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Biodiversity Impact Assessment

ABERFELDY VILLAGE MASTERPLAN

Greengage

QA

Aberfeldy Village Masterplan – Biodiversity Impact Assessment

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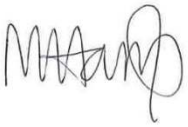
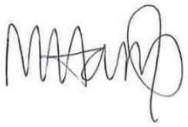
Signature:		
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1.0 EXECUTIVE SUMMARY

1.1 Greengage Environmental Ltd was commissioned to undertake a Biological Impact Assessment by Aberfeldy New Village LLP of the Aberfeldy Village Masterplan site in Poplar, London Borough of Tower Hamlets.

1.2 This document is a report of this assessment and is submitted in support of a hybrid planning application for the Aberfeldy Village Masterplan. The hybrid planning application is made in relation to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the southwest of Abbot Road (the "Site") on behalf of The Aberfeldy New Village LLP' ("The Applicant"). The hybrid planning application is formed of detailed development proposals in respect of Phase A for which no matters are reserved ("Detailed Proposals"), and outline development proposals for the remainder of the Site, with all matters reserved ("Outline Proposals"). The Detailed Proposals and Outline Proposals together are referred to as the "Proposed Development".

1.3 The Proposed Development comprises the comprehensive redevelopment of the Site. The Proposed Development will provide new retail and workspace floorspace along with residential dwellings and the pedestrianisation of the A12 Abbott Road vehicular underpass to create a new east to west route. The Development will also provide significant, high quality public realm, including a new Town Square, a new High Street and a public park.

1.4 This assessment aimed to quantify the predicted change in ecological value of the site in light of the proposed development to assess compliance against emerging planning policy and legislation. This report has been prepared at the outline stage to demonstrate feasibility of achieving net gains for biodiversity at the masterplan site.

1.5 The baseline ecological value of the site is 8.98 biodiversity units associated with large areas of low distinctiveness urban habitats such as amenity grassland and introduced shrub. Urban trees are also a significant contributor to this score. Under the outline proposals, the development has potential to result in a **net gain of 1.83 biodiversity units.** This will be delivered through extensive habitat creation in the form of street tree planting, sustainable urban drainage features, vegetated gardens, living roofs and allotments. This equates to a **net gain of 20.38%** for the masterplan site, demonstrating compliance with emerging planning policy and legislation.

1.6 Detail on habitat creation on-site should be provided at subsequent Reserved Matters Application for each development phase. An Ecological Management Plan, which could be secured through planning condition, should be produced for each subsequent development phase. Should these recommendations be adhered to, the proposals would be compliant with emerging legislation and adopted planning policy.

2.0 INTRODUCTION

2.1 Greengage was commissioned to undertake a Biodiversity Impact Assessment (hereafter referred to as 'BIA) by Aberfeldy New Village LLP of the Aberfeldy Village Masterplan site in Poplar, London Borough of Tower Hamlets.

2.2 This document is a report of this assessment and is submitted in support of a hybrid planning application for the Aberfeldy Village Masterplan. The hybrid planning application is made in relation to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the southwest of Abbot Road (the "Site") on behalf of The Aberfeldy New Village LLP' ("The Applicant"). The hybrid planning application is formed of detailed development proposals in respect of Phase A for which no matters are reserved ("Detailed Proposals"), and outline development proposals for the remainder of the Site, with all matters reserved ("Outline Proposals"). The Detailed Proposals and Outline Proposals together are referred to as the "Proposed Development".

2.3 The Proposed Development comprises the comprehensive redevelopment of the Site. The Proposed Development will provide new retail and workspace floorspace along with residential dwellings and the pedestrianisation of the A12 Abbott Road vehicular underpass to create a new east to west route. The Development will also provide significant, high quality public realm, including a new Town Square, a new High Street and a public park.

SITE DESCRIPTION

2.4 The survey area extends to approximately 8.14 hectares and is centred on National Grid Reference TQ383815, OS Co-ordinates 538315, 181506.

