



Job Name:	Abbey Road Phase 3
Job No:	330510094
Note No:	TN01
Date:	April 2022
Prepared By:	Tom Johnston
Subject:	Abbey Road Phase 3: Biodiversity Net Gain Assessment

### 1. Introduction

- 1.1. Stantec UK Limited (Stantec) was commissioned by Wates to provide ecological support to inform a detailed planning application for the redevelopment of an area of land located within in South Hampstead in London. The area of land is bordered by Abbey Road to the east, Belsize Road (the B509) to the south and residential properties to the north and west (hereafter referred to as the Site). The central grid reference of the Site is TQ 25742 83885.
- 1.2. The applicant (London Borough of Camden) is seeking planning permission for Demolition and redevelopment of Emminster and Hinstock blocks including Belsize Priory Health Centre, Abbey Community Centre, public house and commercial units to provide new residential accommodation (Use Class C3) and ground floor commercial space (Use Class E/Sui Generis) to be used as flexible commercial units, across three buildings ranging from 4 to 11 storeys, along with car and bicycle parking, landscaping and all necessary ancillary and enabling works.
- 1.3. To underpin the planning application, it was identified from the London Plan 2021 that there would likely be a requirement for a Biodiversity Net Gain Assessment to be undertaken, to ascertain the predicted habitat losses and gains resulting from the Proposed Development.

### 2. Aims and Objectives

- 2.1. This technical note aims to:
  - Set out legislation and policy framework for use of the biodiversity metric and delivering Biodiversity Net Gain;
  - Confirm the steps undertaken through scheme design evolution to implement the mitigation hierarchy, prior to consideration of the biodiversity metric;
  - Set out the methodology and assumptions used in the application of the biodiversity metric to the Proposed Development;
  - Provide a summary of the results of the biodiversity metric calculation, with reference to the detail present in the Appendices; and
  - Confirm any required next steps and the mechanism for securing Biodiversity Net Gain



# 3. Biodiversity Metric and Biodiversity Net Gain. Background, Legislation and Policy Framework.

#### Background

- 3.1. Biodiversity is complex and therefore to simplify the quantification, metrics have been developed. Biodiversity metrics use habitat features as a proxy measure for biodiversity. They use a simple calculation that takes into account the importance of these habitats' features for nature, using criteria such as their size, distinctiveness, and ecological condition. Biodiversity metrics enable assessments to be made of the present and forecast future biodiversity value of a site, by calculating biodiversity gains and losses.
- 3.2. Biodiversity metrics enable developers to better understand and quantify the current biodiversity value of a site, and how proposed changes to that site, will impact on that value. Biodiversity metrics enable developers to see how they might be able to design a site in a way that increases its biodiversity value over time, i.e., achieving Biodiversity Net Gain.
- 3.3. The use of a biodiversity metric assumes the principles of the mitigation hierarchy have been adopted and used when developing measures to address impacts on biodiversity receptors. The principles of the mitigation hierarchy are that, in order of preference, impacts on biodiversity should be subject to avoidance, mitigation, and compensation.

#### Legislation

- 3.4. The Government has committed to mandate Biodiversity Net Gain in England through the Environment Act 2021 which achieved Royal Assent on 9<sup>th</sup> November 2021 and also the revision of the National Planning Policy Framework (NPPF) (see planning policy section below). The Environment Act requires that that all forthcoming development deliver a 10% net gain for biodiversity. The Environment Act and the requirement for mandatory Biodiversity Net Gain will become a legal requirement two years after the Environment Act came into force, i.e., from November 2023. As this stage it is still unclear how each Local Planning Authority will choose to enforce 10% net gain during the intervening 2-year transition period.
- 3.5. In addition to the Environment Act, Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. Section 41 of the NERC Act 2006 defines Habitats and Species of Principal Importance to nature conservation in England which should be considered by all public bodies, including Local Planning Authorities, when carrying out their Section 40 duties.

### **Planning Policy**

- 3.6. The NPPF was revised on 20<sup>th</sup> July 2021 and sets out the Government's planning policies for England and how these are expected to be applied (Ministry of Housing, Communities and Local Government, 2021). Underpinning the NPPF is the principal aim of 'sustainable development' which is to be pursued through the fulfilment of interdependent economic, social, and environmental objectives.
- 3.7. Chapter 15 of the NPPF details core policy principles with respect to conserving and enhancing the natural environment. Securing 'net gains' for biodiversity, in accordance with the Government's paper 'A Green Future; Our 25 Year Plan to Improve the Environment', is a key theme running through the chapter, whereby planning decisions are required to contribute to and enhance the natural environment by '*minimising impacts on and providing net gains for biodiversity*', and plans should '*identify and pursue opportunities for securing measurable net gains for biodiversity*'. The chapter also places planning decisions in the context of the mitigation hierarchy where, if impacts on biodiversity cannot be avoided, mitigated, or as a last resort compensated for, then planning permission should be refused.



