse units	0.00
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	10.61%
	Hedgerow units	0.00%
	Watercourse units	0.00%
Trading rules satisfied?	Yes ✓	

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.58	0.64	0.00
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.00	0.00	0.00

Figure 2: Headline Results as shown in the Statutory Biodiversity Metric

5.4 The headline results show that there will be an overall net gain of +10.61% (0.06 habitat units) in area habitats, which achieves the mandatory +10% threshold.

Trading Rules Summary

5.5 The proposals will result in the permanent loss of habitats of low distinctiveness. The proposed planting and retention scheme includes sufficient units of low and medium distinctiveness to compensate for these losses and therefore satisfy the trading rules.

6.0 Implementation, Management and Monitoring

6.1 This BNG assessment has been undertaken in support of a full planning application. These have been assessed to indicate the condition of habitats that is expected to be achieved following completion of the development.

6.2 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.

6.3 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.

7.0 BNG Good Practice Principles

7.1 An appraisal of the scheme against the ten good practice principles for development is set out in Table 1.

Table 1: Good Practice Principals

Good Practice Principle:		Commentary:
1.	Apply the mitigation hierarchy	It has been possible to retain most of the grassland on site. The post-development plans mitigate the losses and achieve a 10% net gain.
2.	Avoid losing biodiversity that cannot be offset by gains elsewhere.	There are no irreplaceable habitats within the habitat baseline.
3.	Be inclusive and equitable.	Conversations have been undertaken with the client and we have worked closely to maximise new landscape features which will enhance biodiversity in the area.
4.	Address risks.	A precautionary approach to habitat condition assessment has been adopted due to the seasonality of surveys and the likely continued use of the retained areas for sheep grazing. Management and monitoring will ensure remedial action is taken to enable target conditions to be achieved.
5.	Make a measurable Net Gain contribution.	The proposals will deliver a net gain in area habitats of +10.61%, which equates to +0.06 habitat units.
6.	Achieve the best outcomes for biodiversity.	The planting of 9 new rural trees on site will enhance the biodiversity value of the site and connectivity within the area.
7.	Be additional.	There are no existing nature conservation outcomes on the site. Therefore, the creation of new habitats and their management for biodiversity for the next 30 years will add value to this site.
8.	Create a Net Gain legacy.	Discussions have been held between TEP and the client regarding Biodiversity Net Gain and this has been a key consideration during the design of the landscaping scheme. A net gain legacy will be achieved through creation of a 30-year management plan which will ensure biodiverse and high-quality habitats remain on site, and offer foraging, commuting, nesting and hibernation potential to a range of local wildlife.
9.	Optimise sustainability.	The habitat enhancements on site will improve ecological corridors and semi-natural habitats within the local area, with benefits for connectivity to the wider area.
10.	Be transparent.	This report provides a transparent method for the BNG assessment ensuring that all stakeholders can follow the process through.

Drawings

Drawing 1: G10969.01.009 Baseline UK Habitats

Drawing 2: G10969.01.010 Baseline Habitat Condition and Strategic Significance

Drawing 3: G10969.01.011 Proposed UK Habitats

Drawing 4: G10969.01.012 Proposed Habitat Condition and Strategic Significance

Drawing 5: G10969.01.0013 Habitat Impact

KEY

Site boundary

Modified grassland

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

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401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
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Project
ENW Haile Moor Mine

Title
Baseline UK Habitats

Drawing Number
G10969.01.009

Drawn	Checked	Approved	Scale	Date
MC	IJ	HG	1:300 @ A3	07/04/2025

KEY

Site boundary

Habitat Condition

Good

Strategic Significance

All habitats with strategic significance value of 'area/ compensation not in local strategy/no local strategy'

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

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Project
ENW Haile Moor Mine

Title
Baseline Habitat Condition and Strategic Significance

Drawing Number
G10969.01.010

Drawn	Checked	Approved	Scale	Date
MC	IJ	HG	1:300 @ A3	07/04/2025

KEY

- Site boundary
- Rural tree
- Modified grassland
- Developed land, sealed surface

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

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Site Map

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Project
ENW Haile Moor Mine

Title
Proposed UK Habitats

Drawing Number
G10969.01.011

Drawn	Checked	Approved	Scale	Date
MC	IJ	MT	1:300 @ A3	07/04/2025

KEY

Site boundary

Habitat Condition

Good

Not applicable - other

Strategic Significance

All habitats with strategic significance value of 'area/ compensation not in local strategy/no local strategy'

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

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Proposed layout 'P2407_002 Hail Moor v5 – Extract' received from ENWL.