2.5 The site includes phases 4, 5 and 6 of the existing Outline Planning Permission for the Aberfeldy Estate which comprises existing affordable homes and the retail and community uses on Abbott Road. In addition, the proposed development also includes Kilbrennan House, Blairgowrie House, nos. 33-35 Findhorn Street and the Nairn Street Estate. The two local green spaces situated along Abbot Road have also been included for their enhancement. All plots are located in Poplar in East London on a parcel of land between the A13 East India Dock Road to the south, A12 Blackwall Tunnel Northern Approach to the west and Bow Creek to the north and northeast. At its closest point, Bow Creek is 70m northeast of the site and the River Thames is ~700m south. The smaller northern plot is a former industrial site with all buildings removed and cleared.

2.6 The site is located within a highly urbanised area of London and includes residential and commercial buildings. Other land use in the vicinity includes industrial/former industrial sites (largely orientated around the River Thames and Bow Creek). Transport infrastructure is the other major feature of the landscape within and surrounding the site, with major roads being present. Green infrastructure is somewhat limited, with

pocket-parks and street trees within the vicinity of the site, with the exception of the Thames and its associated habitats. There are minor areas of public realm landscaping within the site, however these are limited in extent.

Structure and Purpose of this Report

2.7 This assessment aims to establish the change in ecological value of the site in light of the outline proposals, taking into account direct and indirect impacts. Emerging legislation will mandate a 10% uplift in biodiversity value. This report will assess compliance against this requirement.

2.8 The baseline ecological value of the site is assessed, followed by a calculation of the ecological value of the proposed site, including all landscaping associated with the scheme. This is followed by a discussion and measurement against planning requirements.

PRELIMINARY ECOLOGICAL APPRAISAL

2.9 A Preliminary Ecological Appraisal (PEA) of the site was undertaken on 6th and 7th October 2020 to establish the ecological value of this site and the presence/likely absence of notable and/or legally protected species. This is considered the 'baseline date'.

2.10 The PEA (which included an Extended Ecological Phase 1 Survey) was undertaken in accordance with guidance in the Joint Nature Conservation Committee (JNCC) (2010) Handbook for Phase 1 Habitat Survey[1] and the Chartered Institute of Ecological and Environmental Management (CIEEM) (2017) Guidelines for Preliminary Ecological Appraisal[2], in accordance with BS42020:2013: Biodiversity[3]. The overall assessment consisted of:

- Site specific biological information gained from a desktop study; and
- A site walkover, protected species scoping assessment and phase 1 habitat survey.

2.11 The survey identified only common and widespread urban habitats of limited ecological value. The presence of invasive/non-native species (INNS) was recorded. However, the site was identified as having:

- Low potential to support roosting bats in the buildings and trees;
- Low potential to support foraging and commuting bats; and
- Moderate potential to support nesting birds.

2.12 Mitigation recommendations were set out within the PEA (report ref: 551566dp17Sep21FV04_PEA) to mitigate impacts upon foraging and commuting bats and nesting birds.

2.13 Subsequent bat emergence/re-entry surveys confirmed the presence of a common pipistrelle (*Pipistrellus pipistrellus*) transitional roost on site, therefore formal mitigation required in relation to potential impacts upon roosting bats will be set out through the European Protected Species Mitigation License (EPSML) or Bat Low-Impact Class License (BLICL) process.

2.14 Enhancement recommendations were set out within the PEA and bat survey reports, in addition to ongoing involvement with the design team.

3.0 METHODOLOGY

DEFRA METRIC 3.0

3.1 To calculate the ecological value of the pre- and post-development sites, the DEFRA Metric 3.0 methodology was utilised, following best practice guidance from DEFRA[4,5] and joint guidance from CIEEM, IEMA and CIRIA[6].

3.2 This metric uses Biodiversity Units as a proxy for the ecological value of area or linear based habitats. The areas of each habitat parcel are measured, with each parcel assigned a 'Distinctiveness' and 'Condition' score. Distinctiveness is a default score for that habitat classification, representing its inherent ecological value, whereas condition refers to the state each parcel is in relative to a predetermined set of criteria outlined in the supplementary Defra Metric 3.0 guidance. Also considered is whether the site is in a strategically beneficial location for biodiversity.

3.3 For post-development habitat areas, additional multipliers are applied taking into account the time taken to reach maturity and difficulty of creation of the habitats.

