Pre-development and Postdevelopment Habitat Survey Report for Calculation of Biodiversity Net Gain

For

The Barn Hotel, West End Road, Ruislip

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Quality Standards

This report is certified BS 42020:2013 'Biodiversity – code of practice for planning and development' compliant and has been prepared in accordance with The Chartered Institute of Ecology and Environmental Management's (CIEEM) Technical Guidance Series '*Ecological Report Writing*' and Code of Professional Conduct.

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1 Introduction

1.1 Commission

1.1.1 The Landscape Partnership was commissioned by Chase New Homes to assess whether a proposed development at The Barn Hotel, West End Road, Ruislip would provide a biodiversity net gain. This was calculated using the Statutory Biodiversity Metric.

1.2 Legislation and policy background

- 1.2.1 There is a range of protection given to sites and species. Sites may be designated for local, national, European or global importance for nature conservation. Species may be protected by European-scale legislation or varying levels of national regulation. Further information is given in Appendix 1.
- 1.2.2 The Local Planning Authority has a policy to protect features of nature conservation value within its Local Plan. Other regulators have policies relating to the consents issued by them.
- 1.2.3 Biodiversity Net Gain is required for most developments under The Environment Act 2021. A minimum of 10% net gain needs to be achieved under The Environment Act 2021.

1.3 Site location and context

- 1.3.1 The site is located to the south of Ruislip. Access is from West End Road to the west. The site consists of several buildings that are associated within the existing hotel. Hardstanding roads, car parking areas and footpath were present across the site with areas of amenity grassland. The site was demarcated by hedgerow along the western site boundary and fences and wall along the northern, eastern and southern boundaries.
- 1.3.2 A railway line and its corridor are adjacent to the northern site boundary. Residential areas of Ruislip immediately surrounded the site. Yeading Brook was located approximately 1.3km southeast of the site.
- 1.3.3 The Ordnance Survey Grid Reference for the approximate centre of the proposed development site is TQ 0947 8692. A plan showing existing habitats within the site is provided in Figure 01.

1.4 Description of the project

1.4.1 The proposed development is for residential purposes with a mixture of houses and flats. It is proposed to demolish all existing buildings, with the exception of the Grade II listed buildings (Sherley's Farmhouse, the Oak Room and the Leaning Barn). These existing buildings that are being retained are proposed for refurbishment. The existing site access is proposed for retention. Development proposals are shown in Appendix 2.

1.5 Objectives of this report

- 1.5.1 The objectives of the biodiversity calculations are:
 - Calculate the existing biodiversity units, prior to the development being implemented.
 - Calculate the proposed biodiversity units according to the proposals provided at the time of the planning application.
 - Assess the net change in biodiversity units resulting from the development.

2 Methodology

2.1 UK Habitat Classification survey methodology

Pre-development

UK Habitat Classification

- 2.1.1 The standardised UK Habitat Classification and mapping methodology¹ was followed. All habitats present and areas or features of ecological interest within such habitats were recorded and mapped. The survey methodology facilitates a rapid assessment of habitats and it is not necessary to identify every plant species on site. Where given, scientific names of plant species follow Stace ed. 4².
- 2.1.2 A Phase 1 Habitat survey was undertaken on 5th January 2023 by Emily Costello (FISC level 3) and the weather conditions were overcast with drizzle, a light breeze (Beaufort 2) and a temperature of 10°C. This survey was updated to a UK Habitat Classification survey during a visit to site on 30th May 2024 by Emily Costello (FISC level 3) and the weather conditions were overcast with light drizzle, a gentle breeze (Beaufort 3) and a temperature of 15°C. At this time the condition habitat tables were also completed.

Pre-development measurement methodology

2.1.3 The areas of existing on-site habitats were calculated in QGIS using the habitat map (Figure 01) produced by The Landscape Partnership.

Limitations to UK Habitat Classification Survey

2.1.4 There were no significant limitations to the UK Habitat Classification Survey.

Post-development

UK Habitat Classification

2.1.5 The retained baseline habitats and linear features and proposed habitats and linear features are shown on the proposed landscape proposals drawing produced by The Landscape Partnership (drawing no: B22138.101). These habitats and linear features were converted to the UK Habitat Classification¹ system and mapped in QGIS (Figure 02). Each proposed habitat was assigned a UK Habitat Classification that best fit with reasonable assumptions made about proposed habitats.

Post-development measurement methodology

2.1.6 The areas of proposed habitats and lengths of proposed linear features were calculated in QGIS using the proposed landscape proposals (drawing no: B22138.101) produced by The Landscape Partnership.

Limitations to UK Habitat Classification Survey

2.1.7 The proposed habitats are based on a landscape proposal drawing which provides some but not detailed management information. This is not considered a significant limitation as there is sufficient information to classify the habitats.