Site Map

Rev	Description	Drawn	Approved	Date

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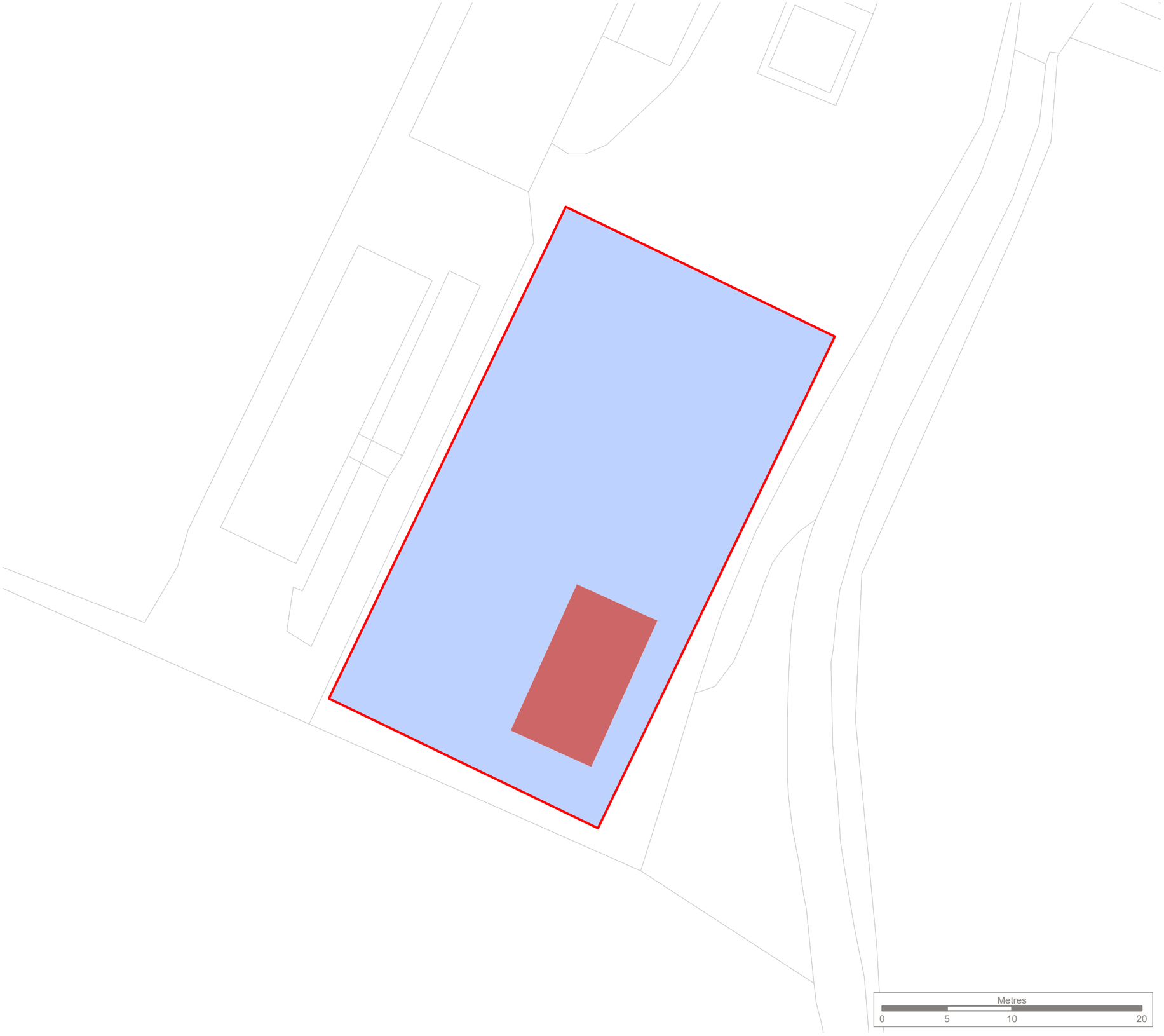
Project
ENW Haile Moor Mine

Title
Proposed Condition and Strategic Significance

Drawing Number
G10969.01.012

Drawn	Checked	Approved	Scale	Date
MC	IJ	MT	1:300 @ A3	07/04/2025



KEY

Site boundary

Habitat Impact

Retained

Lost

Note:
The locations of habitats impacts are indicative.

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Site Map

Rev	Description	Drawn	Approved	Date

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Project
ENW Haile Moor Mine

Title
Habitat Impact

Drawing Number
G10969.01.013

Drawn	Checked	Approved	Scale	Date
MC	IJ	MT	1:300 @ A3	07/04/2025

Appendix A: Statutory Biodiversity Metric

(provided as separate document)

Appendix B: Baseline Condition Assessment

Baseline

Site Name: 10969.01 Haile Moor Mine, Haile
Metric Version: Statutory Metric
Date of Survey: 25th March 2025
Surveyor: MT

