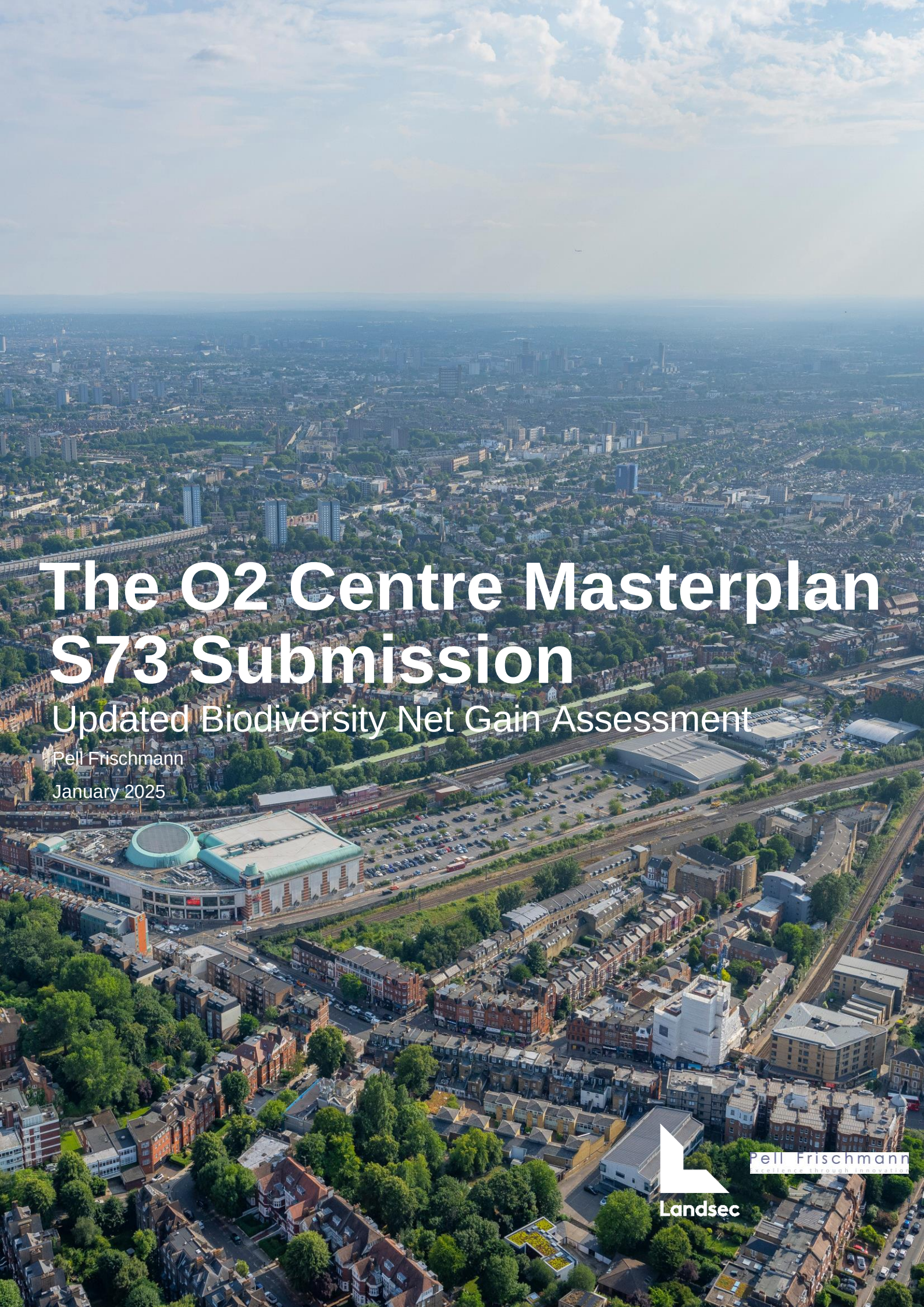

The O2 Centre Masterplan S73 Submission

Updated Biodiversity Net Gain Assessment

Pell Frischmann

January 2025

Landsec

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O2 Masterplan Site, Finchley Road – S73 Application

Updated Biodiversity Net Gain Assessment

Report Ref.		**104878-PEF-ZZ-XX-RP-GE-400002**				
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1	S4	Issue for planning	Jan 2022	C Gilby	J Grant A Gaftea	M Hitchens
2	S4	Updated to accompany the S73 Application	23 Jan 2024	C Gilby	T Priestley	C Gilby
Ref. reference. Rev revision. Suit suitability.						

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Contents

Figures

Tables

Appendices

1 Introduction

This updated Biodiversity Net Gain (BNG) Assessment has been prepared by Pell Frischmann (PF) on behalf of LS (Finchley Road) Limited (the "Applicant"), to support a Section 73 application which seeks to vary planning permission ref. 2022/0528/P, granted on 20 December 2023, in respect of the O2 Masterplan Site ("the Site") within the London Borough of Camden ("LBC"). Whilst the Section 73 application will grant a new planning permission for the entire Site, amendments are only proposed to the Detailed Element. The Outline Elements will be unaffected by the proposed changes except for a reduction in the maximum residential floor area proposed.