2.2 Habitat Condition Assessment methodology

- 2.2.1 Habitat condition assessments are a measure of the state of a habitat and are used to measure variation between parcels of the same habitat type. Condition of habitats is often linked to past and present management and land use.
- 2.2.2 Condition assessments of all pre and post-development habitats and linear features were undertaken as stated within The Statutory Biodiversity Metric User Guide³. The condition of the habitats was assessed using The Statutory Biodiversity Metric Condition Assessment spreadsheets.

¹ UKHab Ltd (2023). *UK Habitat Classification Version 2.0 (at <u>https://www.ukhab.org</u>)*

² Stace, C (2019) *New Flora of the British Isles*. C&M Floristics. 4th Edition.

³ Department for Environment Food & Rural Affairs (DEFRA) The Statutory Biodiversity Metric User Guide. February 2024.

- 2.2.3 Condition assessments of all pre-development habitats and linear features were undertaken onsite during the UK Habitat Classification survey. Condition assessments of all post-development habitats and linear features was a desk-based exercise using the information provided in the landscape proposals.
- 2.2.4 The condition of post-development habitats is assessed at the time of target condition as stated within the BNG metric, with the exception of individual trees which are assessed at 30 years following planting in accordance with guidance.

Limitations to Habitat Condition Assessment

- 2.2.5 The proposed habitats are based on a landscape proposal drawing which provides some but not detailed management plans. This is not considered a significant limitation as there is sufficient information to estimate their condition.
- 2.3 Biodiversity Net Gain methodology

Calculation methodology

2.3.1 The Statutory Biodiversity Metric tool and Statutory Biodiversity Metric condition assessment tables were downloaded from the gov.uk website⁴ on 29th May 2024. The Statutory Biodiversity Metric User Guide was followed⁵.

2.4 Strategic Significance methodology

- 2.4.1 The strategic significance of habitats was assessed by reviewing the local plan for any mention of the existing and proposed habitats and linear features.
- 2.4.2 At the time of writing the Greater London Local Nature Recovery Strategies (LNRS) had not been published.

⁴ https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides

⁵ Department for Environment Food & Rural Affairs (DEFRA) The Statutory Biodiversity Metric User Guide. February 2024.

3 UK Habitat Classification survey results

3.1 Pre-development

3.1.1 The UK Habitat types identified during the survey are shown on Figure 01 and each habitat is described below.

Heathland & shrub - Bramble scrub h3d

3.1.2 Bramble *Rubus fruticosus* agg. was present in small areas of the site, particularly along the western site boundary. An area of bramble scrub was located towards the southern corner of the site. This area was surrounded by close-board fence and appeared to have not been managed for some time.

Individual trees – Urban trees u1b 32

- 3.1.3 Several trees both broadleaved and coniferous were located within the site, predominantly at the site boundaries. Tree species included ash *Fraxinus excelsior*, silver birch *Betula pendula*, elm *Ulmus* sp., holly *Ilex aquifolium*, false acacia *Robinia pseudoacacia*, goat willow *Salix caprea*, Norway spruce *Picea abies*, Lawson cypress *Chamaecyparis lawsoniana* and sycamore *Acer pseudoplatanus*.
- 3.1.4 These trees have been classified as Urban Trees because of their setting within an urban area and being sited within the garden habitats of the hotel. None of the trees within the site boundary were considered to have high ecological value, did not offer bat roosting opportunities, but did provide some degree of bird nesting opportunities.
- 3.1.5 The size class of the trees was determined by its current stem diameter as recommended in the table below taken from the User Guide.

Size class	Diameter at breast height (DBH) (cm)
Small	Greater than 7.5cm and less than or equal to 30cm
Medium	Greater than 30cm and less than or equal to 60cm
Large	Greater than 60cm and less than or equal to 90cm
Very large	Greater than 90cm

3.1.6 Details of the tree sizes and those which will be retained or removed is summarised in the table below. Some of the trees below contain multiple individual trees, the number in brackets indicate the quantity of trees within that group.

Size class	Tree No.	Total trees	No. of trees retained	No. of trees removed
Small	<i>T3</i> , T5, <i>T6 (3 trees)</i> , T8, T10, T11, T13 (12 trees), <i>T16</i> , T17, T18, T19, T20, T22, T28, T29, T32, T33, T36a, T39 (2 trees), T40 (7 trees), T41 (7 trees) & T44	48	29 total <i>T3</i> , T5, <i>T6 (3 trees)</i> , T8, T10, T11, T13 (12 trees), T18, T19, T20, T22, T32, T33, T39 (2 trees) & T44	19 total <i>T16</i> , T17, T28, T29, T36a, T40 (7 trees) & T41 (7 trees)
Medium	T1, T7, T9, T12, T27, T31, <i>T42</i> , T43, <i>T45 (2 trees)</i> & T46	11	9 total T1, T7, T9, T12, T27, T31, <i>T42,</i> T43 & T46	2 total <i>T45 (2 trees)</i>

