Kentish Town UK Office Propco Limited

Ecological Services

Preliminary Ecological Appraisal

Highgate Studios, Camden

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Executive Summary

Purpose	To define the baseline ecological conditions of the site at Highgate Studios, 53-79 Highgate Rd, London NW5 1TL and to evaluate the nature conservation importance of ecological features present within the Zone of Influence for the Proposed Development.
Introduction	A PEA, consisting of an extended Phase 1 Habitat survey and desk study, was undertaken on 21 st September 2022.
	The PEA followed the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2017) guidelines, standard Phase 1 habitat survey protocol (JNCC, 2010) and British Standard 42020 (2013) 'Biodiversity – Code of Practice for Planning and Development'.
	The application site is located at Highgate Studios, 53-79 Highgate Rd, London, NW5 1TL, within Camden, on the western side of Highgate Road, bounded by Sanderson Close to the north, the Murphy's Yard site to the west and Carker's Lane to the south. The Site falls within the Kentish Town Industrial Area and varies between 4-5 storeys in height, comprising a self-contained café and flexible uses as either office, nursery or retail.
	The site is in a highly urban area and the habitats on the site were of low ecological value.
Key Findings	On-Site Habitat – One tree, a Norway maple (<i>Acer platanoides</i>), is present in the inner courtyard. It contained negligible bat roosting potential and low nesting bird potential. Overall, it is considered to be of low ecological value. The ornamental planters present on site are also considered to be of negligible ecological value.
	Bats - Building I contained features with low potential to support roosting bats. All other buildings had negligible potential to support roosting bats. In the unlikely event it does support a roost, it would only be very small numbers of bats (non-maternity) due to type of feature. The remaining buildings to be impacted by the proposed development were assessed to have negligible potential to support roosting bats. If additional lighting is necessary for construction purposes elsewhere on the site, it is recommended that this should be positioned carefully so as not to create any light spill on the roof of building I (where the only low potential roosting feature is located within the red line boundary).
	Other Mammals (red fox) – the site could be used by red fox during construction.
	Nesting Birds – No evidence of nesting was seen of any of the roofs. The roofs of the buildings contain no loose material. The site is of low potential to support nesting birds.

Recommendations	On-Site Habitat - It is recommended that the Norway maple (<i>Acer platanoides</i>) be retained and protected during the refurbishment and construction of the Proposed Development. It is recommended that native trees and scrub species are included within any landscaping to enhance the ecological value of the site.
	Bats - As the features on building I will be able to be fully inspected prior to their removal, a precautionary working method is recommended instead of further emergence surveys. All features will be fully inspected using an endoscope and torches by a level 2 bat licenced ecologist. If a bat or bat roost is found, the licenced ecologist will provide advice on a methodology going forward including the application for a licence as appropriate.
	Other Mammals (red fox) – To avoid an offence, measures should be employed during the construction phase, including the covering of all deep holes and trenches overnight and/or the provision of planked escape routes for any wildlife that may fall in. In addition, any liquids held on-site should be stored in a secure lock-up.
	Nesting Birds - Any vegetation clearance or building demolition should be undertaken outside of the bird nesting season (March – September). If works are required to be undertaken within bird nesting season a suitably qualified ecologist should inspect the vegetation no more than 48hrs before clearance. Areas where there are nesting birds will be cordoned off and left undisturbed until the chicks have fledged.
	Enhancements
	It is recommended that green roofs containing intensive planting are provided on as many buildings as possible. This would provide habitat for birds and invertebrates and would represent a valuable ecological enhancement.
	Inclusion of bird boxes catering for notable species that could occur on the site such as swifts should be included around the site.
	Bat boxes should be installed on the refurbished buildings, to provide roosting habitat for bats. These could be installed onto or within the brick elevator shafts which stick out of the roofs to increase the chances of bats using them.
Conclusions	Based on the findings of the PEA, the site has low ecological value . The Proposed Development provides exciting opportunities for biodiversity enhancement such as wildlife friendly planting, wildlife boxes, native tree planting, rain gardens and green roofs and walls to contribute to urban greening.

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1 Purpose of the document

- 1.1.1 The purpose of this document is to provide information regarding any protected and /or notable habitats and species that occur or have the potential to occur on or near the Proposed Development(s) and identification of the potential impacts of the works.
- 1.1.2 This assessment has been designed to meet:
 - Chartered Institute of Ecology and Environmental Management 'Guidelines for Preliminary Ecological Appraisal' (2017);
 - British Standard 8683 (2021) Process for designing and implementing Biodiversity Net Gain; and
 - British Standard 42020 (2013) 'Biodiversity Code of Practice for Planning and Development'.
- 1.1.3 The objectives are to:
 - Identify any designated sites for nature conservation and habitats on, near and adjacent to the site and Zone of Influence (ZoI);
 - Identify any notable and/ or protected plant or animal species of nature conservation value, which may occur on or near the site and Zol;
 - Identify the presence of any invasive plant species on or adjacent to the site and Zol;
 - Provide a habitat map showing ecological features;
 - Undertake a preliminary assessment of the potential impacts on any ecological receptors of conservation value identified on, near or adjacent to the site and Zol; and
 - Recommend further surveys, mitigation, and enhancement measures as appropriate.