3.4 An assessment of the predicted change in ecological value is undertaken comparing the Biodiversity Units and assessing percentage change. Changes in broader habitat types (for example, 'Urban', 'Woodland' and 'Grassland' habitats) are also tracked, and trading habitats is discouraged unless specifically targeted within a local strategy. Trading down of habitats is not permitted.

PRE-DEVELOPMENT CALCULATION

3.5 To calculate pre-development Biodiversity Units, data collected during the Preliminary Ecological Appraisal were assessed. Areas of each habitat type were taken from the Phase 1 Habitat Map (Figure 1) and data relating to the condition of habitat parcels was inferred from street view images.

3.6 Where habitats required translation from JNCC Phase 1 Habitat categorisations to UKHAB, the UKHAB/Phase 1 Translation tab of the DEFRA Metric 3.0 calculator was used.

PROPOSED DEVELOPMENT CALCULATION

3.7 The proposed site layout was taken from the following drawings:

- AVL-LDA-SBX-XX-XX-RP-L-0001 (Stage 2 illustrative masterplan – Ground floor);
- AVL-LDA-SBX-XX-XX-RP-L-0002 (Stage 2 illustrative masterplan – Podiums); and
- AVL-LDA-SBX-XX-XX-RP-L-0003 (Stage 2 illustrative masterplan – Roofs).

3.8 Areas of each habitat type/proposed planting type were provided by LDA Design and targeted/likely condition scores used, taking into account the likely future use and management of each area.

COMPETENCIES

3.9 Daniel Perlaki, who undertook the assessment and prepared this report, has an undergraduate degree in Ecology (BSc Hons), a Master's degree in Conservation Science and Policy and is a Graduate member of CIEEM.

3.10 Mike Harris, who reviewed this report, has a Bachelor's degree in Environmental Biology (BSc Hons), a Natural England Great Crested Newt Licence (2015-17819-CLS-CLS) and Dormouse Licence (2016-21291-CLS-CLS), is a Chartered Environmentalist (CEnv) and is a Full member of CIEEM. Mike has over 17 years' experience in ecological surveying and has undertaken and managed numerous ecological surveys and assessments.

3.11 This report was written by Daniel Perlaki and reviewed and verified by Mike Harris who confirms in writing (see the QA sheet at the front of this report) that the report is in line with the following:

- Represents sound industry practice;
- Reports and recommends correctly, truthfully and objectively;
- Is appropriate given the local site conditions and scope of works proposed; and
- Avoids invalid, biased and exaggerated statements.

CONSTRAINTS

3.12 The assessment methodology does not incorporate ecological features beyond area and linear based habitats. The potential for the site to support protected species, for example, is not captured by this assessment. As such this report should be read in conjunction with all other ecological reports for the site. The mitigation hierarchy in relation to protected and notable habitats and species must be followed. This report should accordingly be read in conjunction with the PEA and any other appropriate protected species surveys.

3.13 The BIA at this stage is predictive in nature. Subsequent Reserved Matters Applications (RMAs) will provide further detail on development phase specific habitat creation. An appropriate level of post-development management and monitoring is required to deliver the results outlined in this report in the long-term.

4.0 BASELINE CONDITIONS

4.1 The baseline date is considered to be 7th October 2021, when the PEA site survey was undertaken. This has been selected due to it being the most up-to-date assessment of the site. Ongoing bat surveys have been undertaken and it is confirmed that the condition of the site has not changed between the baseline date and Greengage's most recent visit to the site (15th September 2021).

4.2 Owing to the location of the site in a highly urbanised context, there are no foreseeable detrimental impacts to statutory or non-statutory designated sites of BAP/S41 habitats in the area which would stand to limit the ability to deliver net gains for biodiversity.

4.3 The baseline biodiversity value of the site is calculated to be **8.98 biodiversity units**. A breakdown of this calculation is provided in Table 4.1 below:

Table 4.1 Baseline Biodiversity Units

Habitat Type	Area (Hectares)	Distinctiveness	Condition	Biodiversity Units
Grassland – Modified grassland	1.032659	Low	Poor	2.07
Sparsely vegetated land – Ruderal/Ephemeral	0.18133	Low	Poor	0.36
Urban – Introduced shrub	0.49707	Low	Poor	0.99
Urban – Developed land; sealed surface	1.489752	Very low	N/A	0.00
Urban – Developed land; sealed surface	4.518872	Very low	N/A	0.00
Urban – Built linear features	0.013821	Very low	N/A	0.00
Urban – Vacant/derelict land/bare ground	0.119229	Low	Poor	0.24
Urban – Urban tree	1.3304	Medium	Poor	5.32
			Total:	**8.98**

4.4 A habitat map is provided in Figure 1. Condition assessments for the baseline habitats are set out in the 'Assessor Comments' column of the accompanying DEFRA 3.0 Calculator tool.