Italic font indicates trees are dead

Grassland - Other neutral grassland g3c

3.1.7 An area of grassland towards the western site boundary consisted of grassland that did not appear to be as regularly managed as the amenity grassland. This grassland was located on a bank with the hedgerow located atop. The sward height of this grassland was uniform and was approximately 10-15cm in height. Grass species within the sward included cock's-foot *Dactylis*

glomerata and false-oat grass *Arrhenatherum elatius*. Broadleaved herb species within this grassland included occasional occurrences of ribwort plantain *Plantago lanceolata*, vetch *Vicia* sp., oxeye daisy *Leucanthemum vulgare*, ground-ivy *Glechoma hederacea* and rare occurrences of creeping cinquefoil *Potentilla reptans*, red clover *Trifolium pratense*, red dead-nettle *Lamium purpureum*, and common chickweed *Stellaria media*. Bramble and non-native shrub species were encroaching into this grassland due to a lapse in management. Due to cessation of management of this area of grassland, it is likely that this grassland is transitioning from amenity grassland to semi-improved grassland.

- 3.1.8 The areas of bramble scrub within this grassland have been included within the area measurement of grassland, as these areas consisted of small areas of bramble scrub that was scattered throughout the grassland, see Condition Assessment Tables. The area of bramble scrub within the grassland consisted of less than 20% of the total area of grassland.
- 3.1.9 Two smaller patches of grassland were located in the southern corner of the site. These areas of grassland appeared to have previously been regularly mowed; however, there has been a lack of recent mowing. The sward height of the grassland was uniform (indicating previous mowing) and was an average height of 20cm.
- 3.1.10 Grass species within the sward included occasional perennial ryegrass *Lolium perenne*, cock'sfoot and creeping bent *Agrostis stolonifera*, with rare occurrences of Yorkshire fog *Holcus lanatus*, meadow foxtail *Alopecurus pratensis* and wall barley *Hordeum murinum*. Broadleaved herbs included occasional occurrences of white clover *Trifolium repens* and rare occurrences of dandelion *Taraxacum officinale* agg., common ragwort *Jacobaea vulgaris*, common mouse-ear *Cerastium fontanum*, white deadnettle *Lamium album* and wood dock *Rumex sanguineus*. Patches of nettle *Urtica dioica* were interspersed throughout the sward.

Lakes - Ornamental ponds r1g 46

- 3.1.11 Two ornamental ponds were located within the site boundary.
- 3.1.12 Pond 1, approximately 30m², was previously a koi carp pond, since the closure of the hotel the fish have been removed from this pond and the pumps/filters are no longer in use. This pond was surrounded by introduced shrubs and amenity grassland. There were limited macrophytes within the pond.
- 3.1.13 Pond 2, approximately 10m², was located beneath the second storey of Building 5. This pond was likely created when this building was constructed in 2006. This pond contained several fish. There was no macrophytes within this pond and a water pump was present within the pond. Although the pump did not appear to be switched on at the time of the survey.

Urban – Vegetated garden u1 828

- 3.1.14 The grounds of the hotel mainly consisted of amenity grassland and introduced shrubs, with a small area of ruderal vegetation. These habitat types were classified as urban vegetated garden, as this was considered to be the best fit for this selection of habitats. The management of the habitats above were managed as garden habitats, with the introduced shrubs and amenity grassland regularly maintained. The ruderal vegetation had recently established on a composting pile that consisted of arising from the garden maintenance.
- 3.1.15 The grassland in these areas appeared to be regularly mown and had a uniform sward height of 5cm at the time of survey. Species within the grassland include meadow grass *Poa* sp., perennial ryegrass *Lolium perenne*, with daisy *Bellis perennis*, ribwort plantain *Plantago lanceolata*, dandelion *Taraxacum officinale* agg and yarrow *Achillea millefolium*.
- 3.1.16 Species within the areas of shrubs and flower beds consisted of non-native species such as rose *Rosa* sp., pampas grass *Cortaderia selloana* and cherry laurel *Prunus laurocerasus*.
- 3.1.17 A small area to the east of Building 4 consisted of ruderal vegetation. This area appeared to be the location of garden waste and ruderal vegetation had begun to establish here. Species included nettle *Urtica dioica*, white dead-nettle *Labium album*, broad leaved dock *Rumex obtusifolius* and cleavers *Galium aparine*.

Urban – Developed land; sealed surface (Building u1b5 & Hardstanding u1b)

- 3.1.18 There were five main buildings within the site boundary that were associated with the hotel, as well as several outbuildings including sheds and a garage block. Full building descriptions can be found in the Ecological Impact Assessment⁶ for this project.
- 3.1.19 Car parks, internal roads, courtyards and footpaths around the buildings consisted of hardstanding and were covered in concrete, asphalt, block paving and gravel.