1.2 Validity of data

1.2.1 The findings of this study are valid for a period of 12 months from the survey on 21st September 2022. If works have not commenced within one year of this date, then an updated Potential Roost Feature (PRF) Inspection survey should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

2 Introduction

2.1 Background Information

- 2.1.1 Schofield Lothian (now Assystem) were appointed by Trium Environmental Consulting LLP (Trium) on behalf of Kentish Town UK Office Propco Limited to carry out an extended Phase 1 habitat survey of land at Highgate Studios, 53-79 Highgate Rd, London NW5 1TL, in order to prepare a Preliminary Ecological Appraisal (PEA).
- 2.1.2 By undertaking an investigation of the habitats and species present, this report will provide Trium with a greater understanding of the ecological value of the area. It identifies any potential risks, obligations and restrictions that may be necessary to guarantee compliance with wildlife legislation.

2.2 Site Description

- 2.2.1 The application site is located at Highgate Studios, 53-79 Highgate Rd, London, NW5 1TL, within Camden, on the western side of Highgate Road, bounded by Sanderson Close to the north, the Murphy's Yard site to the west and Carker's Lane to the south. The Site falls within the Kentish Town Industrial Area and varies between 4-5 storeys in height, comprising a self-contained café and flexible uses as either office, nursery or retail.
- 2.2.2 The site area is approximately 1.1 hectares (ha) (11,030 m²) and is currently occupied by a large, shared office complex, a Pure Gym, a bar/restaurant (Never For Ever), a raised storey car park and a ground level car park.

2.3 Scope of Works

- 2.3.1 The following surveys were commissioned by Trium and form part of this PEA:
 - Desktop study and ecological data search;
 - Extended Phase 1 habitat survey; and
 - Potential Roost Feature (PRF) Inspection survey.

2.4 **Proposed Works**

2.4.1 The Proposed Development will include the demolition of existing buildings and structures at Plot A and Plot F and erection of a 7-storey building at Plot A and 4-storey building at Plot F; part demolition of the basement at Plot G in connection with erection of a new building at Plot F and part demolition of the basement at Plot D in connection with the extension to Plot E; erection of extensions at Plot B, E and J on the existing buildings; roof extension of Plot I; external refurbishment of the existing buildings at Plot C and D; demolition of existing security structure and replacement with a new entrance pavilion, with cycle parking, hard and soft landscaping and associated works and plant; to provide Class E (g) use plus a range of other supporting and ancillary uses. Urban greening opportunities will be sort throughout the site with the addition of planters, rain gardens, permeable paving, tree planting, green walls and green roofs to be added to contribute to urban greening.

2.5 Quality Assurance

- 2.5.1 This survey was undertaken in line with Schofield Lothian's Business System (SBS). Our SBS places great emphasis on honesty, respect, integrity and trust, collaboration, and accountability. All staff members are committed to establishing and maintaining our certification to the international standards BS EN ISO 9001:2015, 14001:2015 and 18001:2007.
- 2.5.2 All lead Assystem ecologists are members of (at the appropriate level) the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow their code of professional conduct when undertaking ecological work.

Figure 1: Site Redline Boundary – the pink colours denote different buildings



3 Methodology

3.1 Zone of Influence

3.1.1 The Zone of Influence (ZoI) is the area over which the ecological features identified may be subject to significant effects because of the Proposed Development. These will vary between ecological receptors.

3.2 Desk Study

3.2.1 An ecological desk study was undertaken to determine the presence of any designated sites for nature conservation, habitats of conservation importance and protected and notable species that occur within 1 kilometre (km) of the study area. Due to the site's location within a heavily urban area and lack of ecological connectivity to the site, 1km was deemed an appropriate

3.2.2 Only records from within the last ten years and considered relevant to the site have been included in this report.

Table 3-1	Sources	of desk	study	records
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Source	Information Requested
Greenspace Information for Greater London	Protected and priority species (1 km) Sites of local importance (1km)
Multi-Agency Geographic Information for the Countryside	International statutory sites (5km) National statutory sites (2km)

- 3.2.3 The search buffers listed in Table 3-1 are sufficient to cover the potential Zol of the Proposed Development. For protected and priority species, and sites of local importance the impacts of the Proposed Development were not expected to exceed 1km, due to the urban setting of the site and lack of ecological connectivity.
- 3.2.4 For International designated and National sites, the search buffer was extended to 5km and 2km respectively.
- 3.2.5 Impact Risk Zones (IRZs) are a tool developed by Natural England to help assess the potential risks to Nationally or Internationally Designated Sites of Nature Conservation Importance posed by development proposals. IRZs for this report were located using magic.defra.gov.uk, and reviewed against the Proposed Development proposals to understand if the Local Planning Authority would need pre-application advice from Natural England.

3.3 Extended Phase 1 habitat survey

- 3.3.1 A field survey in the form of an 'extended' Phase 1 habitat survey was undertaken by Joanna Meredith, an ecologist with over 5-year experience, supported by Jamie Walker a graduate ecologist on 21st September 2022.
- 3.3.2 All habitats within the survey area were identified and mapped in compliance with the 'Handbook for Phase 1 habitat survey: a technique for environmental audit' (Joint Nature Conservation Committee, 2010¹). The dominant plant species were recorded and any protected, uncommon or invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981² (as amended) were noted.
- 3.3.3 The protected species considered relevant to the assessment, based on geographical region and the presence of suitable habitats within the site, were as follows;
 - Bats: assessment of trees and buildings for their potential to support roosting bats,
 - Nesting birds: assessment of tree and buildings for their suitability for nesting birds,

¹ http://archive.jncc.gov.uk/pdf/pub10_handbookforphase1habitatsurvey.pdf

² http://www.legislation.gov.uk/ukpga/1981/69

3.3.4 Consideration was given to the potential for the site to support Priority Habitats and Priority Species, as listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006).