3.8. Existing local planning policy for London is contained in the London Plan 2021. This includes the below policies relevant for biodiversity.

#### Policy G1 Green infrastructure

- a) London's network of green and open spaces, and green features in the built environment, should be protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits.
- b) Boroughs should prepare green infrastructure strategies that identify opportunities for crossborough collaboration, ensure green infrastructure is optimised and consider green infrastructure in an integrated way as part of a network consistent with Part A.
- c) Development Plans and area-based strategies should use evidence, including green infrastructure strategies, to:
  - 1) identify key green infrastructure assets, their function and their potential function
  - 2) identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions
- d) Development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network

#### Policy G5 Urban Greening

- a) Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- b) Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2 but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses).
- c) Existing green cover retained on site should count towards developments meeting the interim target scores set out in (B) based on the factors set out in Table 8.2

#### Policy G6 Biodiversity and access to nature

- a) Sites of Importance for Nature Conservation (SINCs) should be protected.
- b) Boroughs, in developing Development Plans, should:
  - 1) use up-to-date information about the natural environment and the relevant procedures to identify SINCs and ecological corridors to identify coherent ecological networks
  - identify areas of deficiency in access to nature (i.e., areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them
  - support the protection and conservation of priority species and habitats that sit outside the SINC network, and promote opportunities for enhancing them using Biodiversity Action Plans





- 4) seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context
- 5) ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements.
- c) Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:
  - 1) avoid damaging the significant ecological features of the site
  - 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
  - 3) deliver off-site compensation of better biodiversity value.
- d) Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- e) Proposals which reduce deficiencies in access to nature should be considered positively.
- 3.9. Finally, the British Standard for Biodiversity in Planning (BS 42020:2013 (BSI, 2013)) recommends the system of biodiversity offsetting as an appropriate mechanism of delivering biodiversity compensation.

### 4. Methodology

#### Overview

4.1. To determine whether the Proposed Development would deliver predicted Biodiversity Net Gain, a biodiversity metric has been used. The methodology for this metric is set out below.

### Guidance

- 4.2. The following guidance has been used when undertaking the biodiversity metric calculations, and during development of the Proposed Development to ensure it delivers a predicted Biodiversity Net Gain.
  - The Biodiversity Metric 3.0: User Guide and Technical Supplement (NEJP039) (Natural England, 2021);
  - Biodiversity Net Gain. Good practice principles for development: a practical guide (CIEEM, CIRIA, IEMA, 2019); and,
  - Biodiversity Net Gain. Good practice principles for development (CIEEM, CIRIA, IEMA, 2016).

### **Ecology Baseline and Scheme Design**

4.3. A desk study and baseline ecological surveys were completed for the Site in February 2022. These included a Phase 1 habitat survey (JNCC, 2010) which was extended to determine the potential for the habitats within the Site to support protected and notable species and a preliminary roost assessment of buildings and trees on Site to assess their suitability to support roosting bats (Collins, 2016). This identified that the Site was of low ecological vale. No further habitat or protected species surveys were deemed necessary.



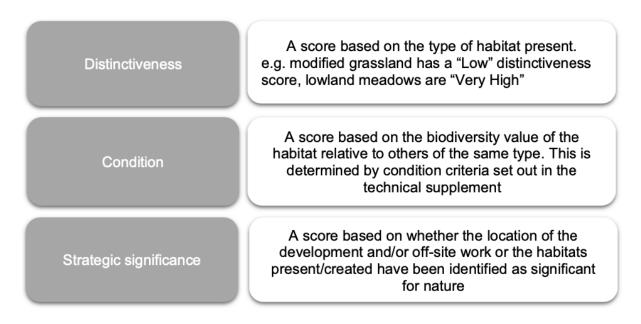
- 4.4. The Site was dominated by buildings, hardstanding, amenity grassland, introduced shrub and scattered trees. A small number of non-native invasive species were also found including, Cotoneaster *Cotoneaster sp*, butterfly bush *Buddleja davidii* and Bamboo *Bambusa sp*.
- 4.5. The proposed scheme design and landscape design for the redevelopment of the site includes measures such as provision of species rich grassland, trees, hedgerows, introduced shrub and biodiverse roofs.
- 4.6. The planning submission for the Site is supported by an impact assessment for Ecology presented in an Ecological Assessment Report (Stantec, 2022). This Report identifies important or otherwise legally protected habitats and species on or within close proximity to the Site for which additional avoidance, mitigation and compensation measures will be required. It is these measures, along with embedded avoidance and ecological mitigation and provision of ecological enhancement, which have ensured the implementation of the mitigation hierarchy.