The Site is subdivided into 10 Development Plots (N1, N2, N3, N3-E, N4, N5, N6, N7, S1 and S8). These are identified on Parameter Plan ref. 19066_X_ (02)_102. The 10 plots sit within three indicative phases.

The proposed Section 73 amendments relate to Development Plots N3E, N4 and N5, and the associated landscaping, access roads and infrastructure. These plots are located in the centre of the Site and are approved in detail as they form the first phase of the development – the "Detailed Element". The Detailed Element of the Site extends to 1.79ha.

Development Plots S8, N7 and N6 located in the west of the Site are approved in outline and form "Outline Element West". Development Plots N3, N2, N1 and S1 located in the east of the Site are approved in outline and form "Outline Element East". These plots together are referred to as the "Outline Elements." The Outline Elements are not affected by the amendments proposed as part of this Section 73 application except for a reduction in the maximum residential floor area proposed.

The amendments proposed as part of this Section 73 application are herein referred to as the "Proposed Development".

In summary, the Section 73 design amendments relate principally to the Detailed Element and involve adjustments to the height, massing and footprints of the buildings; the replacement of Block N4D with a two-storey community centre; new landscaping and additional public realm; revisions to architecture; and revisions to unit mix and internal layouts. Overall, there is an increase in floorspace of 5,766 sqm (GIA) for the Detailed Element compared with the Approved scheme, an increase of 43 residential units, an increase in the size of the community centre and a slight reduction in commercial floorspace (-8sqm GIA). The affordable housing provision remains the same at 36% of the floorspace (GIA).

While there is an increase in the floorspace proposed in the Detailed Element, there is a corresponding reduction in floorspace in the Outline Elements such that overall, there is no change proposed to the total floorspace permitted for the O2 Masterplan as a whole, apart from an 8sqm (GIA) reduction in commercial floorspace from the Detailed Element.

The Proposed Description of development is as follows:

"Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions I4 (Severability Condition), AD1 (Approved Drawings - Masterplan), AD2 (Approved Drawings - Reserved Matters), AD3 (Approved Drawings - Phase 1), RM1 (Parameter Plans and Development Specification), RM6 (Phasing Plan), RM11 (Reserved Matters – Access Statement), RM21 (Reserved Matters – Total floorspace), D20 (Photo-voltaic Cells), D21 (Phase 1 Long Stay Cycle Parking), D22 (Phase 2 Short Stay Cycle Parking), D24 (Phase 1 Disabled Car Parking), D26 (Phase 1 Fire Safety Implementation of Approved Measures), and M28 (Phase-Wide Lighting Strategy) and the removal of Conditions M6 (Enabling Works) and M7 (Major Utilities Infrastructure) of planning permission ref. 2022/0528/P dated 20 December 2023 for 'Detailed planning permission for Development Plots N3-E, N4, and N5 and Outline planning permission for Development Plots N1, N2, N3, N6, N7, S1 and S8, including demolition of all existing structures and associated works, and redevelopment to include residential development (Class C3), commercial, business and service uses (Class E), local community uses (Class F2), and Sui Generis leisure uses (including cinema and drinking establishments) together with all landscaping, public realm, cycle parking and disabled car parking, highway

works and infrastructure within and associated with those Development Plots, in accordance with the Development Specification. For the avoidance of doubt, the Detailed and Outline planning permission are separate and severable for each of the Plots shown on plan P011 and the description of development on any decision notice issued pursuant to the application would reflect that', to allow for amendments to the Detailed Element (Plots N3-E, N4 and N5) including additional height, alterations to the design, massing and footprint of the buildings; the replacement of Block N4D with the relocated community centre; additional residential floorspace (and corresponding reduction in floorspace within Outline Elements); revisions to unit mix and internal layouts; additional community (Class F2) floorspace, reduction in retail (Class E,a) floorspace, reduction in professional services (Class E,c) floorspace, additional blue badge parking and cycle parking; revised landscaping and additional public realm; and associated works".

Full details and scope of the Section 73 application are described in the submitted Planning Statement Addendum, prepared by Newmark and the Design and Access Statement prepared by GRID.

This report aims to inform the S73 application and includes an assessment of change to BNG for the full Site in relation to the amendments as part of the S73 application. This updated BNG Assessment has been fully updated and is intended to supersede the Revision 1 (January 2022) version previously approved as part of the original planning permission.

1.1 Background

A Preliminary Ecological Appraisal (PEA) (PF report 104878-PEF-ZZ-XX-RP-GE-400000) and Arboricultural Impact Assessment (PF report 104878-PEF-ZZ-XX-RP-GE-400001) were undertaken in 2021 to support the original planning application.

In addition, a full Ecological Impact Assessment (EcIA) was completed as part of the production of the Environmental Statement (ES) Chapter to support the Environmental Impact Assessment (EIA) process as part of the original planning application.

For the purposes of this BNG assessment and report, the Extended Phase 1 Habitat Survey map included in Appendix A was used to measure the baseline biodiversity units at the Site. Based on the urban nature of the Site and limited baseline present, no updated survey was required.

