70 Ember Farm Way
East Molesey
KT8 0BL
6th July 2023

Dear Jack

I would like to raise a comment with regard to the Biodiversity Net Gain Assessments for this application.

A new biodiversity metric calculation was issued in Mar 2023. This replaced version 3.1 (April 2022). The new metric calculation changes the way urban tree habitats are valued. The government anticipates this new metric will be statutory in Nov 2023. Its impact is more generous in than the BNG 3.1 metric in assessing the habitat area of individual trees. One of the negative biodiversity impacts of this development is the removal of existing, mature onsite trees. Can the developer be asked to assess the tree impact based on this new 4.0 BNG so we can understand the impact this would have on the overall BNG for the application.

Notwithstanding the above, I have reviewed the two Biodiversity Assessments provided by Middlemarch, there seem to be some anomalies between the two reports. The reports in question are the Biodiversity Net Gain Assessment Nov 2022 and the Biodiversity Net Gain Assessment May 2023.

Existing Habitats

There are differences in the recording of the existing onsite habitats between the Nov and May reports. One area of difference is the area of Scattered Urban Trees. The area of these drops between the Nov and May reports with no explanation as to why.

In the May 2023 Biodiversity Metric Assessment section 2.2 Data Sources the following comment is made: *'an area of land containing three sycamore trees between a fence and the river (previously misinterpreted as being offsite) has been better represented' (pg. 6).* One would assume this would increase the area of Scattered Urban Trees on the site. A comparison between the June 2023 report and the Nov 2022 report shows a reduction in area of Scattered Urban Trees (see extracts from the reports below). The area drops by 0.1 hectares (-20%) in the May report vs the Nov report. This change is not explained. It also seems an anomaly given 3 sycamore trees have been found onsite.

Biodiversity Metric Assessment: Section 3.1 Biodivesity Metric Calculation Existing Habitats (May 2023)

Phase 1 Habitat	UKHab Habitat Equivalent	Area (ha) / Length (km)	Description (distinctiveness, condition, connectivity and strategic significance)	Value (BU)
Area Based Habitats				
Semi-natural mixed woodland	Lowland mixed deciduous woodland	0.007	Habitat is automatically classed as being of 'High' distinctiveness. Assessed against the woodland condition criteria, the habitat has been assigned a condition of 'Moderate'.	0.08
Scattered trees	Urban Tree	0.0624	Habitat is automatically classed as being of 'Medium' distinctiveness. Assessed against the Urban Tree condition criteria, the habitat has been assigned a condition of 'Good'.	0.75
Scattered trees	Urban Tree	0.3337	Habitat is automatically classed as being of 'Medium' distinctiveness. Assessed against the Urban Tree condition criteria, the habitat has been assigned a condition of 'Moderate'.	2.67

Biodiversity Net Gain Assessment Section 3.1 Ecological Baseline and Impact Assessment (Nov 2022)

Phase 1 Habitat	UKHabs Habitat	Area (ha)	Description	Value (Habitat/ River Units)
Area Based Habitats – Development Site				
Scattered trees	Urban: Urban tree	0.350009155	Habitat is automatically classed as being of 'Medium' distinctiveness. 26 trees of varying size assessed as being in 'Moderate' condition.	2.8
Scattered trees	Urban: Urban tree	0.1469813	Habitat is automatically classed as being of 'Medium' distinctiveness. 1 wild cherry tree assessed as being in 'Good' condition.	0.18

This difference in area has a significant impact on the Total Habitat Baseline for the site. The Biodiversity Metric Calculator tool spreadsheet submitted with the revised May Assessment shows the calculations based on the lower

area measurement. If the higher Scattered Trees area (as detailed in the Nov report) is used in the calculations the habitat unit value for the onsite trees increases to a total of 4.56 vs 3.42 in the June report. The overall habitat units increase from 5.30 to 6.44. See calculations below.

