

CENTRE POINT

ECOLOGICAL ASSESSMENT
DOCUMENT R1127/106610_V3/2013 – FINAL



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Ecological Assessment

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EXECUTIVE SUMMARY

Grontmij has been appointed by Almacantar Ltd to carry out an ecological assessment of the Centre Point scheme for a proposed mixed development including residential and retail units. The ecological assessment consisted of a desk review of available data and an extended Phase 1 habitat survey to assess the site and surrounding habitats and the production of an ecological report.

Camley Street Nature Park Local Nature Reserve (LNR) is located 1.9km north of the development site. No other statutory conservation sites were identified within 2km of the scheme. Several non-statutory conservation sites occur in the area. Given the distances involved and the nature of the scheme, no impacts on statutory or non-statutory sites are predicted.

The habitats on site were deemed to be of low ecological value, currently consisting of occupied office buildings, cafes, restaurants, pubs as well as hardstanding areas. No invasive plant species are present on site.

Best practice methods should be undertaken to avoid impacts to nesting birds. There is no suitable habitat on site for any other protected species.

1 INTRODUCTION

1.1 Scope of ecology work

Grontmij Limited (Grontmij) has been appointed by Almacantar Ltd to carry out an ecological assessment of the Centre Point project in London, hereafter referred to as 'the scheme'.

The purpose of the survey was to determine whether there were any protected species, or habitats and species of conservation value in the vicinity of the scheme which may be adversely affected by the proposed works. The survey report also identifies any constraints imposed by these in relation to environmental legislation and makes appropriate recommendations to reduce impacts.

The scope of work included a desk based review of all pertinent information, an extended Phase 1 habitat survey and the production of an ecological report.

1.2 Project description

The scheme is a mixed development including provision of residential and retail units.

2 METHODS

Information from the following sources was reviewed as part of the desk study:

- Information on the Multi-Agency Geographical Information for the Countryside (MAGIC) website;
- Biological information supplied by Greenspace Information for Greater London (GIGL);
- 1: 25,000 Ordnance Survey map.

The extended Phase 1 habitat survey included the following:

- Identification of all main habitats within the study area.
- Identification of any invasive plant species (e.g. Japanese knotweed, giant hogweed and Himalayan balsam).
- Assessment of the value of habitats that will have to be removed / destroyed by the scheme.
- As recommended by Joint Nature Conservation Committee (JNCC)¹ and Institute for Ecology and Environmental Management (IEEM)² guidelines the survey identifies the potential for protected species including:
 - Great crested newt ponds and terrestrial habitat.
 - Badger setts.
 - Potential bat roosts and foraging habitat.
 - Nesting habitats for birds.
 - Otters and otter habitat.
 - Reptile habitat including potential hibernaculae.
 - Water vole habitat.
 - Potential habitat for native white-clawed crayfish in water courses.

The extended Phase 1 habitat survey of the scheme was undertaken on the 3rd February 2012 by Robert Randall (MIEEM). The survey was undertaken in sunny conditions and an air temperature around 6°C.

3 CONSTRAINTS

The level of access gained and results gathered allow accurate assessments of the scheme's ecological value and presence of protected and notable species to be made.

¹ JNCC (2010). Handbook for Phase 1 Habitat Survey.

² IEEM (2012). Guidelines for Ecological Impact Assessment in the United Kingdom, online (<http://www.ieem.net/ecia>).

4 DESK REVIEW

4.1 Conservation sites

Statutory and selected non-statutory conservation sites within 2km of the site were searched for using the MAGIC website and one statutory conservation site was found to be present. Camley Street Nature Park Local Nature Reserve (LNR) is located 1.9km north of the development site.

Additional information on non-statutory sites within 2km of the site was provided by GIGL. This reveals that various conservation sites occur near the proposed site. These are summarised in Table 1.

