39 Fitzjohns Avenue Ltd

# 39a Fitzjohns Avenue & Maresfield Gardens Camden

# Biodiversity Statement

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**Contents**

1. Introduction ..... 3
2. Approach ..... 3
3. Application of the metric ..... 4
4. Conclusions & recommendations ..... 6
5. Report conditions ..... 8

## 1. Introduction

1.1. 39 Fitzjohns Avenue Ltd are submitting an application for a residential development in relation to a substantial existing building and within an overgrown wooded vacant site to the rear of 39/39A Fitzjohns Avenue, adjacent to Maresfield Gardens

1.2. The ecological matters associated with the plot are addressed in separate reports[1], to which reference should be made. This brief note addresses the proposed ecological 'mitigation', especially in light of the implementation of the mandatory requirement for Biodiversity Net Gain (BNG)

1.3. As well as being an tool for establishing the level of gain required and directing how this is achieved, the metric has also served to assist in establishing an exemplary mitigation scheme in this instance.

## 2. Approach

2.1. From an early stage, the scheme recognised that there was a degree of wildlife value to the overgrown garden adjacent to Maresfield Road, and recognised equally that the same wildlife value offered a significant opportunity to enhance the amenity of the new development. The focus therefore, was on adopting a landscape-led approach, including maximising the retention of existing wooded habitat, as well as re-enforcement with additional woodland planting. Amenity access to the wildlife-rich areas is a fundamental concept to creating a quality development, and, within such an urban area, promotes a sense of place and will naturally engender its maintenance in the long term.

2.2. The opportunity was taken also to provide dual habitat/amenity areas elsewhere on the site. For example, the area currently occupied by a degraded 'tarmac' tennis court, is to be a grassy recreational area, but one planted with a mixture of native grasses, rather than a 'hardwearing' rye-grass monoculture.

2.3. Additional opportunities to create habitat were also in place, such as the creation of an extensive (sedum) roof to the new build.

[1] *39a Fitzjohns Avenue & Maresfield Gardens, Preliminary Ecological Appraisal & Preliminary Roost Assessment.* Ecology Network, Feb 2024
*39a Fitzjohns Avenue & Maresfield Gardens, Bat emergence survey (& tree bat inspections).* Ecology Network, Feb 2024

## 3. Application of the metric

3.1. The legislation requiring BNG followed some years of evolution. Prior to its implementation on 12/2/24, a metric was in place[2] prior to the issue of the statutory metric. An assessment of the proposed scheme was undertaken using this tool.

3.2. The extent of the habitats identified during the Preliminary Ecological Appraisal (PEA) were entered into the metric, and areas lost calculated by overlaying the habitat plan with the proposed landscape / development plan. The metric also factors in trees to be lost as part of the development proposals and those to be planted. As is required by the metric, a separate exercise was undertaken in relation to the existing and proposed hedgerows.

3.3. New trees to be planted within the existing wooded area at the west of the site, were excluded from the metric calculation, where that section of woodland is being retained. Where new trees are to be planted outwith the retained wooded area, they have been counted as 'individual trees' within the metric. This is in addition to the woodland or grassland habitat within which they are situated. This is because those respective habitats offer an enhanced contribution to biodiversity over and above the new trees which will be present (for example, within the newly created woodland, attention will be given to create a 'native woodland' ground flora, not just the planting of native trees).

3.4. The three new gardens to the proposed dwellings at no 39a have been designed with elements to enhance biodiversity, and create a gradation to the woodland / grassland habitat adjacent and to the west. Some of these features have been included within the overall classification of 'vegetated garden' within the metric, which does not attract a particularly high score. However, distinctive elements of species-rich grassland and woodland planting have also been included within the private gardens. As habitat created by virtue of BNG attracts an obligation to be maintained for 30 years, it is proposed to place a restrictive covenant within the relevant leases on those sections of the gardens with BNG habitat to be maintained as such in the longer term.

3.5. In the case of the hedgerows, an overall net gain of 81% is achieved since although a hedgerow between the boundary of the Maresfield Gardens plot and the boundary to No 39 Fitzjohns Avenue will be lost,

[2] Version 4.0

new native species-rich hedgerows will be created to the gardens of the proposed dwellings at No 39A.