Urban – Bare ground u1c 510

3.1.20 Two areas of bare ground covered in gravel were located towards the south of the site. Vegetation was beginning to emerge through the gravel. Species included perennial ryegrass, Yorkshire fog, barren brome *Anisantha sterilis*, creeping thistle *Cirsium arvense*, broadleaved plantain *Plantago major*, dandelion, wood avens *Geum urbanum*, spear thistle *Cirsium vulgare*, bristly oxtongue *Helminthotheca echioides*, purple loosestrife *Lythrum salicaria*, cleavers *Galium aparine*, prickly sowthistle *Sonchus asper*, nettle and garlic mustard *Alliaria petiolata*.

Native hedgerow h2a6

- 3.1.21 A hawthorn *Crataegus monogyna* hedgerow was located along the western site boundary. This hedgerow appeared to be managed and had a height of approximately 4m and a width of approximately 1m, at the time of the survey. Ivy *Hedera helix* was growing within this hedgerow. Towards the northern end of this hedgerow was a row of immature ash growing through the hedgerow. This hedgerow is situated on top of a bank, with a footpath beyond the hedgerow. This bank is not a feature of the hedgerow and was mainly present due to the different levels of the ground.
- 3.1.22 This hedgerow is being retained under current design plans.

Non-native and ornamental hedgerow h2b

3.1.23 Two rows of Leyland cypress *Cupressus x leylandii* were located within the site, one to the east of the hawthorn hedgerow and separated a road from amenity areas of the hotel and the second at the eastern edge of the access road. A row of Lawson cypress was located at the eastern site boundary. These rows of trees did not appear to have been recently managed, this was thought to be due to the age of these trees.

3.2 Post-development

3.2.1 The UK Habitat types that were identified from the development proposals are shown on Figure 02.

Urban tree - Scattered trees u1 32 201 (proposed trees)

- 3.2.2 The proposed trees have been classified as 'Urban Urban trees' as these will be in an urban setting and managed for amenity value. All trees at planting will had a stem diameter that is less than 30cm and therefore all proposed trees have been classed as small sized trees.
- 3.2.3 The tree species have not yet been determined; however, there are 38 proposed native trees and 15 proposed ornamental trees. The location of tree planting is at the site boundaries and within the green space within the site.
- 3.2.4 A total of 53 trees are proposed within the site. All trees have been included within the calculation because it is assumed that the green spaces will be managed by a management company given the nature of the proposed development, as opposed to being in the control of private householders.

Heathland and shrub -Mixed scrub h3h (Proposed mixed native shrub planting)

3.2.5 Proposed native shrub planting has been classified as 'Heathland and shrub – mixed scrub' as this habitat best fits the proposed habitat. Species composition is currently unknown; however, it is assumed that the scrub mix will contain at least three woody species and no one species will

⁶ The Landscape Partnership (August 2024) Ecological Impact Assessment for The Barn Hotel, West End Road, Ruislip.

be dominant. It is also assumed that the proposed habitat will be a mixture of native shrubs and will be managed for wildlife.

3.2.6 Native scrub is proposed along the bank at the western site boundary and at the eastern site boundaries. The aim of this proposed habitat is to improve connectivity surrounding the site.

Urban – Introduced shrub u1 847 (Proposed ornamental shrub/perennial planting)

3.2.7 Proposed habitats that have been included within this category are proposed ornamental shrub/perennial planting. These areas of planting will contain non-native species and will be managed for their amenity value. These areas of planting are proposed in the green spaces surrounding the buildings. It is assumed that these areas of green space will be managed by a management company given the nature of the proposed development, as opposed to being in the control of private householders.

Grassland - Modified grassland g4 (Proposed amenity grass)

- 3.2.8 The proposed amenity grass has been categorised as 'Grassland- modified grassland'. This category has been chosen due to the types of grass species proposed within the sward and the regularly management that is recommended by the supplier. These areas of grassland are located in the green spaces surrounding the buildings. It is assumed that these areas of green space will be managed by a management company given the nature of the proposed development, as opposed to being in the control of private householders.
- 3.2.9 A section of grassland will be formed of Grasscrete, which comprises approximately 50% concrete and approximately 50% grass by area. Accordingly, 50% of the reinforced grassland has been classified as modified and the other 50% of the reinforced grassland has been categorised as hardstanding.

Grassland – Other neutral grassland g3c (Proposed wildflower meadow)

- 3.2.10 Under current design proposals, areas of meadow grassland are located in the green spaces surrounding the buildings. It is assumed that these areas of green space will be managed by a management company given the nature of the proposed development, as opposed to being in the control of private householders.
- 3.2.11 This area of meadow grasslands has been categorised as 'Grassland other neutral'. The meadow mixture has not yet been determined but is likely to be a meadow mixture similar to EM1 Basic General Purpose Meadow Mixture. This meadow mix or a similar mix is believed to best fit this category taking into consideration the variety of grass and wildflower species usually found within the seed mix and the proposed management of this area of grassland. Although this meadow mix only meets three of the criteria below (see table below), the species within the mix and the proposed management would not fit the modified grassland definition.