1.2 Site Location and Description

The Site is approximately 5.7 ha in size and comprises the O2 Centre, which is arranged over three floors and contains a cinema, a mix of retail units, restaurants and cafes, a health club, a community room and a Sainsbury's store; hard-standing, which is used as a car-park with space for 520 vehicles, car wash and a Homebase store (which was recently demolished), and to the western part of the Site are two purpose-built car showrooms and a builder's merchant.

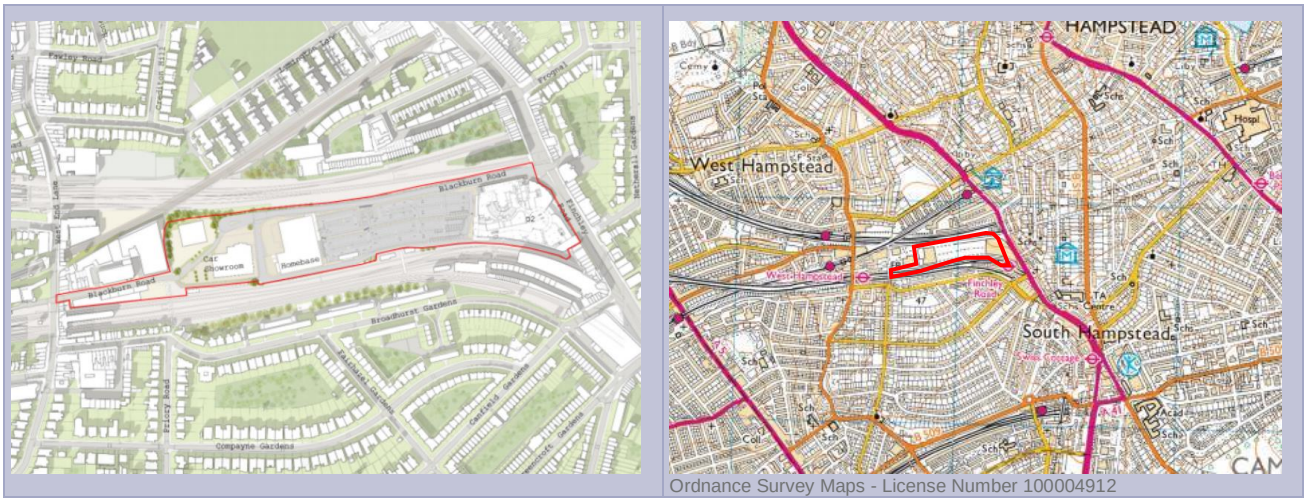
The amendments proposed by the S73 application relate to the central part of the site. This area is covered by the Detailed Element of the approved O2 Masterplan planning permission. This part of the Site is approximately 1.79 ha in size and currently comprises of hard standing, which is used as a carpark, car wash and the site of the former Homebase store (which was recently demolished)

The land contained within the red line plan for the O2 Masterplan planning permission (both Outline and Detailed Elements) comprises the following:

- O2 Centre;
- Associated O2 Centre car park;
- Site of the former Homebase store (which was recently demolished);
- Car wash;
- Car showrooms; and
- Builder's merchant.

(Thereafter referred to as 'the Site')

Figure 1 Site Location Plan



1.3 Biodiversity Net Gain

BNG is an approach which aims to ensure that changes brought about by development conclude with biodiversity faring better than it did before works took place. BNG replaces the previous policy of 'no net loss'. BNG relies on the mitigation hierarchy of avoidance, mitigation or compensation being applied, and should be used in addition to these, rather than as a replacement. Only as a last resort should biodiversity losses be compensated by offsetting using off-site mitigation or compensation.

If a planning application for a development was made before day one of mandatory BNG on 12 February 2024, the development is exempt from statutory BNG. Planning permission for the Site was granted on 20 December 2023 and therefore all updates within this report relating to the S73 application are made in line with planning policy only.

By adopting the approach of BNG, protection is extended to habitats and species that are not necessarily protected by the current legal and planning systems, and which therefore could be removed under a legally compliant development. The current system can therefore result in a net loss of biodiversity; an objective that the BNG approach aims to halt.

BNG therefore aims to go beyond the current approach of EcIA, which is a standard model for mitigating the impacts and losses as required by UK and European legislation for important ecological features that have been assessed as important at a local level or higher. The BNG approach aims to account for all direct losses of habitat within a development.

As part of the planning process relevant at both the time of the original application and during this updated assessment to accompany the S73 application, the National Planning Policy Framework (NPPF) strongly references BNG net gain and that developments must aim to demonstrate a net improvement to the biodiversity of the Site. Paragraphs 187 to 195 of NPPF 2024 set out the Government's policies on the protection of biodiversity through the planning system. These policies are expected to be incorporated into development planning documents at regional and local scales and are also of material worth in considering individual planning applications.

1.4 Objectives of Assessment

The overall objectives of the updated BNG assessment report are to:

- Provide a detailed assessment of the adherence to or distance from BNG within the proposed development;
- Detail the changes in BNG for the entire Site resulting from the S73 application; and
- Enable the client to demonstrate adherence to national, regional and local policy.