4.5 All habitats pre- and post-development have no multiplier added for strategic significance as the area is not located within a local strategy.

4.6 There are no hedgerows or rivers on site, therefore hedgerow and river units are 0.00.

5.0 PROPOSED SITE LAYOUT

5.1 Based on outline landscaping proposals, the proposed development is predicted to provide **10.81 biodiversity units** for area-based habitats.

Table 5.1 Post-Development Biodiversity Units

Proposed habitat	Area (Hectares)	Distinctiveness	Condition	Biodiversity Units
Urban – Developed land; sealed surface	3.301	Very low	N/A	0.00
Urban – Introduced shrub	0.6584	Low	Poor	1.27
Urban – Façade bound green wall	0.1282	Low	Moderate	0.31
Urban – Rain garden	0.0689	Low	Good	0.35
Grassland – Other neutral grassland	0.1927	Medium	Moderate	1.29
Urban – Allotments	0.0125	Low	Good	0.07
Urban – Intensive green roof	0.1198	Low	Poor	0.23
Urban – Extensive green roof	0.4800	Medium	Good	2.70
Urban – Urban tree	0.1913	Medium	Poor	0.54
Grassland – Modified grassland	0.2248	Low	Poor	0.43
Retained habitats				
Urban – Urban tree	0.9054	Medium	Poor	3.62
			Total:	**10.81**

5.2 All habitats pre- and post-development have no multiplier added for strategic significance as the area is not located within a local strategy.

6.0 DISCUSSION AND CONCLUSIONS

6.1 Greengage Environmental Ltd was commissioned to undertake a Biodiversity Impact Assessment (BIA) by Aberfeldy New Village LLP for the Proposed Development of Aberfeldy Village Masterplan in the London Borough of Tower Hamlets. This assessment quantifies the predicted change in ecological value of the site as a consequence of the proposed development.

6.2 This report demonstrates that the development proposals will result in a **net gain of 1.83** habitat units. This equates to a **net gain of 20.38%** based on the outline proposals demonstrating compliance with emerging and adopted planning policy and legislation.

6.3 To ensure the predicted biodiversity unit figures calculated and presented within this report are delivered on site, an Ecological Management Plan (EMP) for each phase of the development should also be secured through an appropriately worded planning condition. This should also detail all protection/mitigation measures required for the proposed development as set out in the Preliminary Ecological Appraisal submitted with the hybrid application.

FIGURE 1 PHASE 1 HABITAT MAP

ABERFELDY VILLAGE

- Approximate Site Boundary
- Target Notes
- Area not accessed

Habitats

- C3.1 - Other tall herb and fern - ruderal
- J1.2 - Cultivated/disturbed land - amenity grassland
- J1.4 - Introduced shrub
- J2.5 - Wall
- J3.6 - Buildings
- J4 - Bare ground
- J3.6.1 - Hardstanding

N

0 100 200 300 400 500 m

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Fig 1.0 Site Plan and Habitat Map

Project Number 551566
June 2021
1 to 2,500 at A3
Basemap data: Carto DB

APPENDIX 1 PROPOSED SITE LAYOUT

Z:\198_ABERFELDY_VILLAGE_MASTERPLAN\7CAD\DRAWINGS\AVL-LDA-SBX-XX-XX-DR-L-0004_CMP.DWG

LEGEND

GENERAL

OUTLINE PLANNING APPLICATION BOUNDARY

REV. DESCRIPTION APP. DATE

LDĀDESIGN

PROJECT TITLE
NEW ABERFELDY MASTERPLAN
STAGE 2 OUTLINE PLANNING APPLICATION

DRAWING TITLE
ILLUSTRATIVE COLOUR MASTERPLAN FOR SUPPORT

ISSUED BY	London	T: 020 7467 1470	
DATE	Oct '21	DRAWN	LS
SCALE@A1	1:1,250	CHECKED	BG
STATUS	Planning	APPROVED	AH

DWG. NO AVL-LDA-SBX-XX-XX-DR-L-0004

No dimensions are to be scaled from this drawing.
All dimensions are to be checked on site.
Area measurements for indicative purposes only.