Other neutral grassland criteria ¹	Justification
>20% cover of broadleaved herbs and sedges	No – Wildflower seed mixes usually contain less than 20% wildflower species.
>8 species per m ² (including forbs, grasses, sedges and rushes, and excluding bryophytes)	Yes – Seed mixes usually contain over eight species of wildflower and grasses
≥1 grass species that is not generally sown for intensive agricultural production (i.e. Rye-grasses <i>Lolium spp.</i> , Timothy <i>Phleum pratense</i> , Cock's-foot <i>Dactylis glomerata</i> , Meadow fescue <i>Festuca pratensis</i>) is at least abundant	Yes – more than 1 grass species not sown for agricultural production will likely be present within the seed mix
Cover of Rye-grasses <i>Lolium spp.</i> and White Clover <i>Trifolium repens</i> , where present is <30%	Yes – No perennial rye-grass or white clover are likely to be present within seed mix.

Urban – Other green roof u1b5 89 (proposed sedum roof)

3.2.12 Sedum roofs are proposed on some of the proposed buildings. These green roofs have been classified as other green roofs, as this is the best fit for this roof type in the UK Habitat Classification definitions.

Lakes – Ornamental lake or pond r1g 46 (Proposed wildlife pond)

3.2.13 A wildlife pond is proposed within the green space of the proposed site. This pond has been classified as an ornamental pond as it does not meet the criteria of priority or non-priority pond and given its urban location will likely be managed as an ornamental pond and not a wildlife pond.

Urban – Developed land; sealed surface u1b (all proposed hardworks)

- 3.2.14 The proposed access roads, internal roads and hardworks surrounding the proposed buildings have been categorised as this habitat type.
- 3.2.15 A section of grassland will be formed of Grasscrete, which comprises approximately 50% concrete and approximately 50% grass. Accordingly, 50% of the reinforced grassland has been classified as modified and the other 50% of the reinforced grassland has been categorised as hardstanding.

Urban – Developed land; sealed surface u1b5 818 (proposed buildings)

3.2.16 The proposed buildings have been included within this habitat type.

Native hedgerow h2a (Proposed native hedgerows)

3.2.17 New hedgerow planting is proposed at the western site boundary, which aims to strengthen this boundary vegetation and improve connectivity. Species composition is currently unknown; however, it is assumed that the hedgerow will contain a variety of woody species and no one species will be dominant. It is also assumed that the proposed habitat will be managed for wildlife.

Non-native and ornamental hedgerow h2b (Proposed single-species hedgerows)

- 3.2.18 Ornamental hedgerows are proposed in close proximity to the buildings and within the green spaces. It is assumed that these hedgerows would be managed for their amenity value and therefore would provide limited value to wildlife.
- 3.2.19 These hedgerows, even if they contain a native species, have been classified as ornamental hedgerows in accordance with guidance.

3.3 Habitat condition assessment results

3.3.1 The habitat condition assessment spreadsheets for existing and proposed habitats can be found in a separate document. A summary of the results can be found in the table below.

Habitat/Linear Feature	Condition
Heathland & shrub - Bramble scrub h3d	Condition Assessment N/A
Individual trees – Urban trees u1b 32	Moderate
Individual trees – Urban trees u1b 32 (dead trees)	Poor
Grassland - Other neutral grassland g3c	Poor
Lakes - Ornamental ponds r1g 46	Poor
Urban – Vegetated garden u1 828	Condition Assessment N/A
Urban – Developed land; sealed surface (Building u1b5 & Hardstanding u1b)	N/A - Other
Urban – Bare ground u1c 510	Poor
Native hedgerow h2a6	Good
Non-native and ornamental hedgerow h2b	Poor

Existing habitats/linear features

Habitat/Linear Feature	Condition		
Urban tree - Scattered trees u1 32 201 (proposed trees)	Moderate		
Heathland and shrub -Mixed scrub h3h (Proposed mixed native shrub planting)	Poor		
Urban – Introduced shrub u1 847 (Proposed ornamental shrub/perennial planting)	Condition Assessment N/A		
Grassland - Modified grassland g4 (Proposed amenity grass)	Poor		
Grassland – Other neutral grassland g3c (Proposed wildflower meadow)	Moderate		
Urban – Other green roof u1b5 89 (proposed sedum roof)	Condition Assessment N/A		
Lakes – Ornamental lake or pond r1g 46 (Proposed wildlife pond)	Moderate		
Urban – Developed land; sealed surface u1b (all proposed hardworks) & u1b5 818 (proposed buildings)	N/A - Other		
Native hedgerow h2a (Proposed native hedgerows)	Good		
Non-native and ornamental hedgerow h2b (Proposed single-species hedgerows)	Poor		

