



# **Biodiversity Net Gain – Technical Note**

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**26 Rosslyn Hill, Camden,  
London, NW3 1PD**

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Reference:	GNP453
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## **Introduction**

- 1.1.1 Growing Native were instructed in January 2025 to undertake a Biodiversity Net Gain Assessment at 26 Rossllyn Hill, Camden, London, NW3 1PD.

### **1.2 Description of the Development**

- 1.2.1 Construction of three apartments behind the retained façade of the existing building, landscaped rear garden and boundary wall are proposed within an existing area off sealed developed land.

### **1.3 Qualification**

- 1.3.1 This report has been prepared by Ben Lansbury, a professional ecologist with over 11 years ecology experience, a full member of CIEEM, experience preparing numerous BNG reports and holds a level 4 Field Identification Skills Certificate (FISC).
- 1.3.2 Recommendations included within this report are the professional opinion of an experienced ecologist based on an ecological site survey, desk study and the proposed project work described by the client.

## **Legislation, Policy and Guidance**

- 1.3.3 The biodiversity net gain regulations most directly relevant to planning are:
- The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 which commence biodiversity net gain for most types of new planning applications and provides transitional arrangements for section 73 permissions.
  - The Biodiversity Gain Requirements (Exemptions) Regulations 2024 which prescribe exemptions for categories of development to which biodiversity net gain does not apply.
  - The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 which 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.
  - The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 which set out the modifications for irreplaceable habitat.

- 1.3.4 In addition, the National Planning Policy Framework (NPPF) (2023) seeks to ensure that the planning system contributes to and enhances the natural and local environment, and protects and enhances biodiversity by: *“180. d) minimising impacts on and providing net gains for biodiversity including by establishing coherent ecological networks that are more resilient to current and future pressures; 185. b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

## Approach

- 1.3.5 A site assessment was undertaken by assessing site photographs, aerial imagery, topography plans and landscape plans of the site on 20<sup>th</sup> January 2025.
- 1.3.6 Despite no site survey being undertaken this is not deemed to be a significant limitation as the proposed areas of works is entirely limited to existing sealed developed land and has been conformed to still be in comparable condition.

## Results

### 1.4 Habitats

- 1.4.1 The habitats identified within the ownership area are described below. Photographs of the site can be found in Appendix 1. Plans showing the existing site and proposed site can be seen in Figures 1 and 2 below.

#### Modified Grassland

- 1.4.2 The front of the property is formed by amenity grassland, with occasional tall ruderal species due to lack of recent management. This habitat is to be retained.

#### Individual Tree

- 1.4.3 A single medium size class unidentified oak species was present at the front of the property and is to be retained.

#### Developed Land

- 1.4.4 The house and areas to the rear of the property are all classified as urban land, largely devoid of vegetation and offer no value in relation to biodiversity units.



Figure 1: Existing site plan (2408\_L\_010) with proposed works areas demarcated within the redline boundary.

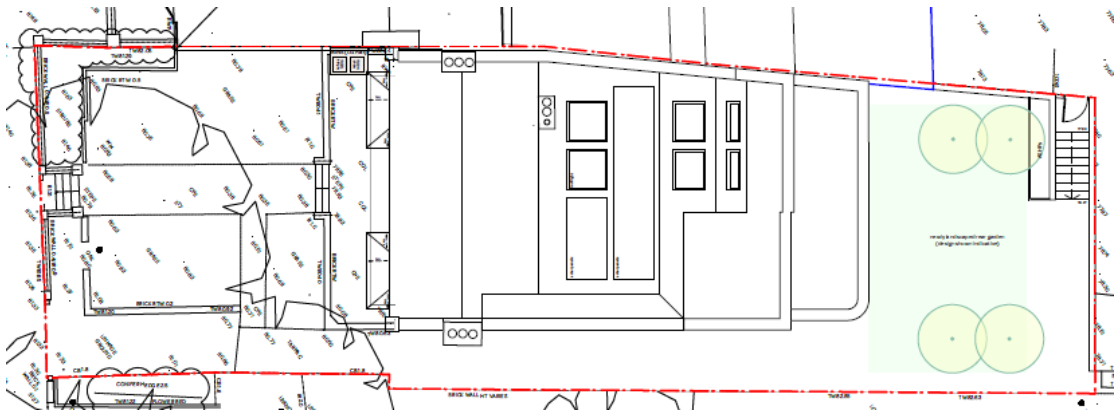


Figure 2: Proposed site plan (2408\_L\_042) with proposed works areas demarcated within the redline boundary.

## Conclusion & Recommendations

2.1.1 The Site offers limited and previously modified habitat within the proposed works footprint, with the low distinctiveness grassland and moderate distinctiveness individual tree at the front of the property being retained. The rear of the property and proposed area of re-development is comprised fully of urban sealed land of negligible ecological value. Tree branches and ivy were noted to be encroaching from the eastern boundary but these are outside of the proposed development footprint. It can therefore be concluded the proposed works area does not host any priority habitats (NERC, 2006) or will adversely affect any habitats of moderate or higher distinctiveness. Given the proposed works will only impact developed lands, it has been concluded the proposed development falls below the BNG requirement threshold under the *De minimis exemption* as defined below (The Biodiversity Gain Requirements Regulations, 2024):

*“(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.*

*(2) The first condition is that the development does not impact an onsite priority habitat.*

*(3) The second condition is that the development impacts—*

*(a) less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and*

*(b) less than 5 metres in length of onsite linear habitat.*

*(4) For the purposes of this regulation—*

*(a) ‘priority habitat’ means a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006;*

*(b) a habitat is impacted where the habitat is lost or degraded such that there is a decrease in the biodiversity value of that habitat;*

*(c) ‘linear habitat’ means the types of hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric (which are measured by length (expressed in kilometres) rather than area).*

2.1.2 Therefore, a BNG assessment **is not required** to support this planning application.

## References

- Department for Environment, Food & Rural Affairs (Defra). (2024). Biodiversity net gain: exempt developments. (at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments#developments-below-the-threshold>).
- Department for Environment, Food & Rural Affairs (Defra). (2024). The Statutory Biodiversity Metric: User Guide.
- Environment Act. (2021). <https://www.legislation.gov.uk/ukpga/2021/30/schedule/-14/enacted>.
- NERC. (2006). Natural Environment and Rural Communities Act 2006. (at <https://www.legislation.gov.uk/ukpga/2006/16/contents>)
- NPPF. 2023 National Planning Policy Framework. [https://assets.publishing-service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF\\_December\\_2023.pdf](https://assets.publishing-service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf)
- UKHab Ltd. (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>).

## **Appendix 1:**

### **Site Photographs**



Plate 1 – Front aspect of the property with unmanaged amenity grassland and oak species.



Plate 2 – Rear aspect of the property and parking area at.



Plate 3 – Parking to rear

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