Relevant plans and policies include:

- National Planning Policy Framework (NPPF) (2024);
- Camden Local Plan (2017);
- The London Plan (2021); and
- The London Environment Strategy (2018).

1.4.1 Adopted Camden Local Plan

The Camden Local Plan was adopted by the council in July 2017. The Local Plan is used as the basis of planning decisions and to inform the future of development within the Borough.

Policy A3 addresses the protection, enhancement and management of biodiversity and states '*the council will protect and enhance sites of nature conservation*'. This is aimed to be carried out through the designation and protection of nature conservation sites, including the safeguarding of habitats and species.

To comply with Policy A3, the Council will '*grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species……assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development, proportionate to the scale of development proposed*'.

Policy A3 also states that the Council will require the following in relation to trees and vegetation:

- resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation;
- require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout;
- expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development; and
- expect developments to incorporate additional trees and vegetation wherever possible.

1.4.2 Draft New Camden Local Plan (Regulation 18 Consultation Version January 2024)

Camden Council is in the process of updating the Local Plan. The emerging Camden Local Plan is currently it its consultation stage. The Regulation 18 consultation took place in early 2024. Further consultation is anticipated in 2025, with adoption currently anticipated in Spring 2026. At this stage in the plan preparation process, the draft Local Plan policies carry limited weight. However, these will start to carry more weight as the plan moves towards adoption and so have been considered within the application documentation. The draft new Camden Local Plan sets out the Council's vision for future development in Camden for the next 15 years and includes the planning policies and site allocations to help achieve this. The Local Plan will cover the period from 2026 – 2041 and Chapter 11 covers the Natural Environment.

Policy NE1 – The Natural Environment states that '*The Council will conserve and enhance Camden's natural environment*' through protecting nature conservation sites, features of biodiversity and trees.

Policy NE2 – Biodiversity states that '*The Council will seek to ensure that development protects and enhances nature conservation and biodiversity in the Borough*' through safeguarding protected sites, requiring all major

schemes and those with the potential to impact on biodiversity to prepare suitable ecological assessments, including direct and indirect impacts, and requiring at least 10% net gain on eligible sites.

Policy NE3 – Tree Planting and Protection states that '*The Council will seek to protect existing trees and secure additional tree planting in the borough*' through minimising tree loss, creating tree preservation orders (TPOs) where necessary and requiring replacement trees where they have been lost.

1.4.3 The London Plan

The London Plan (2021) Chapter 8 covers Green Infrastructure and Natural Environment. In particular the following policies should be considered within this project:

- Policy G6 addresses Biodiversity and Access to Nature and states that Sites of Importance for Nature Conservation (SINCs) should be protected and avoidance measures taken where possible. Policy G6 also states that biodiversity enhancements should be considered from the onset of a development, as well as seeking new or improved habitats that result in a positive gain for biodiversity.

Policy G7 addresses Trees and Woodlands and states trees should be protected, and where new trees are planted this should be in appropriate locations. Therefore, developments should aim to protect trees where possible and if this is not possible, adequate replacements are required

1.4.4 London Environment Strategy

The London Environment Strategy (2018) focusses on a range of actions to improve the environment across London to create a 'better future'.

Objective 5.2 addresses the aim of Conserving and Enhancing Wildlife and Natural Habitats through Policy 5.2.1 which aims to protect a core network of nature conservation sites and ensure a net gain in biodiversity. This will be done by:

- Proposal 5.2.1.a - the London Plan includes policies on the protection of Sites of Importance for Nature Conservation (SINCs) and Regionally Important Geological Sites (RIGS);
- Proposal 5.2.1.b - the Mayor will develop a biodiversity net gain approach for London, and promote wildlife-friendly landscaping in new developments and regeneration projects;
- Proposal 5.2.1.c - the Mayor will provide guidance and support on the management and creation of priority habitats, the conservation of priority species, and the establishment of wildlife corridors.

2 Assessment Methodology

The detailed methodology for the BNG assessment is presented in Appendix B. A summarised methodology is presented within the following sub-sections.

The assessment has followed the Metric 2.0 guidance current at the time of the original planning application. Since this S73 application is exempt from Statutory BNG, it is not necessary to update from Metric 2.0.

2.1 Baseline Surveys and Data Sources

The BNG assessment has been informed by:

- Preliminary Ecological Appraisal (2021) 104878-PEF-ZZ-XX-RP-GE-400000
- Arboricultural Impact Assessment (2021) 104878-PEF-ZZ-XX-RP-GE-400001

The Extended Phase 1 Habitat Survey map included in Appendix A was used to measure the baseline biodiversity units at the Site. The habitats identified and mapped during the PEA were subject to a retrospective habitat condition assessment to enable them to be categorised in line with the methodology.

The Landscape Strategy for the original planning application was produced by East, and has been used to assess the Outline Element of the original permission post-development biodiversity units for the original permission. This updated assessment to accompany the S73 application has also used the Landscape General Arrangement produced by Townshend Landscape Architects to determine whether or not the Proposed Development will still be able to achieve BNG on completion when including the revised proposals for the Detailed Element.