Table 1. Summary of conservation sites

Site Designation	Information	Source(s)
LNR ¹ SMINC ²	Camley Street Nature Park: One of Britain's oldest and most influential urban ecology parks, internationally renowned as a centre of excellence in environmental education. Approximately 1.9km north of the development site.	MAGIC GIGL
SMINC	River Thames and Tidal Tributaries: Comprise a number of valuable habitats not found elsewhere in London and is home to many fish and birds. Approximately 1m south east of the development site.	GIGL
SMINC	St James's Park, Green Park and Buckingham Palace Gardens: These sites together form a large area of open space in central London, which provides habitats for a surprising diversity of birds and other wildlife. Approximately 1.25km south of the development site.	GIGL
SMINC	Regent's Park: Historic royal park important for breeding and migrating birds. Approximately 1.5km north west of the development site.	GIGL
SMINC	London's Canals: Support a wide range of aquatic flora, with a number of locally uncommon species. The canals also support an important invertebrate fauna, a diverse fish community and breeding waterfowl. Approximately 1.9km north of the development site.	GIGL
SBG1 ³	Marlborough House Garden: A large lawn supporting a range of wildflowers. Approximately 1.4km south of the development site.	GIGL
SBG1	Westminster Abbey, Great Cloister and College Garden: Two open areas within the grounds of the abbey are of botanical interest, and a rare spider can be found in its masonry. Approximately 1.9km south of the development site.	GIGL
SBG2 ⁴	Middle Temple Garden: Garden with a good diversity of birds and wild flowers. Approximately 1.3km south east of the development site.	GIGL
SBG2	Temple Gardens: One of the largest open spaces in London, it has a number of features of wildlife value, and home to a good range of birds. Approximately 1.5km south east of the development site.	GIGL

SBG2	Park Square Gardens: Garden square valuable for birds. Approximately 1.5km north west of the development site.	GIGL
SBG2	Portman Square and Manchester Square: These squares consist of amenity grassland, scattered trees and semi-improved grassland. Approximately 1.8km west of the development site.	GIGL
SBG2	Claremont Square Reservoir: A small covered reservoir supporting diverse grassland including the locally uncommon spiked sedge. Approximately 1.9km north east of the development site.	GIGL
SBG2	St Pancras Gardens: Old churchyard which has two nature areas. Approximately 1.9km north of the development site.	GIGL
SLINC ⁵	Phoenix Garden: Community garden which has an open meadow area and pond. Approximately 200m south of the development site.	GIGL
SLINC	Russell Square: One of the largest London squares, with a good number of mature trees. Approximately 550m north of the development site.	GIGL
SLINC	Lincoln's Inn Fields: Largest of London's squares well known for its plane trees, some of the first to be planted in Britain. Approximately 700m east of the development site.	GIGL
SLINC	Gordon Square: A London square with abundant trees and breeding birds. Approximately 850m north of the development site.	GIGL
SLINC	Victoria Embankment Gardens (Main Gardens): Riverside park provides habitat for a range of common birds. Approximately 900m south east of the development site.	GIGL
SLINC	Coram's Fields: A park with facilities for children, a wildlife garden, mature trees and a city farm are present. Approximately 1km north of the development site.	GIGL
SLINC	St James's Square: Garden square with mature trees and a good range of nesting birds. Approximately 1km south west of the development site.	GIGL
SLINC	Victoria Embankment Gardens (Whitehall Garden): Attractive public garden beside the River Thames. Approximately 1.1km south of the development site.	GIGL
SLINC	St George's Gardens: A former churchyard which is now a small park with numerous mature trees and shrubs. Approximately 1.2km north east of the development site.	GIGL
SLINC	St George's Gardens: A former churchyard which is now a small park with numerous mature trees and shrubs. Approximately 1.2km north east of the development site.	GIGL
SLINC	Victoria Embankment Gardens (Temple Section): Tiny public park supporting a good range of common birds for its size. Approximately 1.3km south east of the development site.	GIGL

SLINC	St Andrew's Gardens: A former churchyard which is now a small park with numerous trees and shrubs. Approximately 1.4km north east of the development site.	GIGL
SLINC	St James's Gardens: A former churchyard which is now a small park with numerous trees, shrubs and wild flowers. Approximately 1.5km north west of the development site.	GIGL
SLINC	Calthorpe Community Garden: Garden with a good range of wildlife habitats. Approximately 1.5km north east of the development site.	GIGL
SLINC	Mount Street Gardens: Small public garden with mature trees and breeding birds. Approximately 1.6km south west of the development site.	GIGL
SLINC	Paddington Street Gardens: An attractive formal park and a smaller secluded garden with a good range of common birds. Approximately 1.6km north west of the development site.	GIGL
SLINC	Wilmington Square: Picturesque town square with a wide range of native trees and shrubs. Approximately 1.7km north east of the development site.	GIGL
SLINC	St John's Gardens: Tiny park with a high density of mature trees. Approximately 1.7km north east of the development site.	GIGL
SLINC	Lloyd Square: Small privately managed square which is managed to encourage wildlife. Approximately 1.8km north east of the development site.	GIGL
SLINC	Spa Green Garden: Public garden with lawns, rose beds and shrubberies containing many native species. Approximately 1.9km north east of the development site.	GIGL
SLINC	Winton Primary School Garden: School nature garden with a pond and semi-improved grassland. Approximately 1.9km north of the development site.	GIGL

¹ **LNR:** Local Nature Reserve.