#### **Biodiversity Metric**

- 4.7. The Biodiversity metric 3.0 tool, published by Natural England in 2021 has been used to undertake the biodiversity metric calculations.
- 4.8. The metric calculates the biodiversity value of each parcel of habitat within the Site (measured as biodiversity units). Habitat area is used, except for linear habitats, where length is used (i.e. for hedgerows and watercourses). The value of each habitat type is adjusted to site specific circumstances, taking into account distinctiveness, condition and if the habitat parcel is located in an area identified as being of significance for nature, typically in a Local Biodiversity Action Plan. The components of habitat value are shown at **Plate 1**. A score is applied to each component, which is then multiplied to produce a score which represents the number of biodiversity units associated with each habitat parcel. The sum of these scores across the whole site represents the overall baseline or 'pre-development' value in biodiversity units.

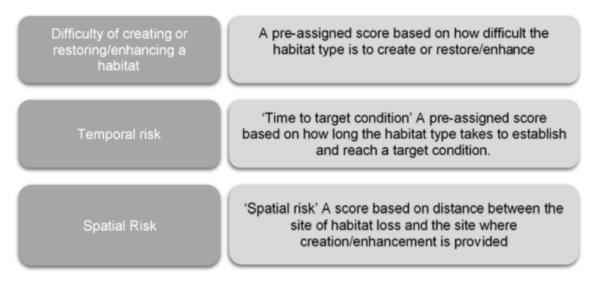


Plate 1. Factors Considered When Assessing Habitat Quality (taken from The Biodiversity Metric 3.0: User Guide, Natural England 2021).



4.9. The post-intervention (or 'post-development') unit value is calculated in the same way, but with the addition of factors to take into account risks associated with creating, enhancing, or restoring habitats. These factors are detailed in **Plate 2**.

Plate 2. Post-Development Risk Components of the Biodiversity Net Gain Metric (taken from The Biodiversity Metric 3.0: User Guide, Natural England 2021).



4.10. The calculated value of the 'post-development' biodiversity units is then deducted from the calculated value of the 'pre-development' biodiversity units to give a predicted net change biodiversity unit value. The complete calculation is summarised in Plate 3.



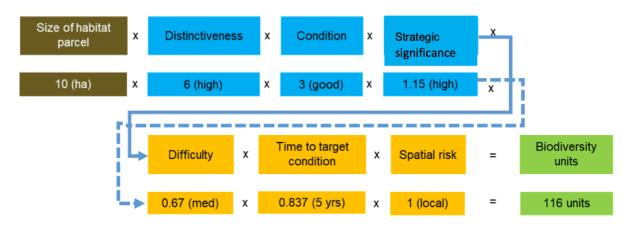
4.11. Within the Biodiversity Metric 3.0 User Guide there are a number of rules and key principles which apply to Biodiversity Net Gain assessments. Of particular relevance to this assessment is Rule 3 "Trading down". This rule requires that habitats of a certain distinctiveness that are present predevelopment should be re-created post development on a 'like for like basis or better approach.

Plate 3. Summary of Biodiversity Net Gain Calculation (taken from The Biodiversity Metric 3.0: User Guide, Natural England 2021).

#### Size of habitat **Biodiversity** х Distinctiveness Condition X х Strategic = parcel units significance 10 (ha) 1.15 (high) 69 units 6 (high) 1 (poor) х

### POST-intervention biodiversity calculation (for newly created or enhanced habitats)

PRE-intervention biodiversity calculation (the baseline)



#### Calculation of gains or losses

The net effect of an intervention (or a series of interventions) on biodiversity is calculated as follows:





4.12. Where Biodiversity Net Gain is not achievable with the desired design on-site, then off-site compensation areas can be used, and the same calculation is undertaken. The biodiversity unit value of the off-site habitats is calculated for the 'pre-intervention' and 'post-intervention' stages. The 'pre-intervention' units are then subtracted from the 'post-intervention' units to work out how many predicted biodiversity units will result from that habitat change.