2.2 Biodiversity Net Gain Assessment

The BNG assessment has followed industry best practice methodologies which were current at the time of initial assessment (Metric 2.0) including:

- CIEEM, CIRIA & IEMA (2019). Biodiversity Net Gain: Good practice principles for development. A practical guide.; and
- Natural England (2010). Higher Stewardship, Farm Environment Plan (FEP) Manual, 3rd Edition.

The Good Practice Principles (CIRIA, CIEEM and IEMA 2019) and the DEFRA Biodiversity Metric 2.0 have been used to produce an assessment which:

- Establishes the baseline biodiversity units for both area and linear habitats within the Site;
- Establishes the number of units to be retained and or/created under the proposed development by the landscape plan;
- Establishes whether the proposed development will result in an overall net loss, no net loss or BNG within the Site;
- Provides evidence of how the proposed development achieves biodiversity gain within the proposed development; and
- Provides recommendations for amendments and updates to the proposed development to ensure that BNG can be achieved and implemented.

In addition to the BNG calculations, evidence of the application of the mitigation hierarchy, stakeholder engagement and post-development habitat management has been referenced.

2.3 Constraints and Limitations

It must be noted that the BNG assessment is only a singular method of assessing the impact of the proposed development. The BNG report does not cover requirements of the proposed development to mitigate potential

impacts on protected species and designated sites of importance for nature conservation. These have been captured within the standalone reports as listed in Section 2.1 above.

It should be noted that BNG units are split into Area Units and Linear Units. These units are not interchangeable, and one area unit is not equal to one linear unit; therefore, the gain of one cannot offset the loss of the other. Therefore, linear biodiversity units cannot be combined with the biodiversity units calculated for the area-based habitats.

At the time of this report, the conclusions and recommendations have been made based on a combination of the Landscape Strategy produced by East for the original planning application, and the Landscape General Arrangement produced by Townshend Landscape Architects for the Detailed Element. If these drawings change, the BNG calculations will need to be updated by a person suitably qualified to do so.

3 Assessment of on-site Biodiversity Net Gain

3.1 Baseline Biodiversity

The baseline (pre-development) habitats recorded within the Site during the PEA walkover survey are shown in the Phase 1 Habitat Map (Appendix A). The findings are summarised in Table 1 below. The baseline units were calculated using the DEFRA Biodiversity 2.0 Biodiversity Metric Toolkit (current at the time of initial assessment).

No linear habitats were identified within the Site and therefore have been excluded from the remainder of this report.

Table 1 Baseline Habitat Types – Area Habitats

Habitat Type	Area (HA) within the Site	Distinctiveness	Condition	Baseline Area Units
Scattered Trees	0.16	Low	Moderate	0.64
Introduced Shrub	0.07	Low	Poor	0.14
Mixed Scattered Scrub	0.05	Medium	Poor	0.20
Bare Ground	0.01	Low	Poor	0.02
Buildings and Other Structures	2.15	Very Low	N/A	0.00
Hardstanding	3.42	Very Low	N/A	0.00
Total[1]				**1.00**

3.2 Post-Development Biodiversity

The details of post-development habitats are set out in Table 2, calculated from and shown within the Landscape Strategy produced by East and the Landscape General Arrangement produced by Townshend Landscape Architects.

The areas of habitat to be retained totals 0.32 units, and includes:

- Mature London plane trees along Billy Fury Way and
- Small numbers of scattered trees

Habitats to be created post-development include habitats and species to suit landscape amenity and also bird and pollinating species. This will provide the Site with resilience and enable pollinator and bird species to continue to thrive within the wider urban environment.

As per the approved scheme, the Outline Elements will include the following:

- Amenity grassland and 'run-over' grass crates, as well as Tall grass and wild grass, and wildflowers - considered to be amenity grassland due to the urban nature of the Site and management requirements;
- Shrubs;
- Rain garden
- Swales and wetland vegetation;
- Woodland and mini-forest habitats;
- Street trees; and

[1] Note numbers taken directly from the Biodiversity Metric 2.0 so rounding errors may occur

- Permeable paving and other hardstanding and buildings.

As per the approved scheme, the Detailed Element, will include the following:

- Intensive green roof;
- Flower-rich perennial planting - considered to be 'amenity grassland' due to the urban nature and management requirements;
- Amenity grassland;
- Extensive green roof on sedum;
- Permeable paving;
- Sealed surfaces;
- Standard trees planted in natural soils (172 no.); and
- Standard trees planted in pits (on the terraces within raised planters) (78 no.) assessed as 'Urban raised planters'.

