

Project	Finchley Road: Temporary Carpark Application
Client	LandSec
Document Title or Subject	Biodiversity Net Gain Statement
Document Reference	4602_001-PEF-ZZZ-XXXX-RP-GE-000001
Revision	P01
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Date	8 <sup>th</sup> August 2024

## Introduction

From 12th February 2024 Biodiversity Net Gain (BNG) has been required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990, inserted by the Environment Act 2021.

As part of the legislation, the application must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) which includes the following as set out by DEFRA:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), [either on the date of application or earlier proposed date \(as appropriate\)](#);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ([‘degradation’](#)), and where they have:
  - a statement to the effect that these activities have been carried out;
  - the date immediately before these activities were carried out;
  - the pre-development biodiversity value of the onsite habitat on this date;
  - the completed metric calculation tool showing the calculations, and
  - any available supporting evidence of this.
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

The above has been included within this Biodiversity Statement within the sections below.

## Biodiversity Net Gain Statement

The Site does not meet any of the exemptions for BNG and therefore will be subject to the BNG Deemed Planning Condition.

The date of the pre-development BNG units will be the 16<sup>th</sup> February 2021 when the red line boundary and also the wider site ownership (for the full Finchley Road Masterplan Application) were surveyed. Following confirmation that the baseline has not changed; this baseline date was considered suitable due to the limited urban habitats present.

The Statutory Biodiversity Metric<sup>1</sup>, User Guide (February 2024)<sup>2</sup>, and The Statutory Biodiversity Metric Condition Assessment Sheets and Methodology<sup>3</sup>, have been used to calculate the Site baseline units and the completed Metric has been submitted as part of the planning application.

No activities have been carried out prior to the submission of the planning application that deviate from the ongoing maintenance and operational activities of the Site. Therefore, the Site baseline survey has been considered as an accurate representation of the Site habitats and not subject to degradation as defined by the BNG legislation.

No irreplaceable habitat has been identified within the Site.

## Habitat Baseline

The Site baseline is calculated at 0.93 habitat units. No linear hedgerow or watercourse habitats are present within the Site.

The Site baseline consists of:

- Forty urban trees in 'poor' condition;
- Three urban trees in 'moderate' condition;
- 0.0338ha introduced shrub (condition n/a); and
- 0.9382ha developed land/sealed surface (condition n/a).

## Unit Shortfall

The proposed development is calculated at a net loss of 0.50 habitat units leading to a BNG deficit of 53.61%.

The proposed development forms a Temporary Planning Application which is anticipated to last 5 to 10 years. Habitat and landscape planting has therefore been excluded from the on-site habitat creation tab as no created habitats will meet the 30-year requirement for BNG.

Therefore, achieving BNG on Site and creating a 30-year management plan will not be practical.

For this reason, the proposed scheme will utilise the following:

- Off-site unit purchase: to discharge the deemed planning condition, the scheme will purchase -offsite units from a registered habitat bank.
- Statutory Credits: in the even that a habitat bank is unable to provide the suitable units, Statutory Credits will be purchased. This will be a last resort option as set out within the legislation and only used if absolutely necessary.

The proposed development can achieve 10% BNG through the options available.

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<sup>1</sup> Statutory biodiversity metric tools and guides <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>

<sup>2</sup> The Statutory Biodiversity Metric User Guide (February 2024)  
[https://assets.publishing.service.gov.uk/media/65c60e0514b83c000ca715f3/The\\_Statutory\\_Biodiversity\\_Metric\\_-\\_User\\_Guide\\_.pdf](https://assets.publishing.service.gov.uk/media/65c60e0514b83c000ca715f3/The_Statutory_Biodiversity_Metric_-_User_Guide_.pdf)

<sup>3</sup> The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology (February 2024)  
- <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>

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<b>Report Ref.</b>	4602_001-PEF-ZZZ-XXXX-RP-GE-000001					
<b>File Path</b>	\\Lon-file-01\engineering\1048--\104878 - Finchley Road\01 - WIP\Documents\Ecology & Arb					
Rev	Suit	Description	Date	Originator	Checker	Approver
P01	S2	Initial Issue	08 Aug 2024	C Gilby	D West	C Gilby
Ref. reference. Rev revision. Suit suitability.						