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3.4 Assessment and Evaluation

- 3.4.1 This PEA has been produced in broad accordance with CIEEM's Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017b)³ and Guidelines for Ecological Report Writing (CIEEM, 2017a)⁴.
- 3.4.2 Where relevant and appropriate, the evaluation of ecological features and the potential ecological impacts of the proposals have followed CIEEM's Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (CIEEM, 2018)⁵.
- 3.4.3 The level of value of specific ecological receptors is assigned using a geographic frame of reference, with international, national, regional, county (metropolitan), district, local and site only value in descending order.
- 3.4.4 A negligible value is assigned where the habitat offers minimal value to wildlife. Where best practice guidelines are unavailable or unclear, experienced ecologists have used their judgement to assess and categorise the suitability of habitats for protected and/or notable species, refer to Table 3-2.
- 3.4.5 The need and scope for additional species surveys has been determined based on the suitability of the habitats for protected and/or notable species, the potential impacts of the Proposed Development and the nature of the legal protection afforded to the species likely to be present.
- 3.4.6 Value judgements are based on various characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations (such as Sites of Special Scientific Interest), or for undesignated features the size, conservation status (locally, nationally or internationally), and the quality of the ecological resource. In terms of the latter, 'quality' can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

Likelihood	Definition
High	An actual or potential constraint that is subject to relevant legal protection and is likely to be a material consideration in determining the planning application (e.g., statutory nature conservation designations and European/nationally protected species). Further survey likely to be required (as detailed in this report) to support a planning application.
Moderate	An actual or potential constraint that is covered by national or local planning policy and depending on the level of the potential impact because of the Proposed Development may be a material consideration in determining the planning application. Further survey may be required to support a planning application
Low	Unlikely to be a constraint to the Proposed Development or require further survey prior to submission of a planning application. Mitigation is likely to be covered under Construction Environmental Management Plan (CEMP) or precautionary working

Table 3-2: Scale of Constraints

³ https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf

⁴ https://cieem.net/resource/guidelines-for-ecological-report-writing/

⁵ https://cieem.net/wp-content/uploads/2019/02/Combined-EcIA-guidelines-2018-compressed.pdf

method statement (e.g., generic requirements for the management of nesting bird
risks).

4 Limitations

- 4.1.1 Biological records can be received from a wide variety of sources and may or may not be comprehensive and accurate. However, if assessed in conjunction with a Phase 1 habitat survey, they can contribute to a robust ecological assessment of a site.
- 4.1.2 The site survey was undertaken in the autumn season outside of the key botanical season, however given the habitats on site are unlikely to support important floral species, it is not considered a constraint to the survey.
- 4.1.3 The desk study and field survey will not produce a comprehensive list of plants and animals as this will be limited by factors that influence their presence (e.g., activity and dormancy periods). An assessment can however be made of the habitats within the survey area, their nature conservation value and potential to support protected or priority species.
- 4.1.4 Despite the limitations described, there are deemed to be no significant limitations to this PEA.

5 Results

5.1 Desk Study

Statutory designated sites

- 5.1.1 A desk-based search shows that there is one site with European or National statutory designation within the 5km of the site and two Local Nature Reserves (LNRs) within 2km:
 - Hampstead Heath Woods (SSSI) 2km north-west of the site;
 - Belsize Wood (LNR) 1.2km west of the site; and
 - Adelaide (LNR) 1.6km south-west of the site.
- 5.1.2 The site is in the Impact Risk Zone for Hampstead Heath Woods (SSSI) but does not require further assessment as the nature of the proposed development is not within the categories where further assessment is required (aviation, quarries, livestock and combustion).

Non-statutory designated sites

5.1.3 A desk-based search shows that there are six Sites of Importance for Nature Conservation (SINCs). Table 5-1 shows the non-statutory designated sites within 1km of the site.

Site Number & Name	Status	Details	Distance and direction from site (m)
Metropolitan Im	portance		
M072 Hampstead Heath	Park	The Heath's remarkable range of habitats so close to central London includes one of the capital's few bogs, as well as wide expanses of grassland and ancient woodland.	200 NW
Borough Import	ance		
CaBI04 Kentish Town City Farm, Gospel Oak Railsides and Mark Fitzpatrick Nature Reserve	Farm, Railway, Park	The rail sides are varied and support a variety of habitats including blocks of secondary woodland. The nature reserve is predominantly woodland dominated by sycamore with an understorey of a variety of native tree and scrub species. Greater and lesser stag-beetle benefit from the deadwood habitat present and bats can be seen.	50 W
IsBI08 Junction Road Railway Cutting	Railway	The various sections of active railway line crossing Islington are of immense importance to its wildlife, as their cuttings and embankments support a significant proportion of the borough's undeveloped land.	680 NE
IsBI01 Dartmouth Park Hill and Reservoir	Reservoir, park	A covered reservoir and adjacent park supporting a variety of grassland and wildflowers.	800 N
Local Importance	ce		

Table 5-1: Non-Statutory Designated Sites

Site Number & Name	Status	Details	Distance and direction from site (m)
CaL15 Rochester Terrace Gardens	Gardens	This small public garden has a good number of (mostly non-native) trees. Native shrubs have been planted around the perimeter forming a wide hedge.	1000 SE
IsL03 Tufnell Park Primary School Gardens	Gardens	A nature focused garden with a pond which frogs use to breed. This contains a luxuriant growth of emergent vegetation, including yellow flag (<i>Iris pseudacorus</i>), marsh foxtail (<i>Alopecurus geniculatus</i>), great pondsedge (<i>Carex riparia</i>), kingcup (<i>Caltha palustris</i>), water mint (<i>Mentha aquatica</i>) and great hairy willowherb (<i>Epilobium</i> <i>angustifolium</i>).	1000 E

5.2 **Priority habitats**

5.2.1 Priority habitats include those listed in Section 41 of the Natural Environment and Rural Communities Act (2006) habitats of principal importance as well as those listed in The London Biodiversity Action Plan (BAP). There are several broadleaf woodland priority habitats within 1km of the site.