Table 2 Post Development Habitat Types – Area Habitats

Habitat Type	Area (HA) within the Site	Distinctiveness	Condition	Habitat Units Delivered
Outline Elements				
Amenity grassland - Amenity grassland and 'run over' grass crates	0.37	Low	Poor	0.71
Introduced shrubs	0.05	Low	Poor	0.10
Rain garden	0.10	Low	Poor	0.19
SuDS Features - Swales and wetland vegetation	0.02	Low	Poor	0.03
Tall grass and wild grass, and wildflowers - considered to be amenity grassland due to the urban nature of the Site and management requirements	0.07	Low	Poor	0.14
Woodland and mini-forest habitats - considered to be urban vegetated gardens	0.04	Low	Poor	0.08
Street Trees (216 no.)	0.09	Low	Moderate	0.14
Hard landscaping, roads and buildings	3.34	Very Low	N/A	0.00
Sub-total[2]				**1.39**
Detailed Element				
Intensive green roof	0.29	Low	Moderate	0.97
Flower-rich perennial planting - considered to be 'amenity grassland' due to the urban nature and management requirements	0.12	Low	Moderate	0.43
Amenity grassland	0.11	Low	Poor	0.21
Extensive green roof on sedum	0.04	Medium	Moderate	0.19
Permeable paving	0.38	Very Low	N/A	0.00
Sealed surfaces	0.15	Very Low	N/A	0.00
Standard trees planted in natural soils (172 no)	0.08	Low	Moderate	0.12

[2] Note numbers taken directly from the Biodiversity Metric 2.0 so rounding errors may occur

Habitat Type	Area (HA) within the Site	Distinctiveness	Condition	Habitat Units Delivered
Standard trees planted in pits (on the terraces within raised planters) (78 no.) assessed as 'Urban raised planters'	0.05	Low	Moderate	0.19
Sub-total[3]				**2.11**
Total[4]				**3.50**

[3] Note numbers taken directly from the Biodiversity Metric 2.0 so rounding errors may occur
[4] Note numbers taken directly from the Biodiversity Metric 2.0 so rounding errors may occur

4 Discussion of Results and Recommendations

Using a combination of the Landscape Strategy produced by East for the original permission, and the Landscape General Arrangement produced by Townshend Landscape Architects for the Detailed Element to accompany the S73, the BNG calculations indicate that the Proposed Development is likely to continue to result in a net gain in habitat units within the red line boundary.

The BNG calculations indicate that the completed development will result in the improved net gain of 2.82 habitat units, when compared to the current baseline conditions at the Site. Due to the urban setting of the Proposed Development, and the very small number of units identified at the baseline, this translates to a 282.17% gain biodiversity within the Site.

This has been achieved by the conversion of a predominantly hardstanding Site into a well landscaped residential development.

This BNG assessment should be updated if the Proposed Development (both Outline Elements and Detailed Elements) design changes to identify any changes (i) in retained habitats and (ii) created habitats within the Site.

Table 3 Summary of Biodiversity Units

Unit Type	Baseline Units	Post Development Units	Overall Change in Units (+/-)	Overall % Change
Habitat Units	1.0	3.82	**+2.82**	**+282.17**
Linear Units – hedgerows	N/A	N/A	N/A	N/A
Linear Units – rivers	N/A	N/A	N/A	N/A

4.1 Recommendations

It should be noted that as a small Site with very limited existing vegetation or 'habitat' baseline (just 1.0 biodiversity units) is almost always going to show a net gain of several hundred '%' provided its landscaped sympathetically. This issue of the relative ease of achieving BNG on many urban sites is the reason why the Urban Greening Factor was introduced in London which requires a certain amount of greening on urban sites, which almost always results in BNG by default.

Therefore, the results of this BNG assessment should be read in conjunction with the Urban Greening Factor produced as part of the Landscape Strategy produced by East, and the Landscape General Arrangement produced by Townshend Landscape Architects.

4.1.1 Builders Yard / Plot S8

The proposed severability plan shows the extent of severable area within Plot S8 within the Outline Element West. It is the applicants' very firm intention to deliver this plot in accordance with the approved parameter plans through the submission of reserved matters pursuant to the hybrid planning permission. This will maximise the public benefits that will result from the development. However, it is recognised that an extant planning permission (ref PWX0202103), together with an extant section 73 permission (ref 2023/1292/P), exists in relation to this part of the Site, and as a consequence this area has been identified as severable. In order to ensure a robust approach, an assessment has been made of the environmental impacts that would potentially arise in the event that this plot is brought forward under those existing extant planning permissions rather than pursuant to reserved matters under the hybrid consent.

The BNG assessment report has not considered the extent of the severable area within the final metric figures. This is due to the very small amount of landscaping included in this area as part of the Outline Landscape Plan, the removal of which would create a very minor change to the final Site wide BNG score which is currently

achieving an exceptional figure. Therefore, the severability of this part of the Site would not cause a material change to the BNG assessment.

4.2 Biodiversity Net Gain Principles

As discussed in Section 2.2, the BNG calculations provide only a quantitative assessment and therefore further principles should also be considered including the application of the mitigation hierarchy, engagement with stakeholders, avoidance of irreplaceable habitats, and overall achieving the best possible outcomes for biodiversity.

CIRIA, CIEEM and IEMA have produced the principles on good practice to achieve BNG (2019) and these principles provide the framework for improving the UK's biodiversity. These 10 principles are discussed further below in Table 4 with evidence and outcomes of each principle from the proposed development.

This BNG assessment is based upon the as part of the Landscape Strategy produced by East to support the original planning application, and the Landscape General Arrangement produced by Townshend Landscape Architects produced to support the S73 application and will need to be further refined where changes to the Proposed Development occur.