### Assumptions

- 4.13. Data collected during the extended Phase 1 habitat survey for the Site (see Phase 1 Habitat Plan at Appendix A) has been interpreted to provide the necessary information for the 'pre-development' calculation which is based on the UK Habitat Classification System (UKHAB) (for terrestrial habitats) using the habitat translation tool provided within the technical data section of the biodiversity metric.
- 4.14. The Biodiversity Metric 3.0: User Guide identifies a range of limitations associated with the biodiversity metric, as well as principles and rules for using the metric. These can be found within paragraphs 2.18 2.30 of the User Guide. Of particular note, it is acknowledged that the metric uses habitats as a proxy for biodiversity. The metric and its outputs should therefore be interpreted, alongside ecological expertise and common sense, as an element of the evidence that informs plans and decisions (Natural England, 2021).
- 4.15. Supplementary to these core principles, rules and limitations, the following notes and assumptions are relevant to the existing baseline calculations for the Site:
  - Buildings have been included within the 'Urban Developed, Sealed surfaces' category as a 'Buildings' category isn't available per se.
- 4.16. The predicted post development baseline has been informed by the habitats detailed in the Landscape General Arrangement Plan (Fabrik, 2022) **Appendix B**. The following notes and assumptions are relevant to the post development baseline for the Site.
  - It has been assumed that the species rich grassland that is being created is 'Other, neutral grassland of moderate condition in the metric due to the number of species present (Emorsgate EM5 species rich seed mix is being used).
  - The urban trees being planted will be of 'moderate' size.
  - It has been assumed the extensive green roof will be of 'good' quality.
- 4.17. Additional notes, justifying habitat qualities are provided within the supplementary spreadsheet contained within **Appendix C**.

### 5. Summary of Results of the Biodiversity Metric and Recommendations

- 5.1. The detailed results of the biodiversity metric calculation are provided in **Appendix C.** A summary of the key findings is presented below:
  - The Proposed Development will result in a predicted net gain in biodiversity (100.6%) based on the assumptions in Section 4; and
  - The metric habitat Trading Rules are satisfied.
- 5.2. The Proposed Development based on the landscape general arrangement plan (drawing reference D2857-FAB-S1-XX-DR-L-9100) will result in the majority of habitats on Site being lost with the exception of small area of Urban Developed, Sealed surfaces, Built Linear Features and Urban Tree. Replacements of higher value habitat including modified grassland of moderate value and a larger number of urban trees means that a significant net gain is achieved.



### 6. Conclusion

6.1. The results of the biodiversity metric demonstrate that the Proposed Development is predicted to deliver a net gain in biodiversity (100.6%) due to removal of low value habitats and the creation of higher value habitat such as species rich grassland and urban trees.

### 7. References

- Baker, J., Hoskin, R., and Butterworth, T. (2019): Biodiversity Net Gain. Good Practice Principles for Development: A Practical Guide
- BSI (2013): BS42020: British Standard for Biodiversity: Code of Practice for Planning and Development
- Collins (Ed) (2016). Bat Surveys for Professional Ecologists Good practice Guidelines. Third Edition, published by the Bat Conservation Trust.
- Greater London Authority, (2021) The London Plan 2021. Available from: the london plan 2021.pdf
- JNCC (2010). Handbook for Phase 1 habitat survey. Available at: <u>Handbook for Phase 1 habitat survey</u> (jncc.gov.uk)
- Natural England (2021): Biodiversity Metric 3.0: Auditing and Accounting for Biodiversity User Guide (Natural England Joint Publication JP039)
- Natural England (2021): The Biodiversity Metric 3.0: Auditing and Accounting for Biodiversity Technical Supplement (Natural England Joint Publication JP03)
- Stantec UK Limited (2022). Abbey Road Phase 3: Ecological Assessment Report.