Proposed habitats/linear features

3.4 Biodiversity impact calculation results

- 3.4.1 The existing site value was calculated at 3.80 Habitat Units and 0.95 Hedgerow units before development. There are no river units before or after development.
- 3.4.2 Based on the landscape proposals drawing that includes retained and created on-site vegetation, the proposed value is 4.42 Habitat Units and 1.93 Hedgerow units. This represents a net gain 0.62 Habitat Units and a gain of 0.98 Hedgerow Units in the 'Headline Results' tab of the metric.
- 3.4.3 The net percentage changes for on-site habitats were calculated at a net gain of 16.31% for Habitat Units and a net gain of 103.11% for Hedgerow Units.
- 3.4.4 The trading rules have also been satisfied.
- 3.4.5 The results of the metric can be found in a separate document.

3.5 Significance results

3.5.1 None of the existing or created habitats or linear features are mentioned within the current local plan. They have all been set to the default 'Area/compensation not in local strategy/no local strategy'.

4 Conclusions

- 4.1.1 The development will currently achieve a net gain of 16.31% in Habitat Units, and a net gain of 103.11% in Hedgerow Units. The trading rules for both habitats and hedgerows have been met.
- 4.1.2 This meets the requirements set by The Environment Act 2021 as achieving at least 10% net gain.









Legislative and policy context

There is a number of pieces of legislation, regulations and policies specific to ecology which underpin this assessment. These may be applicable at a European, National or Local level. References to legislation are given as a summary for information and should not be construed as legal advice.

Birds Directive

The European Community Council Directive on the Conservation of Wild Birds (79/409/EEC), normally known as the Birds Directive, sets out general rules for the conservation of all naturally occurring wild birds, their nests, eggs and habitats. It was superseded by the 'new' Birds Directive (2009/147/EC) which generally updated the previous directive.

These requirements are interpreted into English law by the Wildlife and Countryside Act 1981 (as amended) with regard to protection of birds, and the Conservation of Habitats and Species Regulations 2017 with regard to the registration and regulation of Special Protection Areas.

Habitats Directive

The European Community Council Directive on the Conservation of Natural Habitats of Wild Fauna and Flora (92/43/EEC), normally known as the Habitats Directive, aims to protect the European Union's biodiversity. It requires member states to provide strict protection for specified flora and fauna (i.e. European Protected Species) and the registration and regulation of Special Areas of Conservation.

These requirements are interpreted into English law by the Conservation of Habitats and Species Regulations 2017 with regard to European Protected Species and the registration and regulation of Special Areas of Conservation.

Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 interpret the Birds Directive and Habitats Directive into English and Welsh law. For clarity, the following paragraphs consider the case in England only, with Natural England given as the appropriate nature conservation body. In Wales, the Countryside Council for Wales is the appropriate nature conservation body.

Special Protection Areas and Special Areas of Conservation are defined in the regulations as 'European sites'. The Regulations regulate the management of land within European sites, requiring land managers to have the consent of Natural England before carrying out management. Byelaws may also be made to prevent damaging activities and if necessary land can be compulsorily purchased to achieve satisfactory management.

The Regulations define competent authorities as public bodies or statutory undertakers. Competent authorities are required to make an appropriate assessment of any plan or project they intend to permit or carry out, if the plan or project is likely to have a significant effect upon a European site. The permission may only be given if the plan or project is ascertained to have no adverse effect upon the integrity of the European site. If the competent authority wishes to permit a plan or project despite a negative assessment, imperative reasons of over-riding public interest must be demonstrated, and there should be no alternative to the scheme. The permissions process would involve the Secretary of State and the option of consulting the European Commission. In practice, there will be very few cases where a plan or project is permitted despite a negative assessment. This means that a planning application has to be assessed by the Local Planning Authority, based on information provided by the applicant, and the assessment must either decide that it is likely to have no significant effect on a European site or ascertain that there is no adverse effect upon the integrity of the European site.

Government policy is for Ramsar sites (wetlands of global importance) to be treated as if they were European sites within the planning process.

Appropriate Assessment

Appropriate Assessment is required in certain instances under the Conservation of Habitats and Species Regulations 2017. Regulation 63 says that:

63.— (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which-

(a) is likely to have a significant effect on a European site or a European offshore marine site

(either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site,

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

(2) A person applying for any such consent, permission or other authorisation shall provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required.

(3) The competent authority shall for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority may specify.

(4) They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.

(5) In the light of the conclusions of the assessment, and subject to regulation 64 (considerations of overriding public interest), the competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(6) In considering whether a plan or project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.

The competent authority is typically the local planning authority. The appropriate assessment contains the information the council requires for the purposes of its assessment under the Habitat Regulations.

