

Date: 23rd January 2025
To: The Francis Crick Institute
From: RPS Ecology
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Regarding: The Francis Crick Institute – Ecological Appraisal / BNG Note

The Francis Crick Institute – Freezer Farm / Chiller Compound Level 6: Ecological Note

Introduction

RPS was commissioned by The Francis Crick Institute to prepare a short note in support of the proposed Freezer Farm / Chiller Compound, located on the Level 6 Terrace of The Francis Crick Institute, Camden.

Development proposals

The proposals involve the *“Removal of existing satellite dish and installation of two chiller compounds on the Level 06 southwest roof”*.

Legislation and policy

Relevant legislation, policy guidance and both Local and National Biodiversity Action Plans (BAPs) are referred to throughout this report where appropriate. Their context and application are explained in the relevant sections of this report.

The relevant articles of legislation are:

- The National Planning Policy Framework (NPPF, 2024);
- ODPM Circular 06/2005 (retained as Technical Guidance on NPPF 2024);
- The Conservation of Habitats and Species Regulations 2019 (EU Exit Amendment);
- The Wildlife and Countryside Act 1981 (as amended);
- The Natural Environment and Rural Communities Act 2006; and
- The Environment Act 2021.

A summary of legislation relevant to protected or other species identified as potential constraints in this report is provided in Appendix A.

Methodologies

Desk Study

Given the small scale of the site and that the proposed works are minimal, it was not considered necessary to undertake a full desk study to support the application. However, a search of MAGIC maps was undertaken, to determine whether any designated sites / protected species licences were present within 2 km of the application site.

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Ecological Appraisal

The Ecological Appraisal consisted of two components: a UKHab Survey and a scoping survey for protected species and other species of conservation concern which could present a constraint to development.

The survey was undertaken in September 2024, by a suitably qualified ecologist, Hannah Knight MSc MCIEEM.

The UKHab Survey followed the standard methodology (UKHab, 2023). In summary, this comprised walking over the survey area and recording the habitat types and boundary features present.

A protected species scoping survey was carried out in conjunction with the Phase 1 Habitat survey. The site was assessed for its suitability to support protected species, in particular great crested newts *Triturus cristatus*, reptiles, birds, badgers *Meles meles*, bats, and other species of conservation importance that could pose a planning constraint.

The surveyor looked for evidence of use including signs such as burrows, droppings, footprints, paths, hairs, refugia and particular habitat types known to be used by certain groups such as ponds. Any mammal paths were also noted down and where possible followed. Fence boundaries were walked to establish any entry points or animals' signs such as latrines. Areas of bare earth were inspected for mammal prints. Areas of habitat considered suitable for protected species or those of conservation interest were recorded.

Accurate Lifespan of Ecological Data

The majority of ecological data remain valid for only short periods due to the inherently transient nature of the subject. The survey results contained in this report are considered accurate for two years, assuming no significant considerable changes to the site conditions.

Results

Desk Study

There are no statutory designated sites within 2 km of the application boundary.

UKHab Survey

U1b: developed land, sealed surface

The site where the chiller compounds are to be located comprised solely of developed land, with a sealed surface, in the form of paving slabs on the existing Level 6 Terrace.

Protected species considerations

As part of the original application for The Francis Crick Institute, a series of bird and bat boxes were included within the scheme, some of which are affixed to the exterior of the building, overlooking the Level 6 Terrace.

No other habitat for protected / notable species was present within the footprint or immediate surrounds of the application site.

Mitigation and Enhancement Recommendations

Breeding birds

There is no habitat within the application boundary that is suitable to support nesting birds, however, there are a series of bird boxes affixed to the exterior of the building, overlooking the Level 6 Terrace; which may

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receive lower levels of use once the development is completed (as the chillers may block potential flight paths into the boxes). Therefore, it is recommended that a series of bird boxes be included within the proposed scheme, attached to the exterior of the building, such as within the green wall overlooking the Ossulston Street Gardens; such detail (type / exact location) could be confirmed through planning condition.

Roosting bats

There is no habitat within the application boundary that is suitable to support roosting bats, however, there are a series of bat boxes affixed to the exterior of the building, overlooking the Level 6 Terrace; which may receive lower levels of use once the development is completed (as the chillers may block potential flight paths into the boxes). Therefore, it is recommended that a series of bat boxes be included within the proposed scheme, attached to the exterior of the building, such as within the green wall overlooking the Ossulston Street Gardens; such detail (type / exact location) could be confirmed through planning condition.

Other species

The site did not comprise any other habitat suitable for protected and notable species.

Biodiversity Net Gain

Mandatory BNG means that all developments must achieve at least a 10% net gain in biodiversity levels compared to their pre-development value. This came into effect for new planning applications from February 2024. However, there are some exemptions to this, with these including:

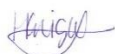
- If a planning application for a development was made before day one of mandatory BNG on 12 February 2024, the development is exempt from BNG;
- Retrospective planning permissions made under section 73A;
- If the site is less than 0.5 ha and less than 25m² of habitat is to be removed, and
- Temporary impacts that can be restored within two years.

At this stage it is not considered necessary to undertake a Biodiversity Net Gain (BNG) assessment of the project due to the fact no impacts are to occur (the development is to take place on solely hardstanding, which is also less than 25m²).

If the above was to change however, and habitat to be removed, exceeding the limit above, at that point, a Biodiversity Net Gain Assessment would be required, and the 10% BNG target required to be met.

Yours Sincerely,

For RPS,



Hannah Knight MSc MCIEEM

Associate Director – Ecology

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Appendix A - Relevant Legislation

A.1 Nesting birds

All birds, their nests and eggs are afforded protection under the Wildlife and Countryside Act 1981, as updated by the Countryside and Rights of Way Act 2000. It is an offence to:

- intentionally kill, injure or take any wild bird;
- intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; and
- intentionally take or destroy the egg of any wild bird.

Schedule 1 birds cannot be intentionally or recklessly disturbed when nesting and there are increased penalties for doing so. Licences can be issued to visit the nests of such birds for conservation, scientific or photographic purposes but not to allow disturbance during a development even in circumstances where that development is fully authorised by consents such as a valid planning permission.

A.2 Bats

All British bat species are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as updated by the Countryside and Rights of Way Act 2000. All British bats are also included on Schedule 2 of The Conservation of Habitats and Species Regulations 2019 as European Protected Species. It is an offence to:

- intentionally or recklessly kill, injure or capture bats;
- deliberately or recklessly disturb bats (whether in a roost or not); and
- damage, destroy or obstruct access to bat roosts

A roost is defined as 'any structure or place which [a bat] uses for shelter or protection'. As bats tend to reuse the same roosts, legal opinion is that a roost is protected whether or not bats are present at the time of survey.

A licence will therefore be required by those who carry out any operation that would otherwise result in offences being committed.

The following bat species are listed as being of principal importance for the conservation of biodiversity in England, (commonly referred to as UKBAP Priority species): barbastelle, Bechstein's, noctule, soprano pipistrelle, brown long-eared, greater horseshoe, and lesser horseshoe.