² **SMINC:** Site of Metropolitan Importance for Nature Conservation.

³ **SBG1:** Site of Borough Grade 1 Importance for Nature Conservation.

⁴ **SBG2:** Site of Borough Grade 2 Importance for Nature Conservation.

⁵ **SLINC:** Site of Local Importance for Nature Conservation.

Given the distances involved and the nature of the scheme, no impacts on statutory or non-statutory sites are predicted.

4.2 Species records

Biological data obtained from GIGL demonstrate that various protected and notable species of wildlife have been found in the general area of the scheme. This information is summarised in Table 2.

Table 2. Summary of protected and notable species records

Species	Information	Protection
Nathusius's pipistrelle	The closest record is located 1.5km south of the site. The most recent record is from 2005.	¹ W&CA Sch5 ² Cons Regs 2010 ³ BAP London
Common pipistrelle	The closest record is located 458m north of the site. The most recent record is from 2010.	W&CA Sch5 Cons Regs 2010 BAP London
Kuhl's pipistrelle	Recorded 1.8km north of the site in 2006.	W&CA Sch5 Cons Regs 2010 BAP London
Soprano pipistrelle	The closest record is located 1.4km south of the site. The most recent record is from 2010.	W&CA Sch5 Cons Regs 2010 BAP London
Daubenton's	Recorded 1.9km north of the site in 2008.	W&CA Sch5 Cons Regs 2010 BAP London
Noctule	Recorded 1.8km south west of the site in 2008.	W&CA Sch5 Cons Regs 2010 BAP London
Brown long-eared	Recorded 1.4km south of the site in 1980.	W&CA Sch5 Cons Regs 2010 BAP London
Serotine	Recorded 1.9km south east of the site in 1992.	W&CA Sch5 ⁴ BAP National BAP London
Common frog	The closest record is located 1km east of the site in 2008.	W&CA Sch5
Common toad	The closest record is located 1.8km north west of the site. The most recent record is from 2008.	W&CA Sch5 BAP National BAP London
Smooth newt	The closest record is located 935m north east of the site. The most recent record is from 2008.	W&CA Sch5
Palmate newt	Recorded 1.9km north of the site in 2008,	W&CA Sch5
Stag beetle	Several records, the closest is located 1.5km north east of the site in 2009.	W&CA Sch5 BAP National BAP London

Birds	<p>Numerous records supplied. Recent records of Schedule 1 species such as greylag goose, northern pintail, garganey, greater scaup, goldeneye, Slavonian grebe, white-tailed eagle, Mediterranean gull, little gull, kingfisher, fieldfare, black redstart (1.4km SE and NE), redwing, firecrest, brambling and peregrine falcon.</p> <p>Several London BAP species have also been recorded, including starling, Caspian gull, northern lapwing, lesser spotted woodpecker, yellow wagtail, house sparrow, herring gull, spotted flycatcher, hedge accentor, sand martin, skylark, linnet, common redpoll and reed bunting.</p> <p>Many of these records concern birds recorded flying over nearby parks or isolated records of passage migrants.</p>	<p>W&CA BAP National BAP London</p>
Plants	<p>Records of several National BAP species and London BAP species but all located over 1km from the site.</p>	<p>BAP National BAP London</p>

¹**W&CA Sch5:** Species protected in the UK via Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

²**Cons Regs 2010:** Species protected across Europe under The Conservation (Natural Habitats) Regulations (2010).

³**BAP London:** Priority species for conservation action in London's Biodiversity Action Plan.

⁴**BAP National:** Priority species for conservation action in UK Biodiversity Action Plan.

5 SITE SURVEY

A Phase 1 habitat map of the scheme is provided as **Figure 1** with associated Target Notes detailed in **Appendix A**. Photographs are shown in **Appendix B**.

5.1 Habitat description and impact assessment

The scheme is dominated by buildings and hard surfaces (**Photograph 1**), with mixed usage including residential, offices, cafes, restaurants and a public house. There is a road that runs through the site but the two buildings are connected by an elevated walkway (**Photograph 2**, Target Note 1).