5.3 **Protected or notable species records**

- 5.3.1 The MAGIC website showed there are no records of previous applications for European Protected Species (EPS) development licences within 1km of the survey area.
- 5.3.2 Records of protected and/or notable species have been obtained from the GiGL report, see Table 5-2. Ones considered potentially relevant to the site have been included.

Table 5-2: Protected and notable species records from GiGL

Species	Number of records	Date of most recent record	Distance of nearest record (m) from site
Birds			
Swift (<i>Apus apus</i>)	149	10/05/2021	71 NE
Lesser Redpoll (Acanthis cabaret)	1	22/10/2017	759 SE
Lesser Whitethroat (Curruca curruca)	1	30/04/2014	759 SE
House Martin (Delichon urbicum)	6	08/10/2017	535 NE
Linnet (<i>Linaria cannabina</i>)	3	22/10/2017	535 NE
Crossbill (Loxia curvirostra)	1	05/11/2015	881 NE
Osprey (Pandion haliaetus)	2	04/10/2015	759 SE
Herring Gull (Larus argentatus)	3	28/01/2020	195 NE
Lesser Black-backed Gull (Larus fuscus)	1	28/01/2020	195 NE
Firecrest (Regulus ignicapilla)	1	02/01/2016	971 NW
Grey Wagtail (<i>Motacilla cinerea</i>)	5	10/05/2017	759 SE
Sand Martin (<i>Riparia riparia</i>)	2	28/09/2017	759 SE

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Species	Number of records	Date of most recent record	Distance of nearest record (m) from site
Tawny Owl (Strix aluco)	3	23/12/2017	180 NE
House Sparrow (Passer domesticus)	40	30/01/2018	265 N
Redwing (<i>Turdus iliacus</i>)	28	19/12/2017	388 NW
Song thrush (Turdus philomelos)	6	22/10/2017	665 NE
Fieldfare (<i>Turdus pilaris</i>)	10	19/12/2017	656 NW
Ring Ouzel (Turdus torquatus)	3	22/04/2017	804 NW
Mistle Thrush (Turdus viscivorus)	5	11/03/2017	535 NE
Lapwing (Vanellus vanellus)	2	10/04/2015	945 NW
Red Kite (Milvus milvus)	5	13/11/2017	552 SW
Peregrine (Falco peregrinus)	8	29/10/2017	
Hobby (<i>Falco subbuteo</i>)	10	21/09/2017	
Invertebrates			
Stag Beetle (Lucanus cervus)	15	31/05/2020	329 SW
Mammals (bats)			
Common Pipistrelle (Pipistrellus Pipistrellus)	7	07/10/2014	221 E
Mammals (excl. bats)			
West European Hedgehog <i>(Erinaceus europaeus)</i>	97	21/08/2020	351 N

5.3.3 There are also four Lepidoptera (butterflies and moths) species found in the area.

5.4 Phase 1 habitat survey

- 5.4.1 The results of the Phase 1 habitat survey are presented below. A Phase 1 habitat survey map of the site is provided in Appendix A. This map illustrates the location and extent of the different habitat types recorded within the survey area at the site. Photographs taken during the field survey are presented in Appendix B.
- 5.4.2 Table 5-3 details the weather conditions at the time of the surveys.

Table 5-3: Weather conditions during survey

Parameter	Survey 1 (PEA)
Date(s)	21/09/2022
Start time and finish time	11:00 to 13:00
Temperature (°C)	19
Cloud Cover (%)	40
Wind (Beaufort Scale)	1
Precipitation	None

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5.5 Habitats

Buildings (8300m² covering 72% of the site)

The site contains ten buildings (A-J) locations of which as shown in Figure 1. All buildings were in good condition. They were painted summer of 2021 and the flashing has been replaced around 3 years ago. The roofs consist of a mixture of plant and skylights and no loose material.

- A Brick building painted grey no gaps in the brickwork
- B+C Brick building with asbestos style roofing
- D Brick building with skylights
- E Brick building with skylights

F - Single storey flat roof building (used as a gym) and corrugated bike shed - some small buddleia plants

G - Bird netting on the roof with a fully open storage cupboard

H - Brick building with asbestos style roofing

I – Brick building with metal roofing. Some gaps in the bricks and lead flashing

J - Brick building with skylights



South face of building I



Roofs of buildings B, C, D

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Hardstanding (2700m ² covering 24% of the site) The inner courtyard is entirely hardstanding with no ephemeral flora. A car park is present between building F and J.	<image/>	
Ornamental planting (50.43m ²) A handful of ornamental planters are located around the site.	Planters by building H	

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Scattered trees (21.6m²)

A single Norway Maple (Acer platanoides) is located in the inner courtyard.