Table 4 Qualitative Discussion of Biodiversity Net Gain Principles

Principle	Description of Principle	Evidence of Principle being Applied within the Proposed Development
Apply the mitigation hierarchy	Do everything possible to first avoid and then minimise impacts on biodiversity. Only as a last resort, and in agreement with external decision-makers where possible, compensate for losses that cannot be avoided. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere.	The Proposed Development has used data collected during the PEA and arboricultural survey to ensure that impacts from the Proposed Development will avoid key habitats and species where possible. The loss of habitats has been noted and their replacement or enhancement included within the Landscape Plan. Impacts to species such as nesting birds will be avoided through mitigation where required.
Avoid losing biodiversity that cannot be offset by gains elsewhere	Avoid impacts on irreplaceable biodiversity - these impacts cannot be offset to achieve No Net Loss or Net Gain.	No irreplaceable habitats will be lost due to the Proposed Development.
Be inclusive and equitable	Engage stakeholders early, and involve them in designing, implementing, monitoring and evaluating the approach to Net Gain. Achieve Net Gain in partnership with stakeholders where possible and share the benefits fairly among stakeholders.	Liaison with the local planning authorities (through EIA Scoping) and landowners was undertaken as part of the planning process.
Address risks	Mitigate difficulty, uncertainty and other risks to achieving Net Gain. Apply well-accepted ways to add contingency when calculating biodiversity losses and gains in order to account for any remaining risks, as well as to compensate for the time between the losses occurring and the gains being fully realised	The BNG assessment has used recognised guidance (current at the time of initial assessment) and will be updated following any changes to the Proposed Development.
Make a measurable Net Gain contribution	Achieve a measurable, overall gain for biodiversity and the services ecosystems provide while directly contributing towards nature conservation priorities.	BNG is achievable with a gain of 282.17% being identified.
Achieve the best outcomes for biodiversity	Achieve the best outcomes for biodiversity by using robust, credible evidence and local knowledge to make clearly justified choices when: ➢ Delivering compensation that is ecologically equivalent in type, amount and condition, and that accounts for the location and timing of biodiversity losses ➢ Compensating for losses of one type of biodiversity by providing a different type that delivers greater benefits for nature conservation ➢ Achieving Net Gain locally to the development while also contributing towards nature conservation priorities at local, regional and national levels	The Proposed Development can achieve overall BNG using the habitat creation as shown within the as part of the Landscape Strategy produced by East, and the Landscape General Arrangement produced by Townshend Landscape Architects. The information provided within the PEA, arboricultural survey and EcIA (ES Chapter) inform this principle. The BNG assessment has been undertaken using the DEFRA Biodiversity Metric 2.0 (current at the time of initial assessment).

Principle	Description of Principle	Evidence of Principle being Applied within the Proposed Development
	➢ Enhancing existing or creating new habitat ➢ Enhancing ecological connectivity by creating more, bigger, better and joined areas for biodiversity	
Be additional	Achieve nature conservation outcomes that demonstrably exceed existing obligations (i.e. do not deliver something that would occur anyway).	The proposals result in a 282.17% net gain in biodiversity. In addition, the habitats created focus on habitats suitable for pollinating species and nesting birds within the wider urban environment. Given the current baseline, it was considered that a future baseline would include a 'no change' scenario with scattered trees and introduced shrub continued to be managed in the same way and no wider benefits identified. Therefore, the Proposed Development delivers a positive outcome for these species in the long term that would not otherwise occur.
Create a Net Gain legacy	Ensure Net Gain generates long-term benefits by: ➢ Engaging stakeholders and jointly agreeing practical solutions that secure Net Gain in perpetuity ➢ Planning for adaptive management and securing dedicated funding for long-term management ➢ Designing Net Gain for biodiversity to be resilient to external factors, especially climate change ➢ Mitigating risks from other land uses ➢ Avoiding displacing harmful activities from one location to another ➢ Supporting local-level management of Net Gain activities	A Landscape and Ecological Management Plan (LEMP) must be produced to include further details on ongoing maintenance obligations. Through it is considered that created habitats will be maintained in the long term. The LEMP will outline in full specific responsibilities and obligations for those to be responsible for implementing the long-term Site management and maintenance. As above, it was considered that a future baseline would include a 'no-change' scenario therefore, the Proposed Development delivers a positive outcome for these species to produce a net gain legacy within this urban environment.
Optimise sustainability	Prioritise Biodiversity Net Gain and, where possible, optimise the wider environmental benefits for a sustainable society and economy.	This principle has been achieved through production of the as part of the Landscape Strategy produced by East, and the Landscape General Arrangement produced by Townshend Landscape Architects to ensure the implementation of the recommended measures.
Be transparent	Communicate all Net Gain activities in a transparent and timely manner, sharing the learning with all stakeholders.	Liaison with the local planning authorities and community engagement should be undertaken.

5 Ecological Report Limitations

The information reported herein is based only on the interpretation of data collected during the Preliminary Ecological Appraisal and protected species survey visits; and through the Landscape Strategy produced by East, and the Landscape General Arrangement produced by Townshend Landscape Architects. This work pertains specifically to the determination of Biodiversity Net Gain on the proposed Site. Information provided to Pell Frischmann has been accepted as being accurate and valid.