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Sources Ordnance Survey

0 50m

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APPENDIX 2 RELEVANT POLICY

LEGISLATION

Current key legislation relating to ecology includes the Wildlife and Countryside Act 1981 (as amended)7; The Conservation of Habitats and Species Regulations 2019 ('Habitats & Species Regulations')8, The Countryside and Rights of Way Act 2000 (CRoW Act)9, and The Natural Environment and Rural Communities Act, 200610.

The Conservation of Habitats and Species (2017)

The Conservation of Habitats & Species Regulations replace The Conservation (Natural Habitats, etc.) Regulations 1994 (as amended)11, and transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('EU Habitats Directive')12, and Council Directive 79/409/EEC on the Conservation of Wild Birds ('Birds Directive')13 into UK law (in conjunction with the Wildlife and Countryside Act).

Regulation 43 and 47 respectively of the Conservation of Habitats & Species Regulations makes it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2 (European protected species of animals), or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 5 (European protected species of plant). Development that would contravene the protection afforded to European protected species requires a derogation (in the form of a licence) from the provisions of the Habitats Directive.

Regulation 63 (1) states: '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 that site;

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

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats14 (the 'Bern Convention') and the Birds Directive and EU Habitats Directive are implemented in Great Britain.

The Countryside and Rights of Way Act 2000

The Wildlife and Countryside Act has been updated by the CRoW Act. The CRoW Act amends the law relating to nature conservation and protection of wildlife. In relation to threatened species it strengthens the legal protection and adds the word 'reckless' to the offences of damaging, disturbing, or obstructing access to any structure or place a protected species uses for shelter or protection, and disturbing any protected species whilst it is occupying a structure or place it uses for shelter or protection.

The Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities Act 2006 states that every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Biodiversity Action Plans provide a framework for prioritising conservation actions for biodiversity.

Section 41 of the Natural Environment and Rural Communities Act requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity. The list, a result of the most comprehensive analysis ever undertaken in the UK, currently contains 1,149 species, including for example, hedgehog (Erinaceus europaeus), and 65 habitats that were listed as priorities for conservation action under the now defunct UK Biodiversity Action Plan15 (UK BAP). Despite the devolution of the UK BAP and succession of the UK Post-2010 Biodiversity Framework16 (and Biodiversity 2020 strategy17 in England), as a response to the Convention on Biological Diversity's (CBD's) Strategic Plan for Biodiversity 2011-202018 and EU Biodiversity Strategy (EUBS)19, this list (now referred to as the list of Species and Habitats of Principal Importance in England) will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 41 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions.

Biodiversity Action Plans

Non-statutory Biodiversity Action Plans (BAPs) have been prepared on a local and regional scale throughout the UK over the past 15 years. Such plans provide a mechanism for implementing the government's broad strategy for conserving and enhancing the most endangered ('priority') habitats and species in the UK for the next 20 years. As described above the UK BAP was succeeded in England by Biodiversity 2020 although the list of priority habitats and species remains valid as the list of Species of Principal Importance for Nature Conservation.

Regional and local BAPs are still valid however and continue to be updated and produced.

Detail on the relevant BAPs for this site are provided in the main text of this report.

Legislation Relating to Nesting Birds

Nesting birds, with certain exceptions, are protected from intentional killing, destruction of nests and destruction/taking of eggs under the Wildlife and Countryside Act 1981 (as amended) and the CRoW Act. Any clearance of dense vegetation should therefore be undertaken outside of the nesting bird season, taken to run conservatively from March to August (inclusive), unless an ecologist confirms the absence of active nests prior to clearance.

PLANNING POLICY

National

National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2021[20] sets out the Government's planning policies for England, including how plans and decisions are expected to apply a presumption in favour of sustainable development. Chapter 15 of the NPPF focuses on conservation and enhancement of the natural environment, stating plans should 'identify and pursue opportunities for securing measurable net gains for biodiversity'.