6 Ecological Features

6.1.1 The presence of Ecological Features within the Zone of Influence of the Proposed Development, and an evaluation of their importance based on the findings of the Desk Study, extended Phase 1 habitat survey is provided below.

Feature	Likelihood of Occurrence	Rationale		
Designated Sites – Statu	Designated Sites – Statutory & Non-Statutory and Priority Habitats			
Designated sites and Priority Habitat	Absent (within site) Present (within search area)	There are designated sites and priority habitats within the ZoI of the development, but no sites are located within the construction boundary. The nearest site is located 50m (non-statutory) - Kentish Town City Farm, Gospel Oak Railsides and Mark Fitzpatrick Nature Reserve SBINC.		
On-Site Habitats				
Scattered trees	Present	There are scattered trees within the development site. These are not suitable for roosting bats but offer other value to local wildlife.		
Mammals				
Bats	Low (roosting)	Building I has low potential for bats to roost due to gaps in the flashing and brickwork. These features are located on the south-west facing aspect. All other buildings have negligible potential for bats to roost.		
Other mammals (red fox)	Low	The site has some suitable for foxes to use it although in low numbers.		
Other mammals (hedgehog)	Negligible	Multiple records of west European hedgehog (<i>Erinaceus europaeus</i>) was noted in the desk study. The site does not offer suitable habitats for hedgehogs. The building refurbishment and construction works are considered unlikely to impact hedgehog populations and have therefore not been considered further within this assessment.		
Invertebrates				
Invertebrates	Negligible	The site includes limited suitable habitat for invertebrates. Only five species of invertebrate have been recorded within 1km of the site within the last 10 years which suggests the presence of invertebrates on site and within the local area is negligible.		
Birds				
Nesting Birds (Non- Schedule one)	Low	The site has low potential for nesting birds on the roof terraces and a few feral pigeons were seen on-site, however no nesting behaviour was observed. A couple of roof terrace areas have been netted to prevent pigeon nesting.		
Nesting Birds (Schedule one)	Negligible	The site does not provide suitable nesting habitats for black redstart, hobby or peregrine falcon. No sightings of black redstart (Schedule 1) have been recorded within 1km of the site in the last ten years. The site provides negligible potential for nesting black redstart. Black redstart requires areas of sparse wasteland vegetation and stony ground for feeding and tall and complex structures with ledges and crevices for nesting, which are currently absent on the site. Existing levels of disturbance on the site and in the surrounding area would also likely discourage black redstart from nesting on the site, even if suitable habitat was present. Hobby and peregrine falcon are other Schedule 1 birds recorded in the desk study however the site does not provide suitable nesting habitat for either. The survey was carried towards the end of peak nesting season when any signs of nesting should still be visible, and no signs of raptors nesting were visible		

6.1.2 Based on the findings of the PEA, the following features of ecological importance were either(a) assessed as likely to be absent from the site, (b) have Negligible nature conservation value; or (c) are not within the Zone of Influence of the Proposed Development.

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- 6.1.3 The following Potential Ecological Features of the site are therefore not considered further
 - Invertebrates;
 - Nesting Birds (Schedule one);
 - Invertebrates; and
 - Other Mammals (hedgehogs).

7 Potential Impacts

7.1.1 The following section considers the likely impact of the proposals on designated sites, habitats protected or notable species. This is based on those species for which potentially suitable habitat occurs within or adjacent to the site. Please refer to Table 3-2 for the definitions of the scale of constraints.

7.2 Designated Sites & Priority Habitats

- 7.2.1 The Proposed Development has the potential to impact a non-statutory designated site, Kentish Town City Farm, Gospel Oak Railsides and Mark Fitzpatrick Nature Reserve SBINC, through construction impacts. Construction impacts include dust and pollution. This site is of Borough importance.
- 7.2.2 Given the scale of the Proposed Development, and the lack of likely impacts beyond the site boundary (in line with a CEMP), other nearby terrestrial designated sites / priority habitats are sufficiently well separated so that no impacts on their designated features are anticipated because of the works.

7.3 Habitats

- 7.3.1 One tree, a Norway maple (*Acer platanoides*), is present in the inner courtyard. It contained negligible bat roosting potential and low nesting bird potential. Overall, it is considered to be of low ecological value.
- 7.3.2 The raised ornamental planters present on the site provide negligible ecological value.
- 7.3.3 None of the habitats recorded during the extended Phase 1 habitat survey are of high botanical or habitat value and no native plant species of national importance were present.
- 7.3.4 The ecological importance of the terrestrial habitats present within the site is low, the impact is minimal. The tree is proposed to be retained within the development. The minimal ecological disturbance would be contained on the site only and will not impact the ecological habitats surrounding the site.

7.4 Bats

- 7.4.1 The desk study identified one species of bat within 1km. No evidence of bats was recorded during the external assessments of the buildings.
- 7.4.2 All buildings which are proposed for redevelopment A, B, C, D, E, Fand J have no suitable features for roosting bats and are therefore defined as having negligible potential to support

roosting bats, in accordance with the Bat Conservation Trust Criteria. The buildings are all in good condition and no suitable cracks or crevices were recorded. The windows are well sealed into their surroundings. There are no unused roof voids.