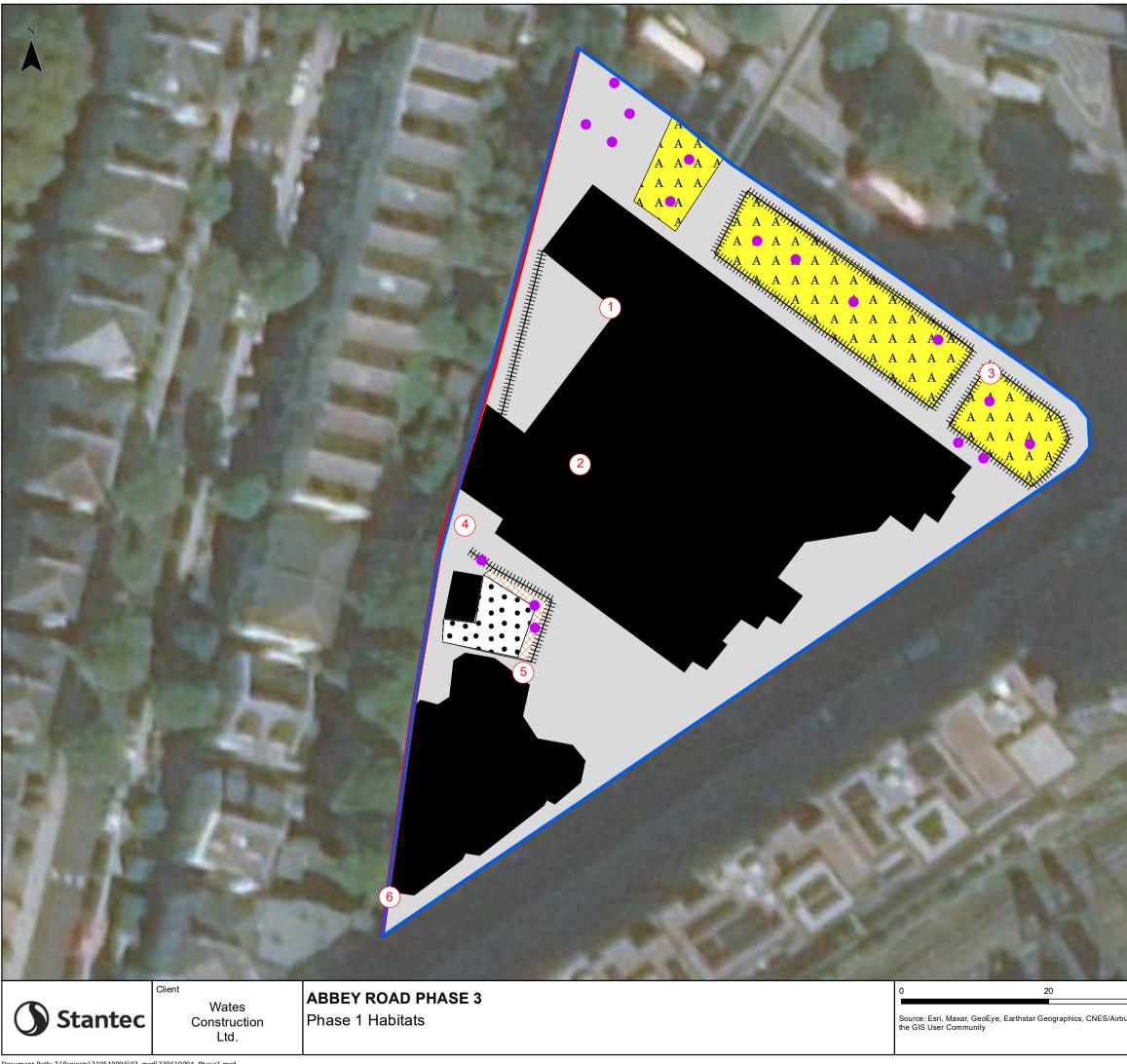
#### DOCUMENT ISSUE RECORD

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Appendix A – Phase 1 Habitat Plan







- Target Note
- Broadleaved Tree
- HHH Fence
- 🛑 Wall
- A Amenity Grassland
- Introduced Shrub
- Building
- Bare Ground
  - Hardstanding

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Appendix B – Landscape Plan





	LANDSCA	APE LEGEN	ID			
			1 : CLAY BRICK	PAVER		
			2 : RESIN BOUNI			
	PT3	PAVING TYPE	3 : ADOPTABLE	HIGHWAYS PAV	NG	
	PT4	PAVING TYPE	4 : SALVAGED S	ITE-WON PAVING	G FEATURES	
	PT5	PAVING TYPE TREE PIT SUR	5 : CEDEC SELF ROUNDS	BOUND GRAVEL	SURFACING T	0
	WT1	WALL TYPE 1	EXISTING BRIC	K WALL RETAIN	ED & MADE GO	OD
	WT2		: CONCRETE RET			M
	WT3		<b>: BRICK WALL T</b> P <b>ROPOSALS</b> , SIZ			
	BT1		(PE 1 : ORNAME			L WT3
	ET1					
	ET2	SIZE : 255(h) x EDGE TYPE 2 :	145(w) x 915(l) MM : FLUSH KERB	И, UPSTAND : 12	5MM	
	ET3		145(w) x 915(l) MN			
	FT1	FURNITURE TY SIZE : 450(h) M	Μ			
	FT2	FURNITURE TY SIZE : 750(h) M				
	G1	GATE TYPE 1 :	ORNAMENTAL (	GATE		
		CAPE EXISTING TRE	E RETAINED			
			E REMOVED			
NDS		PROPOSED TR	EE			
		PROPOSED SH	IRUB PLANTING			
		GRASS TYPE 1	: SPECIES RICH	LAWN		
		PROPOSED HE	DGE PLANTING			
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### Appendix C – Detailed Results