It goes on to state: 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'. Alongside this, it acknowledges that planning should be refused where irreplaceable habitats such as ancient woodland are lost.

Regional

The London Plan 2021[21]

Policy G1 Green infrastructure

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.

Boroughs should prepare green infrastructure strategies that identify opportunities for cross-borough collaboration, ensure green infrastructure is optimised and consider green infrastructure in an integrated way as part of a network consistent with Part A.

Development Plans and area-based strategies should use evidence, including green infrastructure strategies, to:

identify key green infrastructure assets, their function and their potential function

identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions.

Policy G5 Urban greening

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.

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.

Policy G6 Biodiversity and access to nature

Sites of Importance for Nature Conservation (SINCs) should be protected.

Boroughs, in developing Development Plans, should:

- 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
- seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context
- ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements.

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:

- avoid damaging the significant ecological features of the site
- minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- deliver off-site compensation of better biodiversity value.

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.

Proposals which reduce deficiencies in access to nature should be considered positively.

Policy G7 Trees and woodlands

Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

London Environment Strategy 2018[22]

The Mayor's Environment Strategy was published in May 2018. This document sets out the strategic vision for the environment throughout London. Although not primarily a planning guidance document, it does set strategic objectives, policies and proposals that are of relevance to the delivery of new development in a planning context, including:

Objective 5.1 Make more than half of London green by 2050

Policy 5.1.1 Protect, enhance and increase green areas in the city, to provide green infrastructure services and benefits that London needs now.

This policy states:

"New development proposals should avoid reducing the overall amount of green cover and, where possible, seek to enhance the wider green infrastructure network to increase the benefits this provides. […] New developments should aim to avoid fragmentation of existing green space, reduce storm water run-off rates by using sustainable drainage, and include new tree planting, wildlife-friendly landscaping, or features such as green roofs to mitigate any unavoidable loss".

This supports the 'environmental net gain' approach promoted by government in the 25 Year Environment Plan.

Proposal 5.1.1.d The London Plan includes policies to green streets and buildings, including increasing the extent of green roofs, green walls and sustainable drainage.

Objective 5.2 conserving and enhancement wildlife and natural habitats

Policy 5.2.1 Protect a core network of nature conservation sites and ensure a net gain in biodiversity

This policy requires new development to include new wildlife habitat, nesting and roosting sites, and ecologically appropriate landscaping will provide more resources for wildlife and help to strengthen ecological corridors. It states:

"*Opportunities should be sought to create or restore priority habitats (previously known as UK Biodiversity Action Plan habitats) that have been identified as conservation priorities in London [and] all land managers and landowners should take BAP priority species into account*".

Tower Hamlets Local Plan 2031 (adopted Jan 2020)

The Tower Hamlets Local Plan sets out how the LPA will manage growth in Tower Hamlets and ensure the benefits are shared with all the residents over the next 15 years.

Policy S.ES1 Protecting and enhancing our environment

This policy states:

1. Proposals will be supported which minimise the use of natural resources and work proactively to protect and enhance the quality of the natural environment, through:

A. reducing the areas of sub-standard air quality in the borough and contributing towards delivering the objectives of the latest Tower Hamlets Air Quality Action Plan

B. protecting and enhancing biodiversity, with the aim of meeting the objectives of the latest Tower Hamlets Local Biodiversity Action Plan and Thames River Basin Management Plan and improving opportunities to experience nature, in particular in deficient areas

C. using the sequential and exceptions tests to direct development away from high flood risk areas and reduce flood risk in the borough

D. reducing water use

E. following the energy hierarchy: be lean, be clean and be green

F. maximising climate change adaptation measures, and

G. improving water and land quality and mitigating the adverse effects of contaminated land on human health.

Policy D.ES3 Urban greening and biodiversity

1. Development is required to protect and enhance biodiversity, through:

A. maximising the provision of 'living building' elements

B. retaining existing habitats and features of biodiversity value or, if this is not possible, replacing them within the development, as well as incorporating additional measures to enhance biodiversity, proportionate to the development proposed, and

C. protecting and increasing the provision of trees, through:

i. protecting all trees, including street trees

ii. incorporating native trees, wherever possible

iii. providing replacement trees, including street trees, where the loss of or impact on trees in a development is considered acceptable.