- 7.4.3 One building within the wider red line boundary building I was classified as having limited suitable features for roosting bats on the south-west aspect in the form of loose lead flashing in the roof and a couple of holes in the brickwork. Due to the nature of these features and the surrounding habitat, building I is defined as having low potential to support roosting bats, in accordance with the Bat Conservation Trust Criteria. Due to the nature of the potential roost this is likely to be a transitionary roost supporting low numbers of bats, if there is a roost present. This building is no longer included in the planned redevelopment works but remains within the red line boundary of the site.
- 7.4.4 The site may offer limited commuting opportunities for bats. However, the highly urban context of the site and the high levels of disturbance from lighting allows for negligible opportunities for foraging bats.

7.5 Nesting birds

7.5.1 The site has low potential for nesting birds on the roof terraces and a few feral pigeons were seen on-site, however no nesting behaviour was observed. A couple of roof terrace areas have been netted to prevent pigeon nesting. The habitats could support local assemblages of birds which might use the nearby trees / buildings to nest within. Removal of these features in the nesting bird season could impact active nests and cause a legal offence.

7.6 Other mammals

7.6.1 The site provides some suitable habitat for common mammals, such as red fox (*Vulpes vulpes*) including the car park which red foxes could use as a place of refuge. Common wild mammals, such as red fox, may venture onto the site during the demolition and construction of the Proposed Development and there is a possibility that they may be killed or injured.

8 Compensation, Mitigation & Recommendations

8.1 Designated Sites and Priority Habitats

- 8.1.1 A CEMP should be submitted to detail specific measures to ensure that all works on site comply with relevant legislation in relation to protected species and that the CEMP is adhered to throughout the construction phase of development to reduce impacts on Kentish Town City Farm, Gospel Oak Railsides and Mark Fitzpatrick Nature Reserve SBINC to a level that is not significant.
- 8.1.2 The CEMP will provide advice to developers and contractors on how best to minimise impacts on wildlife and nearby designated sites throughout the construction phase of development.
- 8.1.3 Examples for dust management include:
 - Monitoring: Daily on-site and off-site inspection, where receptors are nearby, to monitor dust, record inspection results, and make the log available to the local authority etc. when asked.
 - Maintenance: Keeping site infrastructure clean using wet methods where there is the risk of dust accumulation. Remove materials that have the potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below.
 - Use water-assisted dust sweeper(s) on access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.
 - Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site) where reasonably practicable.
 - Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.
 - Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
- 8.1.4 Within the CEMP is a timetable of construction related activities that will be adhered to and will be submitted alongside the application.

8.2 Bats

- 8.2.1 Building I is being subject to an extension. As the works will involve scaffolding, the features will be able to be fully inspected immediately prior to the removal of the lead flashing on the roof and therefore a precautionary working method is to be carried out instead of further emergence surveys. All features will be fully inspected by endoscope and torches by a level 2 bat licenced ecologist immediately prior to the works. If a bat or bat roost is found during the works, the licenced ecologist will provide advice on methodology going forward including the application for a licence as appropriate.
- 8.2.2 If additional lighting is necessary for construction purposes elsewhere on the site, it is recommended that these should be positioned carefully so as not to create any light spill on the roof of building I (where the potential roosting feature is located).

8.3 Nesting Birds

- 8.3.1 All birds, their active nests and eggs are protected from harm under the WCA which makes it an offence to kill, injure or take any wild bird or to take, damage or destroy the nest of any wild bird while that nest is in use or being built. An offence could therefore occur during clearance work on the site.
- 8.3.2 The building and trees could support nesting birds. To ensure legal compliance, clearance of habitat suitable for nesting birds (building and all trees) should be undertaken outside the nesting bird season (i.e. between October and February inclusive). However, should this not be practical, the following measures must be adhered to:
 - Works must be undertaken in line with a Precautionary Working Method Statement (PWMS);
 - Prior to clearance, an ecologist should carry out a nesting bird inspection of areas to be cleared;
 - Should any active birds' nests be found, the work may not take place within an appropriate established buffer zone (usually 5m), which should be left intact until it has been confirmed that the young have fledged, and the nest(s) is no longer in use.

8.4 Other mammals – red fox

- 8.4.1 All wild mammals, including red fox (*Vulpes vulpes*), are protected by the Wild Mammals (Protection) Act 1996 which makes it an offence to intentionally cause any wild mammal unnecessary suffering by certain methods. Common wild mammals, such as red fox, may venture onto the site during the refurbishment and construction of the Proposed Development.
- 8.4.2 To avoid an offence, measures should be employed during the construction phase, including the covering of all deep holes and trenches overnight and/or the provision of planked escape routes for any wildlife that may fall in. In addition, any liquids held on-site should be stored in a secure lock-up. These measures should be implemented through a Demolition and Construction Method Statement (DCMS) or similar. Hoarding around the perimeter of the site should also minimise the likelihood of any wild mammals gaining access to the site.

8.5 Habitat Management Plan

8.5.1 A Habitat Management Plan / Landscape Management Plan should be developed for the site. The aim of the plan would be to facilitate the appropriate maintenance of landscaped areas. The plan would also outline proposed management measures to maintain the ecological value of any new habitats created, such as biodiverse roof(s) and areas of new planting. The Habitat Management Plan (HMP) should refer to the retained and enhanced habitats; however, these should be dealt with primarily within the assessment of BNG. Recommendations for additional enhancements such as wildlife boxes and bricks, are considered appropriate. Their monitoring and any remedial actions should be secured within the plan.

9 Enhancements

9.1.1 Planning policy at the national and local level and strategic biodiversity partnerships encourage inclusion of ecological enhancements in development projects. Ecological enhancements can also contribute to green infrastructure and ecosystem services such as storm water attenuation and reducing the urban heat island effect. The following measures would be suitable for integration into the site's design.