Habitat (within RLB	Aros/Number	Notos	LIKHab	Notos	Distinctivenes	Notos	Condition	Notos	Strategie	Notoc	Habitat	Delawin	Notes	Area	Notoc	Area	Notes	Aree
only)	Area/Number (ha) (From GIS of the Phase 1)	Notes	UKHab Conversion	Notes	Distinctiveness	Notes	Condition	Notes	Strategic significance	Notes	Habitat Created in advance	Delay in Starting habitat creation	Notes	Area retained	Notes	Area Enhanced	Notes	Area Lost
Building and hardstanding	0.47ha	From Phase 1	Urban - Developed land; sealed surface	From habitat translation tool	Very low	Auto populated	N/A Other	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0.21	None	0	None	0.26
Amenity grassland	0.06	From Phase 1	Modified Grassland	From habitat translation tool	Low	Auto populated	Poor	Anticipated to meet between 1-3 of 7 out of the condition assessment criteria. A full species list was not collected but given the size and location it is unlikely to meet the non-negotiable condition (1) for achieving good condition. There are a number of undesirable species within this habitat. The area of amenity grassland is also surrounded by hardstanding.	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0	None	0	None	0.06
Introduced shrub	0 (0.0025)	From Phase 1	Introduced shrub	From habitat translation tool	Low	Auto populated	Poor	Anticipated to pass 1 out of the 3 condition assessment criteria and is therefore classed as Poor condition. It lacks species diversity and is spaced out between large amounts of hardstanding	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0	None	0	None	0 (0.0025
Bare Ground	0.01	From Phase 1	Artificial unvegetated, unsealed surface	From habitat translation tool	Very low	Auto populated	N/A Other	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0	None	0	None	0.01
Wall and Fence	0.03	From Phase 1	Built Linear Features	From Habitat translation tool	Very low	Auto populated	N/A Other	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0.1	None	0	None	0.02
Scattered trees	0.07	From Phase 1	Urban Trees	From habitat translation tool	Medium	Auto populated	Fairly Poor	Anticipated to pass between 0 and 2 of the condition assessment criteria.	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	N/A	N/A	None	0.02	None	0	None	0.03
Habitats (Post construc	ction)	1								I	1	1	1	1	1		I	
Hardstanding and buildings	0.14		Developed Land / Sealed surface	From habitat translation tool	Very Low	Auto populated	N/A	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A
Species rich amenity grassland	0.03		Other neutral grassland	From habitat translation tool	Low	Auto populated	Moderate	Anticipated to pass 3 of the condition assessment criteria and is therefore classed as moderate condition. It is unlikely to have a varying sward height	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating 0.significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A
Introduced shrub	0.12		Introduced shrub	From habitat translation tool	Low	Auto populated	Poor	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A



									significance for biodiversity								
Wall	0.03	Built linear feature	From habitat translation tool	Very low	Auto populated	N/A other	Auto populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A
Intact hedge	0.01	Hedge ornamental non-native	From habitat translation tool	Very low	Auto populated	Poor	Auto-populated	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A
Scattered trees	0.15	Urban trees	From habitat translation tool	Medium	Auto populated	Poor	Anticipated to pass between 2 of the condition assessment criteria. The trees are a mix of native and non-native species, there are no veteran or mature trues and there is a large gap between trees.	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A
Extensive green roof	0.07	Extensive green roof	From habitat translation tool	Low	Auto- populated	Good	Anticipated to pass 3 of the condition assessment criteria and is therefore assessed to be classed as good condition	Area/compensation not in local strategy/ no local strategy	Not identified in any local or nationally relevant strategic documents indicating significance for biodiversity	0	0	Anticipated to be installed the same year as the development	N/A	N/A	N/A	N/A	N/A