The Habitat Regulations also are applicable to local authority land use plans and policies. If a policy or plan is likely to have a significant effect upon a European site, the permission may only be given if the policy or plan is ascertained to have no adverse effect upon the integrity of the European site. This approach gives rise to a hierarchy of plans each with related appropriate assessments. For example, the appropriate assessment of a Regional Spatial Strategy will affect policies within a Core Strategy, which will then need its own appropriate assessment, and so on.

European Protected Species

European Protected Species of animals are given protection from deliberate capture, injury, killing, disturbance or egg taking/capture. Their breeding sites or resting places are also protected from damage or destruction, which does not have to be deliberate. A number of species are listed as European Protected Species, with those most likely to be considered in planning applications being bats, dormouse, great crested newt and otter. Natural England may give a licence for actions that are otherwise illegal, subject to them being satisfied on the three tests of no alternative, over-riding public interest, and maintenance of the species in favourable condition.

European Protected Species of plant are also listed and given protection. These species are generally very rare and unlikely to be present in proposed development sites.

Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981 has been amended many times, including by the Countryside and Rights of Way Act 2000. It contains provisions for the notification and regulation of Sites of Special Scientific Interest, and for protected species.

The Regulations regulate the management of land within Sites of Special Scientific Interest, requiring land managers to have the consent of Natural England before carrying out management.

All public bodies are defined as 'S28G' bodies, which have a duty to further the nature conservation of Sites of Special Scientific Interest in the undertaking of their functions. In practice, this prevents planning applications being permitted if they would harm Sites of Special Scientific Interest, as it would be a breach of that duty.

The Act makes it an offence intentionally to kill, injure, or take any wild bird, take, damage or destroy the nest of any wild bird, while that nest is in use or being built, or take or destroy an egg of any wild bird. Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young.

The Act makes it an offence intentionally to kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. Some species have lesser protection under this Act, for example white-clawed crayfish, common frog and toads are only protected from sale, and reptile species, other than smooth snake and sand lizard, are protected from intentional killing or injury, but they are not protected from disturbance and their habitat is not protected. It is also an offence intentionally to pick, uproot or destroy any wild plant listed in Schedule 8.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) dated February 2019 replaces previous Government Policy in relation to nature conservation and planning expressed in the NPPF dated March 2012.

Chapter 15 paragraph 170(d) of the NPPF 2018 says that the planning system should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Paragraphs 171 and 172 relate to policy for designated sites of biodiversity or landscape importance. Proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged against Local Plans policies which will distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value and maintain and enhance networks of habitats and green infrastructure. Further policy is within paragraph 174, where Local Planning Authorities should within their Local Plans aim to protect and enhance biodiversity by:

- Identifying, mapping and safeguarding components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- Promoting 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.

When determining planning applications Local Planning Authorities should apply the following principles:

- If significant harm resulting from a development cannot be avoided (through locating it on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused,
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Paragraph 176 adds protection to candidate sites of European or International importance (Special Protection Areas, Special Areas of Conservation and Ramsar sites) and also to those sites identified or required as compensatory measures for adverse effects on habitats sites, potential SPA, possible SAC listed or proposed Ramsar sites.

Paragraph 177 clarifies that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Government circular 'Biodiversity and Geological Conservation – Statutory Obligations and their Impact Within the Planning System' referenced ODPM 06/2005 has not been replaced and remains valid. It sets out the legislation regarding designated and undesignated sites and protected species and describes how the planning system should take account of that legislation. It does however pre-date the NERC Act 2006 (see below), which includes a level of protection for a further list of habitats and species regardless of whether they are on designated sites or elsewhere.

Natural Environment and Rural Communities (NERC) Act 2006

This Act includes a list of habitats and species of principal importance in England. Local Authorities are required to consider the needs of these habitats and species when making decisions, such as on planning application.

Local Planning Authority's planning policy

The Local Planning Authority will have policies relating to biodiversity conservation.

Species Legislation

The following table provides an overview of legislation with regard to species.

	Legislation			
Protected Species	Wildlife & Countryside Act, 1981	The Conservation of Habitats and Species Regulations, 2017	Natural Environment & Rural Communities (NERC) Act, 2006	Protection of Badgers Act, 1992
Plants (certain 'rare' species)	~	√7	\checkmark	
Invertebrates (certain 'rare' species)	~	√8	✓	
White-clawed crayfish	~		\checkmark	
Great crested newt, natterjack toad, pool frog	~	✓	✓	
Other amphibians	√9		\checkmark	
Sand lizard, smooth snake	~	✓ 10	\checkmark	
Other reptiles	✓11		✓	
Breeding birds	~	\checkmark	\checkmark	
Wintering birds (certain 'rare' species)	~	✓	~	
Bats	~	✓	✓	
Dormouse	~	\checkmark	✓	
Water vole	~		\checkmark	
Otter	~	√	~	
Badger				~

⁷ Nine species present in the UK, with very specialised habitat requirements, are European Protected Species.

⁸ Fisher's estuarine moth, large blue butterfly and lesser whirlpool ram's-horn snail are European Protected Species.