9.2 Native tree and scrub planting

- 9.2.1 It is recommended that the Norway maple (*Acer platanoides*) tree be retained and protected during the refurbishment and construction of the Proposed Development. It is recommended that native trees and scrub species are included within any landscaping to enhance the site.
- 9.2.2 It is recommended wildlife planting should be integral to the soft landscape plans and should include native species and/or species of recognised wildlife value. The use of nectar-rich and berry producing plants will attract a wider range of insects, birds and mammals and continue to accommodate those already utilising the site. Where possible, larger shrubs should be underplanted to create greater structure and cover for wildlife. The use of block planting of single species should be avoided in favour of a higher diversity of plant types per square metre.

9.3 Good horticultural practice

9.3.1 Good horticultural practice should be utilised, including the use of peat-free composts, mulches and soil conditioners, native plants with local provenance and avoidance of the use of invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

9.4 Installation of Green Roofs

- 9.4.1 It is recommended that green roofs containing intensive planting are provided on the refurbished buildings. To maximise biodiversity, this should comprise of the intensive planting of a range of native grasses and flowering plants. This would provide habitat for birds and invertebrates and would represent a valuable ecological enhancement. This should ideally only be accessible for maintenance purposes, to minimise disturbance to wildlife. If the roof terraces are to be open to the public, it is recommended that the intensive planting is kept off walking routes to avoid disturbance.
- 9.4.2 Other features could be installed on an intensive green roof terrace, to enhance its ecological value. A bird bath and bird feeders could be provided, to provide washing and feeding opportunities for birds. Stone or log piles would also provide shelter for a variety of invertebrates.

9.5 **Provision of wildlife boxes**

- 9.5.1 Insect houses, puddle pools and log piles can be installed both within the ground level intensive planting and on the intense green roof terraces to enhance invertebrate habitats.
- 9.5.2 Bat boxes should be installed on the refurbished buildings, to provide roosting habitat for bats. These could be installed onto or within the brick elevator shafts which are higher than roof level on the east or south face.
- 9.5.3 Bird boxes should be installed with different sized holes (including both 32mm and 26mm diameter) to cater for different species. Notable species that could occur on the site such as



swifts should be catered for by adding the 'Vivara Pro WoodStone Swift Nest Box' which should be installed at least 5m above the ground and features a downward facing hole to discourage house sparrows and starlings from occupying the box. Other boxes could be added such as the Schwegler 1SP Sparrow Terrace. A further suggestion is the Schwegler No 24 Brick Box and Schwegler 1B Bird Box, including both 32mm and 26mm diameter holes. These boxes should also be located adjacent to any landscaped areas, at least 3m above the ground and facing southeast to north, to avoid direct sunlight and the heaviest rain.



Appendix A Phase 1 Habitat Survey Map with Habitat Codes (JNCC)

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- A3.1 Scattered Tree
- J5 Raised Ornamental Planter

mental consulting LLP
Highgate Studios
1 habitat map
Figure 1
JW

05/10/2022

Appendix B Relevant Legislation

B.1 The Environment Act 2021

- B.1.1 The focus of the Act is the "...provision for targets, plans and policies for improving the natural environment..." and its requirements are structured around a number of broad themes (noting this is not a comprehensive summary of the provisions):
- B.1.2 Nature and biodiversity Part 6 of the Act importantly makes provision for "biodiversity gain in planning" which will apply to applications under the Town & Countryside Act and the Planning Act. In addition, the responsibilities on Government or public bodies have changed, including through:
 - strengthening the existing biodiversity duty;
 - requiring biodiversity reports;
 - setting up local nature recovery strategy areas;
 - providing for national habitat mapping; and
 - establishing species conservation and protect site strategies.
- B.1.3 Section 98 and 99 introduce biodiversity gain requirements that make changes to the Town & Country Planning Act and The Planning Act. The commencement of these changes and whether secondary legislation will be required to enact them will have to be subject to legal interpretation and advice.
- B.1.4 Conservation covenants– Part 7 of the Act makes provisions for conservation covenants which essentially support the "biodiversity gain in planning" concept by providing a mechanism through which any gains can be secured and managed. These come into force at the point that the Secretary of State "by regulations appoints".

B.2 The Conservation of Habitats and Species Regulations 2017

- B.2.1 The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- B.2.2 Under the Regulations, competent authorities i.e. government departments and public bodies, have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive. The Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I and II of the Habitats Directive respectively) to the European Commission. The Regulations also require the compilation and maintenance of a register of European sites, to include SACs and Special Protection Areas (SPAs) classified under Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). These sites form a network termed Natura 2000. The Regulations enable the country agencies to enter into management agreements on land within or adjacent to a European site, in order to secure its conservation. The Regulations also provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been

shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. When considering potentially damaging operations, the precautionary principle applies i.e. consent cannot be given unless it is ascertained that there will be no adverse effect on the integrity of the site.

B.2.3 The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a few purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

B.3 The Wildlife and Countryside Act (WCA) 1981 (as amended)

- B.3.1 The WCA, as amended, consolidates and amends pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitat Regulations 2010 (as amended), offering protection to a wider range of species. The Act also provides for the designation and protection of national conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSIs).
- B.3.2 Schedules of the act provide lists of protected species, both flora and fauna, and detail the possible offences that apply to these species. All relevant species-specific legislation is detailed later in this Appendix.
- B.3.3 Schedule 1 Part 1 relates to birds and their young, for which it is an offence to intentionally or recklessly disturb at, on or near an 'active' nest. Schedule 1 Part 2 relates to birds afforded special protection during the close season which is 1 February to 31 August (21 February to 31 August below high-water mark), but which may be killed or taken outside this period.