Extract from the Biodiversity Metric Calculator Tool supplied by the Applicant June 2023 showing existing Scattered Urban Tree habitat unit Calculations

Habitats and areas			Distinctiveness		Condition		Strategic significance			Suggested action to address habitat losses	Ecological baseline
Broad Habitat	Habitat Type	Area (hectares)	Distinctiveness	Score	Condition	Score	Strategic significance	Strategic significance	Strategic Significance multiplier		Total habitat units
Urban	Urban Tree	0.0624	Medium	4	Good	3	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same broad habitat or a higher distinctiveness habitat required (a)	0.75
Urban	Urban Tree	0.3337	Medium	4	Moderate	2	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same broad habitat or a higher distinctiveness habitat required (a)	2.67
	Total habitat area	1.15									5.30

Biodiversity Metric Calculations reflecting Nov 2022 report Urban Tree area of 4.56 (ha)

Habitats and areas			Distinctiveness		Condition		Strategic significance			Suggested action to address habitat losses	Ecological baseline
Broad Habitat	Habitat Type	Area (hectares)	Distinctiveness	Score	Condition	Score	Strategic significance	Strategic significance	Strategic Significance multiplier		Total habitat units
Urban	Urban Tree	0.14663813	Medium	4	Good	3	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same broad habitat or a higher distinctiveness habitat required (a)	1.76
Urban	Urban Tree	0.35009155	Medium	4	Moderate	2	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same broad habitat or a higher distinctiveness habitat required (a)	2.80
	Total habitat area	1.25									6.44

A significant amount of biodiversity habitat loss impact of the development is coming from the removal of these scattered trees. A change in the area potentially has a material impact on the overall biodiversity net gain score for the application. Using the higher area of existing Scattered Urban Trees from the Nov 2022 report, the total net on-site % change plus the off-site surplus BNG for habitat units is negative see calculations below.

Biodiversity Metric Calculation 8/6/23

On-site baseline	*Habitat units*	5.30
	Hedgerow units	0.00
	River units	0.33
On-site post-intervention (Including habitat retention, creation & enhancement)	*Habitat units*	3.91
	Hedgerow units	0.00
	River units	0.40
On-site net % change (Including habitat retention, creation & enhancement)	*Habitat units*	-26.27%
	Hedgerow units	0.00%
	River units	20.80%
Off-site baseline	*Habitat units*	3.29
	Hedgerow units	0.00
	River units	0.00
Off-site post-intervention (Including habitat retention, creation & enhancement)	*Habitat units*	5.77
	Hedgerow units	0.41
	River units	0.00
Total net unit change (including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	1.09
	Hedgerow units	0.41
	River units	0.07
Total on-site net % change plus off-site surplus (including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	20.56%
	Hedgerow units	100.00%
	River units	20.80%

Biodiversity Metric calculation using Tree area data from the Nov 2022 report

On-site baseline	*Habitat units*	6.44
	Hedgerow units	0.00
	River units	0.33
On-site post-intervention (Including habitat retention, creation & enhancement)	*Habitat units*	3.91
	Hedgerow units	0.00
	River units	0.40
On-site net % change (Including habitat retention, creation & enhancement)	*Habitat units*	-39.37%
	Hedgerow units	0.00%
	River units	20.80%
Off-site baseline	*Habitat units*	3.29
	Hedgerow units	0.00
	River units	0.00
Off-site post-intervention (Including habitat retention, creation & enhancement)	*Habitat units*	5.77
	Hedgerow units	0.41
	River units	0.00
Total net unit change (including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	-0.06
	Hedgerow units	0.41
	River units	0.07
Total on-site net % change plus off-site surplus (including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	-0.87%
	Hedgerow units	100.00%
	River units	20.80%

The changes in information provided between the two reports could potentially have a material impact on the BNG for the application. Depending on which set of data is accurate the biodiversity metric calculation potentially may not exceed the 10% net gain for habitats as advocated by the Environment Act 2021. I would ask the LPA to instruct an independent evaluation of the Biodiversity Assessments and calculations for the site to clarify the correct BNG for this planning application.

Kind Regards,

Katherine Le Clerc