⁹ The four other native amphibian species (smooth and palmate newts, common frog and common toad) are only protected against trade under this act.

¹⁰ Smooth snake and sand lizard are European Protected Species.

¹¹ The four other native reptile species (common lizard, slow worm, grass snake and adder) are protected against intentional killing, injury and trade under this act.



Existing brick wall along northern boundary to be removed due to condition with new flowering hedgerow with trees to be planted alongside 1.8m high metal railings, with locking gates provided.

> Proposed sedum green roof to provide additional urban greening and biodiversity enhancements.

Existing trees/along boundary to be retained. Over-maturing shrubs within deteriorating raised planters to be removed with evergreen shrubs with native trees planted along the site boundary

> Existing plum tree to be retained adjacent to listed building and underplanted with ornamental shrubs.

> > Existing listed buildings to be retained. Front garden spaces to be visually contained by herbaceous planting, to provide a traditional setting to the properties. Rear spaces are provided with hedegrow gardens, with mixed ornamental shrub and herbaceous perennial planting.

Proposed properties provided with mixed ornamental shrub planting, providing structural and character.

Garden Close GARDEN CLOSE

Existing public Footpath

Existing gate within brick wall to be removed to open the space and to create a clearly defined linear walk connecting the heritage courtyard with the existing stairwell beyond the site boundary. Hedgerows with railings clearly define the private spaces associated with ground floor units of the development, whilst forming a 'green' backdrop to the various wildflower and specimen shrub species that are positioned adjacent to the pedestrian path.

- Existing concrete retaining wall retained.
- Existing pond and peripheral walls to be removed and reprofiled to form new naturalistic pond
 - Seating area within grass

Existing hawthorn hedgerow with trees to be retained along site boundary, and strengthened with additional native shrub understorey planting with trees on the embankment to improve screening of the site, and enhance biodiversity. Localised gap to be created in boundary hedgerow to allow views through to listed property.

> Proposed communal space with informal natural play features and seating. Planting including ornamental shrubs and trees, plus natural pond for biodiversity enhancement and mitigation.

> > Proposed 3no. cycle stands,(short stay)

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WEST END ROAD Ornamental evergreen hedgerows located to the front of the proposed apartments to provide privacy to the ground floor units, and year round seasonal interest.

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Existing trees and vegetation to be

Existing tree to be removed

Proposed ornamental tree

Proposed espalier fruit trees

Proposed specimen shrubs

Proposed mixed native shrub planting

Proposed ornamental shrub/perennial

Proposed native tree

Key

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retained

planting

Proposed sedum green roof to provide additional urban greening and biodiversity enhancements.

Indicative

Indicative PV

Existing off-site trees provide visual and physical separation between existing and proposed residential blocks. Trees to be retained

Project

26 to 32

19 to 25

Proposed

Proposed

heritage plaque

natural play features

Existing off-site trees provide visual and physical separation between existing and proposed residential blocks. Trees to be retained

13 to 18

Proposed 0.9m high metal railings

Proposed 1.8m high metal railings

Proposed heritage plaque - Details

Proposed 0.45m high knee rail

by others.

1 to 6 Proposed ramped access into the site providing an accessible pedestrian access from the highway to the centre of the development. The route passes through a landscaped setting formed by the existing boundary hedgerow, ornamental and native shrubs, plus trees.

7 to 12

Proposed asphalt surfacing

Proposed safety surfacing and play

Proposed feature block paved surfacing

Proposed coloured asphalt / resin surfacing

Proposed flag paving / feature paving

Existing wall to be retained

Proposed wall

Proposed block paved surfacing

Garden Close

Existing path leading to Garden Close to be retained.

2

area

Existing access into site remodeled, with existing trees retained where possible. Structural and ornamental shrubs are proposed either side of the proposed access, to provide a sense of arrival.

Proposed native hedgerow

Proposed amenity grass

Proposed amenity grass

Proposed wildlife pond

Proposed wildflower meadow

Proposed sedum/extensive roof

Proposed 1.8m high close board

fence (with 13x13cm hedgehog holes)

Proposed single species hedgerow

Let	ter Revision	By	Date
D	Updated to accord with new site layout	OT	09.08.2024
E	Fence updated	OT	21.08.2024
F	Heritage plaque added	OT	21.08.2024
G	Cycle provision amended, RCP updated, Annotations updated	OT	28.08.2024
Н	T1 shown for retention.	OT	06.09.2024

the **landscape** partnership planning and designing environments for life

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The Barn Hotel, West End Road Ruislip	Woodbridge London Norwich	01394 380509 020 3092 4141 01603 230777		
Drawing	Job No. B22138			
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Do not scale off drawing. All dimensions & Levels are to be checked on site. Any discrepancies must be reported to the landscape architect immediately. Copyright THE LANDSCAPE PARTNERSHIP LTD	North	\bigcirc		