2. Major development is required to submit an ecology assessment demonstrating biodiversity enhancements that contribute to the objectives of the latest Tower Hamlets Local Biodiversity Action Plan and the Thames River Basin Management Plan.

3. Planting and landscaping around developments must not include 'potentially invasive non-native species'. Invasive non-native species listed in Schedule 9 of the Wildlife and Countryside Act must be controlled, and eradicated where possible, as part of redevelopment.

4. Development must not negatively impact on any designated European site such as Special Protection Areas, Special Areas of Conservation or Ramsar sites. Developments which might have the potential to adversely impact a Special Protection Area or Special Area of Conservation outside the borough will be required to submit a Habitat Regulations Assessment.

5. Developments which affect a Site of Importance for Nature Conservation, or significantly harm the population or conservation status of a protected or priority species, are required to be managed in accordance with the following hierarchy:

A. Adverse impacts to the biodiversity interest should be avoided.

B. Where avoidance is not possible, proposals must minimise and mitigate the impact to the biodiversity interest.

C. As a last resort for exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, appropriate compensation will be sought.

D. Where appropriate compensation is not possible, planning permission will be refused.

REFERENCES

[1] Joint Nature Conservation Committee (2010); Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. JNCC, Peterborough.

[2] CIEEM (2017); Guidelines for Preliminary Ecological Appraisal, 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.

[3] BSI (2013); British Standard 42020:2013: Biodiversity — Code of practice for planning and development, BSI Standards Publication

[4] Ian Crosher, Susannah Gold, Max Heaver D, Matt Heydon, Lauren Moore, Stephen Panks, Sarah Scott, Dave Stone & Nick White (2019); The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. User guide (Beta Version, July 2019). Natural England

[5] Ian Crosher, Susannah Gold, Max Heaver D, Matt Heydon, Lauren Moore, Stephen Panks, Sarah Scott, Dave Stone & Nick White (2019); The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. Technical Supplement (Beta Version, July 2019). Natural England

[6] Julia Baker, Rachel Hoskin & Tom Butterworth (2019); Biodiversity Net Gain. Good practice principles for development: A practical guide. CIRIA, London

[7] HM Government, (1981); Part I and Part II of Wildlife and Countryside Act (as amended). HMSO

[8] HM Government, (2017); The Conservation of Habitats and Species Regulations 2017. Statutory Instrument 2017 no. 490 Wildlife Countryside. OPSI

[9] HM Government, (2000); The Countryside and Rights of Way Act. HMSO

[10] HM Government, (2006); Natural Environment and Rural Communities Act 2006. HMSO

[11] HM Government, (1994); The Conservation (Natural Habitats, &c.) Regulations. HMSO

[12] CEC (Council of the European Communities), (1992); Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

[13] The European Parliament And Of The Council, (30 November 2009); Directive 2009/147/EC On The Conservation Of Wild Birds (Codified Version)

[14] CEC (Council of the European Communities), (1979); Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 19.IX.1979). EC

[15] UK Biodiversity Action Plan (2007). UKBAP Priority Species and Habitats. http://www.ukbap.org.uk/newprioritylist.aspx

[16] JNCC and Defra (on behalf of the Four Countries' Biodiversity Group) (2012). UK Post-2010

Biodiversity Framework. July 2012. Available from: http://jncc.defra.gov.uk/page-6189

[17] Defra (2011). Biodiversity 2020: A strategy for England's wildlife and ecosystem services

[18] Convention on Biological Diversity (CBD) (2010). Decision X/2 Strategic Plan for Biodiversity 2011-2020, including Aichi Biodiversity Targets. Available at https://www.cbd.int/decision/cop/?id=12268

[19] European Commission (2012). Our life insurance, our natural capital: an EU biodiversity strategy to 2020 European Parliament resolution of 20 April 2012 on our life insurance, our natural capital: an EU biodiversity strategy to 2020 (2011/2307(INI))

[20] GOV.UK. (2021). *National Planning Policy Framework*. [online] Available at: https://www.gov.uk/government/publications/national-planning-policy-framework--2 [Accessed 13 June 2019].

[21] The London Plan 2021: https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

[22] Greater London Authority (2018). *London Environment Strategy 2018*. London: Greater London Authority.

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