This report has been prepared by Pell Frischmann with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client.

This report should be used for information purposes only and should be reviewed and amended accordingly when a final proposed layout is available.

This report has been prepared solely for the use of LandSec and may not be relied upon by other parties without written consent from Pell Frischmann. In addition, it must be understood that this report does not constitute legal advice.

Pell Frischmann disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

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Appendix A Phase 1 Habitat Survey

Pell Frischmann

BURRATOR HOUSE, RYDON LANE,
EXETER, EX2 7NT

Legend

- Site Boundary

Ecology Points

- Target Note
- Scattered Broadleaf Trees

Ecology Lines

- Fence
- Wall

Ecology polygons

- Dense Scrub
- Scattered Scrub
- Introduced shrub
- Buildings
- Bareground
- Hardstanding

Target Notes
T1 - Dense Ivy
T2 - Buddleia

Building Key
B1 - The O2 Building
B2 - Carwash
B3 - Homebase
B4 - Car Dealership
B5 - Car Dealership
B6 - Builders Yard and Shops

Finchley Road

Phase 1 Habitat Map

Appendix B Biodiversity Net Gain Methodology (Metric 2.0)

The Biodiversity Net Gain calculations for the Proposed Development have been assessed using the DEFRA Biodiversity Metric 2.0 and the Phase 1 Habitat Map produced as part of the PEA Report. The DEFRA Biodiversity Metric 2.0 provides a way to measure and account for the losses, changes, and gains, in biodiversity as a result of development, or changes in land management, and includes a calculation tool to demonstrate these figures.

Baseline Biodiversity Units

The metric has been used to calculate the baseline biodiversity units within the Site red line boundary. These calculations have then been used to help the Proposed Development follow the mitigation hierarchy of avoidance, mitigation, and compensation, and to inform the post development management. The formulae used to calculate the baseline biodiversity units for habitat areas and linear habitats were based on the calculations in the DEFRA Biodiversity Metric 2.0 User Guide:

- Area baseline units (BU) = (Area (ha) x Distinctiveness x Condition) x (Connectivity x Strategic Significance)
- Linear baseline units (LU) = (Length of hedge x Distinctiveness x Condition) x (Connectivity x Strategic Significance)

Habitat Distinctiveness

Habitat distinctiveness is described as a collective measure of biodiversity including parameters such as species richness, diversity, rarity and the degree to which a habitat supports species rarely found in other habitats. The DEFRA Biodiversity Metric 2.0maps out distinctiveness using the terms High/Medium/Low and maps these automatically based on the habitat selection.

Habitat Condition

Habitat condition (Good/Moderate/Poor) is measured in accordance with the assessment methodology set out in the Farm Environment Plan (FEP). To determine the habitat condition, the habitat has to meet a certain number of criteria as set out in the FEP as follows:

- Good – all criteria met
- Moderate – all but one criterion is met
- Poor – more than one criterion are not met

Post Development Biodiversity Units

The metric is then used to calculate the biodiversity units present in the post development proposal. Where the number of biodiversity units is lower/higher than the baseline calculations, an assessment can be made as to whether the Proposed Development will achieve a net gain or a net loss for biodiversity.

Calculations of biodiversity units remaining following the construction of the proposed development take account of:

- Habitat that is lost due to development;
- Habitat retained post development;
- Retained and enhanced habitats; and
- Habitats created due to the development.

Post construction assessment is based upon the target state (size and condition) for the habitats that are being enhanced or created.

Once the post-development biodiversity units have been calculated, the mitigation hierarchy is further applied; application of the mitigation hierarchy is one of the guiding principles for biodiversity no net loss/net gain proposals. Through its application, the hierarchy highlights action to avoid, minimise or restore biodiversity loses within the Site, and account for unavoidable losses off site.

The information from the biodiversity unit calculations enables us to identify the habitat types and the areas needed for the ecological mitigation and compensation in line with the mitigation hierarchy. This maximises the on-site compensation, which in turn minimises the offset compensation that would be needed to deliver no net loss or net gain for biodiversity. This is the most efficient and cost-effective way of delivering no net loss or net gain for biodiversity.

Following the finalisation of the Proposed Development design, and after applying any on-site mitigation proposals, the biodiversity units will be updated to reflect any proposed changes.

The difference between the baseline biodiversity units and those calculated using the Proposed Development design indicate the number of units that would be required to deliver no net loss or net gain for biodiversity. Using this information, we can identify the habitat types and the size that would be needed off site to deliver no net loss or net gain. This in turn will be used to provide rough cost estimates for the potential offsets.

In the event that sufficient mitigation cannot be included within the Proposed Development design, further work may be required to identify off-site compensation. If required this would be conducted through collaboration with local stakeholders, identifying the best place for habitat creation based on the views of the local experts, the needs for biodiversity and local communities.

The off-site compensation sites or offsets are then surveyed, and the biodiversity units are calculated for these sites. This provides a clear assessment of the biodiversity gain provided by the compensation.