

Project: 12 – 18 High Street, Wood End, London

Date: 14/02/2025

Aspect ref: 1007000/DS

Technical Note:

Biodiversity Net Gain

1 Introduction

- 1.1 A planning application is to be submitted in respect of proposals for the redevelopment of 12 – 18 High Street, Wood End, London. The proposal involves the adaptive re-use of the existing building through partial re-configuration, extension and re-branding to create a sustainable high quality residential scheme (see enclosed plans). The proposals will add to the existing building to create 9 new apartments above the existing mixed use building on the site and is the result of a pre-application process with positive engagement and feedback from the London Borough of Haringey (LBH).
- 1.2 Under the statutory framework for Biodiversity Net Gain (BNG), subject to certain exemptions, every grant of planning permission (for applications submitted on or after 12th February 2024) is deemed to have been granted subject to the condition that the biodiversity gain objective is met ('the biodiversity gain condition'). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the on-site habitat. This increase can be achieved through on-site biodiversity gains, registered off-site biodiversity gains or statutory biodiversity credits.
- 1.3 The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. There are exemptions and transitional arrangements which disapply the condition from certain planning permissions and types of development, as well as special modifications for planning permissions for phased development and the treatment of irreplaceable habitats. The specific exemptions from BNG for certain types of development are set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

1.4 In summary, the biodiversity gain condition does not apply to the following types of development¹:

- a. *Temporary exemption for non-major development (until April 2024).* Development which is not defined as major development under Article 2 Town and Country Planning (Development Management Procedure) (England) Order 2015 was exempt until 2nd April 2024. The exemption continues to apply to section 73 permissions where the original permission which the section 73 relates to was subject to this temporary exemption. Similarly, mandatory BNG also does not apply to any section 73 permission, irrespective of development size, where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024.
- b. *Householder development.* Development which is subject of a householder application as defined within Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- c. *Development granted planning permission by a development order under section 59.* This includes permitted development rights.
- d. *Development subject to the de minimis exemption.* Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of other onsite habitat, or 5 metres of linear habitats such as hedgerows.
- e. *Self-build and custom build development.* Development which:
 - consists of no more than 9 dwellings, and
 - is carried out on a site which has an area no larger than 0.5 hectares, and
 - consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.
- f. *Urgent Crown development granted permission under section 293A of the Town and Country Planning Act 1990.*
- g. *Development of a biodiversity gain site.* Development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain condition which applies in relation to another development.
- h. *Development related to the high speed railway transport network.* Development forming part of, or ancillary to, the high speed railway transport network comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

¹ Planning Practice Guidance on Biodiversity Net Gain, Department for Levelling Up, Housing and Communities, Published 14 February 2024 (Paragraph: 003 Reference ID: 74-003-20240214)

- 1.5 With respect to the *de minimis* exemption above, Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 states:

‘(4) For the purposes of this regulation—

. . . (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;’

- 1.6 ‘Biodiversity value’ in this context is measured using the Statutory Biodiversity Metric.

2 Assessment of Application Against BNG Exemption Criteria

- 2.1 As shown in Figure 1 below and Appendix 1, the application site comprises entirely of developed land; sealed surface. The total site area is 899.1sqm. Accordingly, the proposals do not impact linear or priority habitats and impact less than 25sqm of other onsite habitat (as no habitat is present beyond sealed surface). No irreplaceable habitats are affected by the proposals.

- 2.2 Therefore, in accordance with the exemptions set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the proposals are subject to the *de minimis* exemption. Accordingly, the proposals are not subject to the mandatory biodiversity gain condition.



Figure 1. Site Location

3 Ecological Enhancements

- 3.1 Although not subject to the mandatory BNG legislation, the proposals aim to deliver net gains for biodiversity as part of the application's urban greening strategy, as well as through provision of new opportunities for fauna. With respect to urban greening, the proposals include extensive green roofs to the roof levels of the retail unit above ground floor level, the cycle store above first floor level and the main extension roof above fifth floor level. Planters are proposed to the edges of communal areas at first and fifth floor levels. The proposals also include new hedge and perennial planting. The green roofs and proposed planting will provide new places of shelter for local wildlife as well as providing a new foraging resource for pollinators.
- 3.2 Regarding faunal enhancements, the proposals include installation of integrated swift bricks within the external walls of sections of new build, at a ratio of one per dwelling. In addition, four insect hotels will be provided at roof level. The precise locations and specifications of the swift bricks and insect hotels can be secured by condition.

4 Summary & Conclusions

- 4.1 The proposals do not impact linear or priority habitats and impact less than 25 square metres of other onsite habitat. As such, in accordance with the relevant legislation, the proposals are subject to the *de minimis* exemption and the biodiversity gain condition is disappplied. Nonetheless, various ecological enhancements are proposed as part of the redevelopment, including urban greening elements and faunal enhancements.

Enclosed:

- ✓ Appendix 1 - Existing Site Plan
- ✓ Appendix 2 - Proposed Site Plans

Copyright

The copyright of this document remains with Aspect Ecology. All rights reserved. The contents of this document therefore must not be copied or reproduced in whole or in part for any purpose without the written consent of Aspect Ecology.

Legal Guidance

The information set out within this report in no way constitutes a legal opinion on the relevant legislation (refer to the original legislation). The opinion of a legal professional should be sought if further advice is required.