3.6. Despite the positive mitigation proposed, with respect to habitat, an initial iteration of the metric showed an overall net loss. In order to address this, the habitat metric provided a focus to see what additional measures may be incorporated to achieve additional gain. This led to the addition of 3 significant elements of value to biodiversity:

(a) ground-based green walls, including significant lengths along the northern (ie south facing) and western boundaries
(b) provision of an 'extensive' green roof (in conjunction with the photo-voltaics) to No 39A and the plant buildings, and provision of an intensive (biodiverse), rather than extensive, green roof to the new-build
(c) creation of a substantial pond

3.7. The creation of a pond is of particular significance: whilst the PEA concluded that the presence of notable amphibians (ie great crested newts) was unlikely due to the paucity of water bodies within the vicinity and the severance of the site by roads on 3 sides, the addition of a pond has the potential to create a significant biodiversity gain, directly in terms of common amphibians and insects, as well as indirectly for the local bat population.

3.8. The above measures increased the metric score, although once an accurate measurement of the habitats and trees lost and created / planted was undertaken, the biodiversity loss is calculated at -47%.

3.9. It is the case that (a) the footprint of the new build element of the proposed development lays within the western part of the site and that (b) trees are to be removed throughout the site. However, it should be noted that the new build has been weaved between the existing trees (specifically centred upon the area currently occupied by bramble), to minimise the loss of mature specimen trees. The proposed development also offers the opportunity to manage and strengthen the quality of the woodland areas to be retained.

3.10. It is clear that there appears to be a strong weighting on trees within the metric: although a total of only 8 trees are to be lost outside the wooded area, and replaced by 35 new trees, this appears to have a significant impact upon the final score (It is of note that if the trees - both existing and proposed - are removed from the metric, the overall loss is drastically reduced, from -47% to -3%).

3.11. The metric submitted documents the value of the current habitat, and that of the areas to be lost. The values assigned to the creation of habitat within the metric is 'work in progress' and addressing the apparent 'deficit' in gain may require the use of off-site biodiversity credits.

3.12. In the interim, consideration needs to be given to the scheme on its own merit (especially since it is understood that the site is identified with potential for development within policy / the local plan). A landscape-led approach was adopted from the start, and the subsequent application of the metric led to the provision of additional and significant biodiversity enhancement measures to a scheme which already had habitat creation at its core.

## 4. Conclusions & recommendations

4.1. The introduction of national policy to achieve 10% biodiversity net gain through most development proposals is now mandatory.

4.2. As well as addressing mandatory gain, the metric serves as a useful tool to assess the degree to which proposed landscaping is contributing to biodiversity and fosters creative approaches to maximising biodiversity.

4.3. The maintenance of habitats within BNG plans needs to be addressed over a 30 year period. The effectiveness of the habitat creation and its on-going long-term maintenance will need to be covered by a management plan, to include

(a) practical actions to be undertaken in relation to habitat management
(b) monitoring of target species
(c) identification of funding mechanisms (eg service / ground rent charges) to effect the above.

4.4. It is suggested that the above may be dealt with by means of condition.

4.5. With the above in place, there is the potential to deliver an exemplary scheme which not only provides for diverse habitats within an urban setting, but also creates a sense of place through the amenity it provides. The scheme proposed showcases how native plant species can be accommodated in purposely designed anthropogenic habitats to foster human association with the natural world and holistic biodiversity planning.

4.6. Although the spatial quantum of a single habitat can be a useful shorthand for addressing ecosystem health and function in a relatively small area, the proposed habitat layout positively exploits all opportunities to include both existing and newly planted native species. Combined with long-term stewardship and management, the scheme at 39a Fitzjohn's Avenue and Maresfield Gardens delivers effective taxonomic and functional diversity.

## 5. Report conditions

5.1. This report is produced solely for the benefit of 39 Fitzjohns Avenue Ltd and no liability is accepted for any reliance placed upon it by any other party unless specifically agreed in writing otherwise.

5.2. This report is prepared for the proposed uses stated in the report and should not be used in a different context without reference to Ecology Network Ltd. In time, improved practices, new information or amended legislation may necessitate a re-assessment. Opinions and information provided in this report are on the basis of Ecology Network Ltd using due skill and care in the preparation of the report.

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5.4. This report is limited to those aspects reported on, within the scope and limits agreed with the client under our appointment. It is necessarily restricted and no liability is accepted for any other aspect. It is based on the information sources indicated in the report. Some of the opinions are based on unconfirmed data and information and are presented as the best obtained within the scope for this report.

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5.7. Although care is taken to select monitoring and survey periods that are typical of the environmental conditions being measured, within the overall reporting programme constraints, measured conditions may not be fully representative of the actual conditions. Actual environmental conditions are typically more complex and variable than the investigative approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions.

5.8. The potential influence of our assessment and report on other aspects of any development or future planning requires evaluation by other involved parties.

5.9. The performance of environmental mitigation measures is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. Ecology Network Ltd accept no liability for issues with performance arising from such factors.