Habitats

					Criteria																
Habitat Reference	**UK Habitat Classification**	**Metric Classification**	**Condition Criteria Sheet Used**	**Condition**	**A**	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**	**Number of Passes**	**Score**	**Essential Criteria**	**Tree Size**	**Limitations/Notes**
TN1	Modified grassland [g4]	Grassland - Modified grassland	Grassland Low distinctiveness	Good	Pass - 7 species per square metre	Fail - Short, even sward due to sheep grazing	Pass - Scattered scrub present but covers <20% of area	Pass - Some poaching present but is minimal	Pass - Bracken present on southern boundary but is offsite	Pass - No invasives evident								5	0	A		
			#N/A															0	0			
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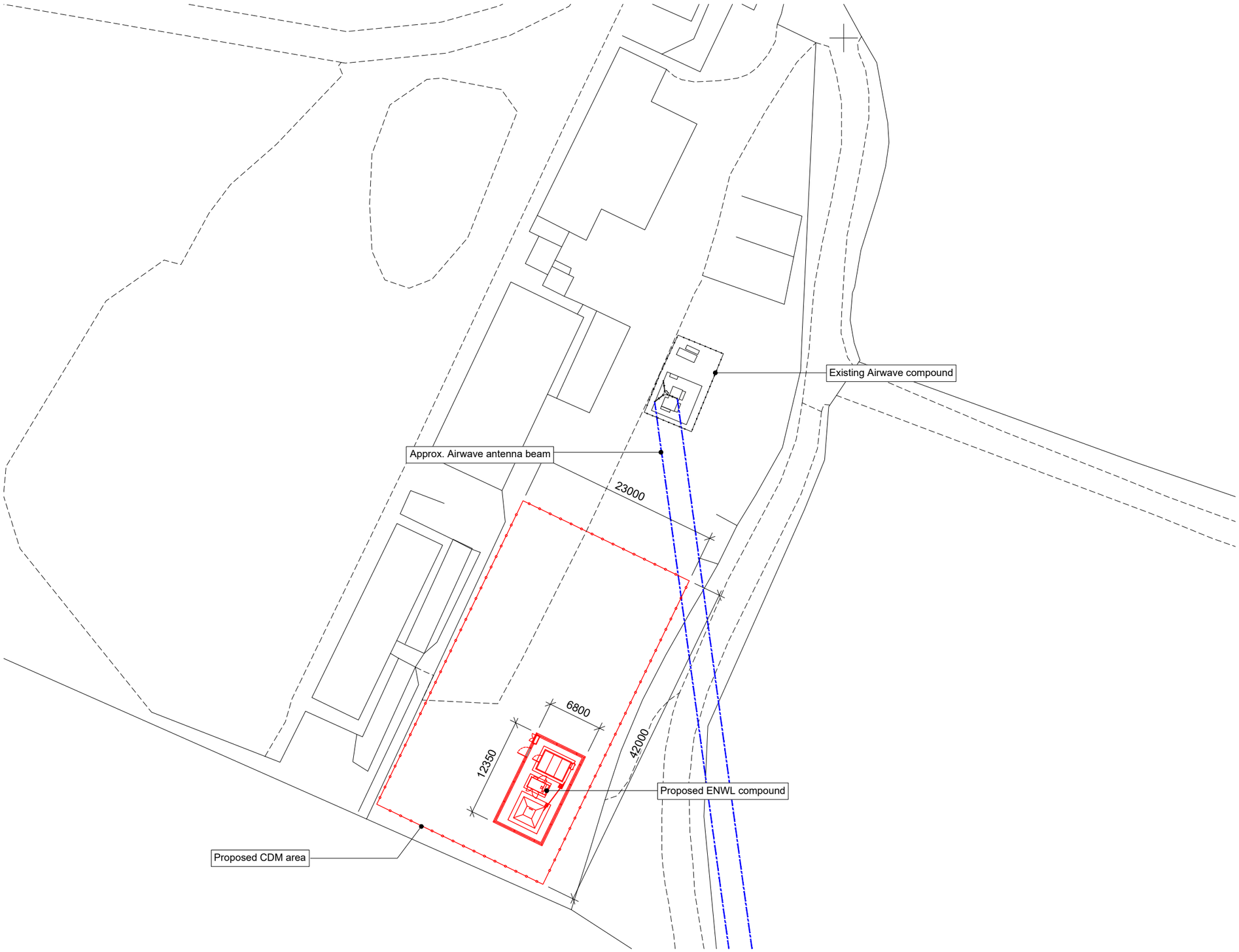
Appendix C: Development Plans



20000 10000 0 10000 20000 30000 40000 50000

ORIGINAL SCALE AT A3 - 1:500

ALL DIMENSIONS IN MILLIMETRES

Large Site Plan

Scale 1:500

ORIGINAL DRAWING SIZE A3 P2407_002

Notes:

1. This drawing to be read in conjunction with full drawing series
2. All dimensions are in mm unless otherwise noted.

REV.	DESCRIPTION	DATE	BY
A	GENERAL ARRANGEMENT ISSUE	22.11.24	CK

L·A·R·S COMMUNICATIONS

Euro-Tel Design

Client

electricity north west

Drawing Title

LARGE SITE PLAN

Site Location

HAILE MOOR MINE
EGREMONT
CUMBRIA
CA22 2PE

Drawn by	Checked by	Approved by
CK	SB	SB
Date Drawn	Date Checked	Date Approved
22.11.24	22.11.24	22.11.24

Drawing Number

P2407_002-GA-007-A

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