B.4 The Countryside and Rights of Way (CRoW) Act 2000

- B.4.1 The CROW Act, introduced in England and Wales in 2000, amends and strengthens existing wildlife.
- B.4.2 Legislation detailed in the WCA places a duty on government departments and the National Assembly for Wales to have regard for biodiversity and provides increased powers for the protection and maintenance of SSSIs. The Act also contains lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

B.5 The Natural Environment and Rural Communities (NERC) Act 2006

B.5.1 Section 40 of the NERC Act places a duty upon all local authorities and public bodies in England and Wales to promote and enhance biodiversity in all their functions. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These lists superseded Section 74 of the CRoW Act 2000.

B.6 UK Biodiversity Action Plan

B.6.1 The United Kingdom Biodiversity Action Plan (UK BAP), first published in 1994 and updated in 2007, was a government initiative designed to implement the requirements of the Convention of Biological Diversity to conserve and enhance species and habitats. The UK BAP contained a

list of priority habitats and species of conservation concern in the UK and outlined biodiversity initiatives designed to enhance their conservation status. Lists of Broad and Local habitats were also included. The priority habitats and species correlated with those listed on Section 41 and 42 of the NERC Act.

B.6.2 The UK BAP required that conservation of biodiversity be addressed at a County level through the production of Local BAPs. These were complementary to the UK BAP, however, were targeted towards species of conservation concern characteristic of each area. In addition, several local authorities and large organisations have produced their own BAPs.

B.7 Species and Habitats of Material Consideration for Planning in England

- B.7.1 In 2011, the government published the 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' to replace the previous England Biodiversity Strategy. In 2012 the UK BAP was replaced by the UK Post-2010 Biodiversity Framework.
- B.7.2 Previous planning policy (and some supporting guidance which is still current, e.g. ODPM Circular 06/2005, now under revision), refers to UK BAP habitats and species as being a material consideration in the planning process. Equally many local plans refer to BAP priority habitats and species. Both remain as material considerations in the planning process, but such habitats and species are now described as Species and Habitats of Principal Importance for Conservation in England, or simply priority habitats and species under the UK Post-2010 Biodiversity Framework. The list of habitats and species remains unchanged and is still derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006. As was previously the case when it was a BAP priority species hen harrier continues to be regarded as a priority species although it does not appear on the Section 41 list.

B.8 Birds of Conservation Concern 4: the Red List for Birds

- B.8.1 Birds of Conservation Concern 4: the Red List for Birds was published in December 2015.
- B.8.2 Commonly referred to as the UK Red List for birds, this is the fourth review of the status of birds in the UK, Channel Islands and Isle of Man, and updates the last assessment in 2009. Using standardised criteria, 244 species with breeding, passage or wintering populations in the UK were assessed by experts from a range of bird NGOs and assigned to the Red, Amber or Green lists of conservation concern.

B.9 Protection of Badgers Act 1992

B.9.1 Under the Protection of Badgers Act 1992, it is an offence to disturb a badger in its sett or damage, destroy or obstruct access to a badger sett. If the proposed work will involve works coming within 30m of an active badger sett Natural England's standing advice will need to be consulted and a mitigation plan drawn up. After which a licence will need to be applied for from Natural England to undertake any works. It should be noted that badgers cannot be captured and moved purely for development purposes.



Appendix C About Schofield Lothian

- C.1.1 Schofield Lothian is an infrastructure consultancy delivering added value professional services to Clients.
- C.1.2 Combining over 40 years of expertise in infrastructure with Assystem's 'Engineering Powered by Digital' approach for truly unparalleled added value professional services
- C.1.3 We have in-depth expertise in these service areas:
 - Consents & Engagement Services
 - Environment & Sustainability Services
 - Project Management Services
 - Commercial Management Services (Quantity Surveying, Estimating & Contracts)
- C.1.4 Our customised Client Teams bring Client's expertise and experience to deliver an effective and sustainable solution for your project (via secondment, service teams or advisory).
- C.1.5 Through our values we have a vibrant and successful company, where people can thrive, and Clients prosper.
- C.1.6 We believe passionately in delivering added value through a collaborative approach and have the flexibility to respond quickly to facilitate the client's requirements.

C.2 Values

- C.2.1 Our values are part of our DNA. They guide the way we work with each other, with our clients, and within our communities. Our values are:
 - Honesty we tell the truth, we will be sincere and fair
 - Respect we show regard and consideration for the opinions of other
 - Integrity & Trust we demonstrate strong moral principles and are trustworthy
 - Collaboration we work to achieve shared goals
 - Accountable we are accountable and responsible for our actions and results
- C.2.2 Through these values we have a vibrant and successful company where people can thrive, and clients prosper. They define our culture.

C.3 Accreditations

- C.3.1 Quality processes are very important to us especially in delivering our professional services to Clients. In addition to our in-house Business System (SBS), which outlines the processes and procedures within the company, we are accredited to these international recognised standards:
 - ISO 9001 Quality Management System
 - ISO 14001 Environmental Management System
 - BS OHSAS 18001 Health & Safety Management System
 - IIP Investors in People
- C.3.2 We are also accredited to the following industry standards: RISQS Railway Industry Supplier Qualification Scheme, UDVB Utilities and ConstructionOnline.



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