Liability

This report has been prepared for the exclusive use of the commissioning client and unless otherwise agreed in writing by Aspect Ecology, no other party may use, or rely on the contents of the report. No liability is accepted by Aspect Ecology for any use of this report, other than for the purposes for which it was originally prepared and provided. No warranty, express or implied, is made as to the advice in this report.

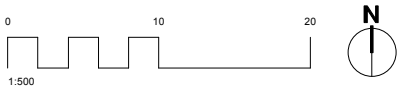
Appendix 1:

Existing Site Plan

NOTES



1 SITE PLAN
1:500@A3



P1	1204/24	AV	Preliminary planning issue	
ISSUE	DATE	BY	ISSUE NOTES	

STATUS		SCALE	JOB NUMBER
PLANNING		1:500 / A3	2401

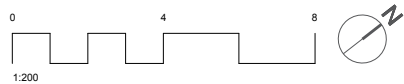
PROJECT	COMP	VOL	LOC	TYPE	R	NUMBER	S	REV
2401-LAT-ZZ-00-DR-A-10001-S1-P1								

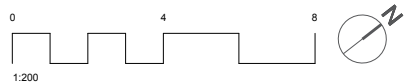
TITLE
SITE/BLOCK PLAN

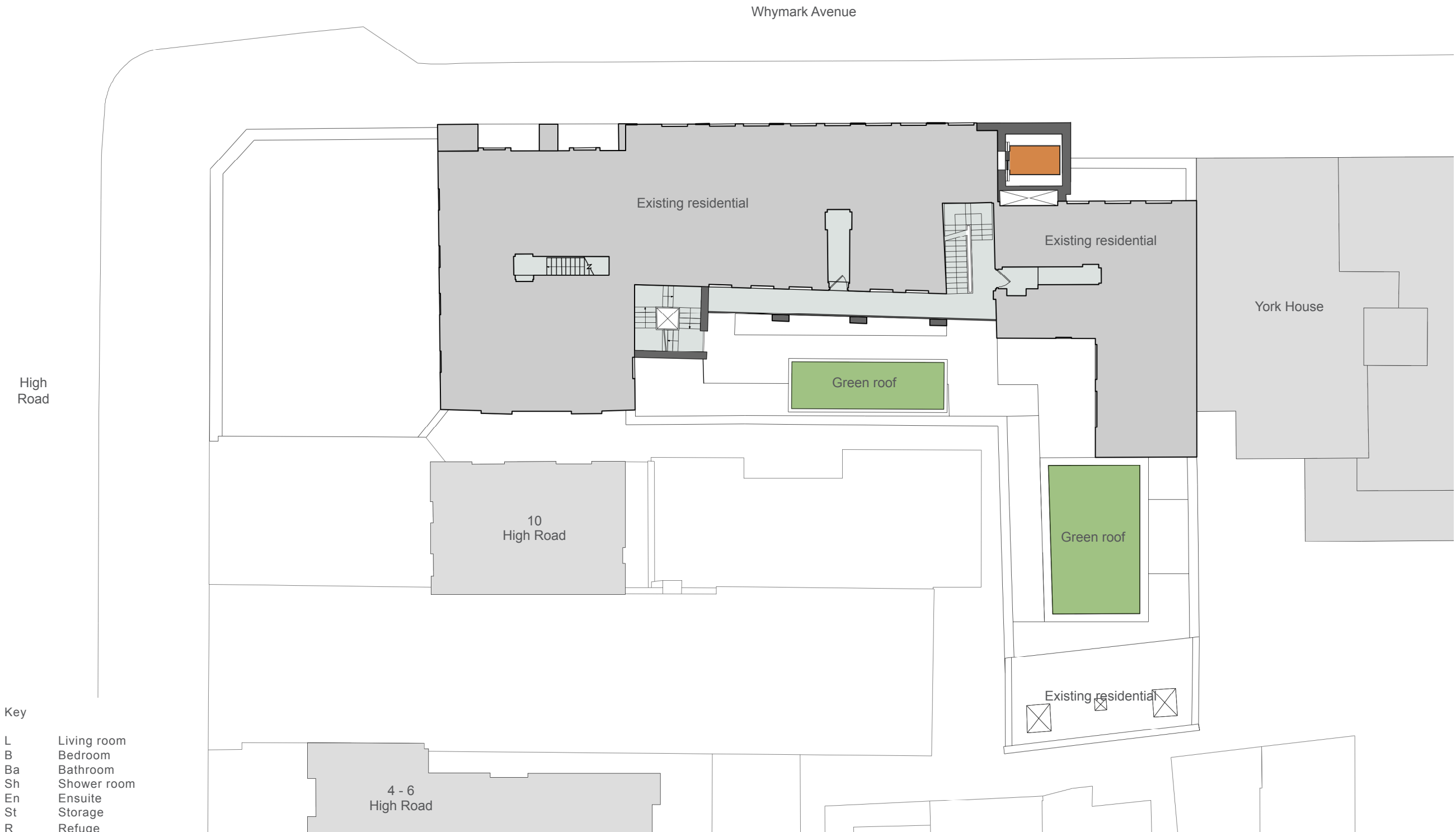
PROJECT NAME
12-14 HIGH ROAD
WOOD GREEN N22 6AY

Appendix 2

Proposed Site Plans







ecology • landscape planning • arboriculture



Aspect Ecology Ltd
West Court
Hardwick Business Park
Noral Way
Banbury
Oxfordshire OX16 2AF

T: 01295 279721
E: info@aspect-ecology.com
W: www.aspect-ecology.com