There are a few planted cabbage palm plants on the roof of the public house (**Photograph 3**, Target Note 3) numerous weeds of broken have colonised the area on the roof of the public house including herb robert. Seven potted box bushes are present above the entrance to one of the offices (**Photograph 4**, Target Note 2).

A mature small-leaved lime tree is located on the southern end of the site near the public house (**Photograph 5**, Target Note 4). The box, herb robert and small-leaved lime are native species but the cabbage palm is not native. No hedgerows are present on or adjacent to the site, and no aquatic habitats are present.

The habitats listed above are assessed³ as being of low ecological value, based on frequency of this habitat in the local landscape, species diversity and structure.

5.2 Invasive plant species

No invasive plant species are present on site.

³ IEEM (2012). Guidelines for Ecological Impact Assessment in the United Kingdom, online (<http://www.ieem.net/ecia>).

6 PROTECTED SPECIES OF WILDLIFE

Although several species are afforded protection under the Wildlife and Countryside Act (as amended) (1981) only those considered as relevant to the scheme are included. As there are no aquatic habitats within or adjacent to the site, no impacts to species such as otter, water vole or white-clawed crayfish will occur. As there are no hedgerows or woodland habitat on or adjacent to the site no impacts to hazel dormouse will occur. A brief summary of the legislation surrounding each species or group is provided in **Appendix C**.

6.1 Great crested newt

There are no ponds marked on the engineering drawings or 1: 25,000 Ordnance Survey map within 500m of the scheme. No further survey is recommended.

6.2 Reptiles

There is no suitable habitat on site for reptiles. No further survey is recommended.

6.3 Birds

Habitat on site with potential to support nesting birds is limited to ledges and roof space and the small-leaved lime tree.

During the survey, one species of bird was seen and heard, this was feral pigeon. This species is not of conservation concern based on population assessments by leading governmental and non-governmental conservation organisations⁴.

If demolition of buildings is likely to proceed in the breeding season (generally taken as March to August inclusive) then the roof space and window ledges should be checked in advance by an experienced ecologist.

If the small-leaved lime tree needs to be removed as part of the scheme it is recommended that this is done outside of the breeding season. If this cannot be achieved the tree should be checked in advance by an experienced ecologist and then, assuming no nests are present the tree can be cleared. If active nests are found, clearance work will have to be delayed until the young have fledged.

6.4 Badger

There is no suitable habitat on site for badgers. No further survey is recommended.

6.5 Bats

The buildings and the small-leaved lime tree on site were assessed for their bat roost potential and none of them have suitable features for supporting a roost. The habitat on site is also of low value to bats for foraging. No further surveys are recommended.

⁴ Eaton MA, Brown AF, Noble DG, Musgrove AJ, Hearn R, Aebischer NJ, Gibbons DW, Evans A and Gregory RD (2009). Birds of Conservation Concern 3: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man. *British Birds* 102, pp296-341.

7 RECOMMENDATIONS

The following recommendations are made to avoid infringing ecological legislation and encountering delays during construction:

General Recommendations

- Impacts to nesting birds should be avoided by removal of the small-leaved lime tree (if required) outside the breeding season or checking the tree in advance of clearance to ensure no active nests are present. Works to roofs and window ledges suitable for nesting birds should be done outside of the breeding season (breeding season considered to be March to August inclusive).
- Where new tree planting is proposed, native specimens of local origin should be chosen where possible.

Additional Recommendations

- To enhance opportunities for nesting birds on site, dedicated nest boxes of various suitable designs should be positioned within new structures. Various products exist and liaison with an ecologist could rapidly lead to the production of a suitable box provision strategy, to determine box numbers, locations, integration with lighting scheme and appropriate target species.
- Consideration should be given to including green or brown roofs in the design. These features could increase botanical and habitat diversity across the site, and attract various invertebrates, improving overall site biodiversity.

This report is based on the study area plan provided; should the work not occur for 12 months or more then it is recommended that a repeat walkover survey is undertaken. This would be to ensure the baseline ecology and potential for protected species to occur has not changed in the intervening period. Similarly, if the scheme design changes ecologists at Grontmij should be consulted for further advice.

FIGURES

Figure 1: Phase 1 habitat map with target notes.

APPENDIX A

TARGET NOTES

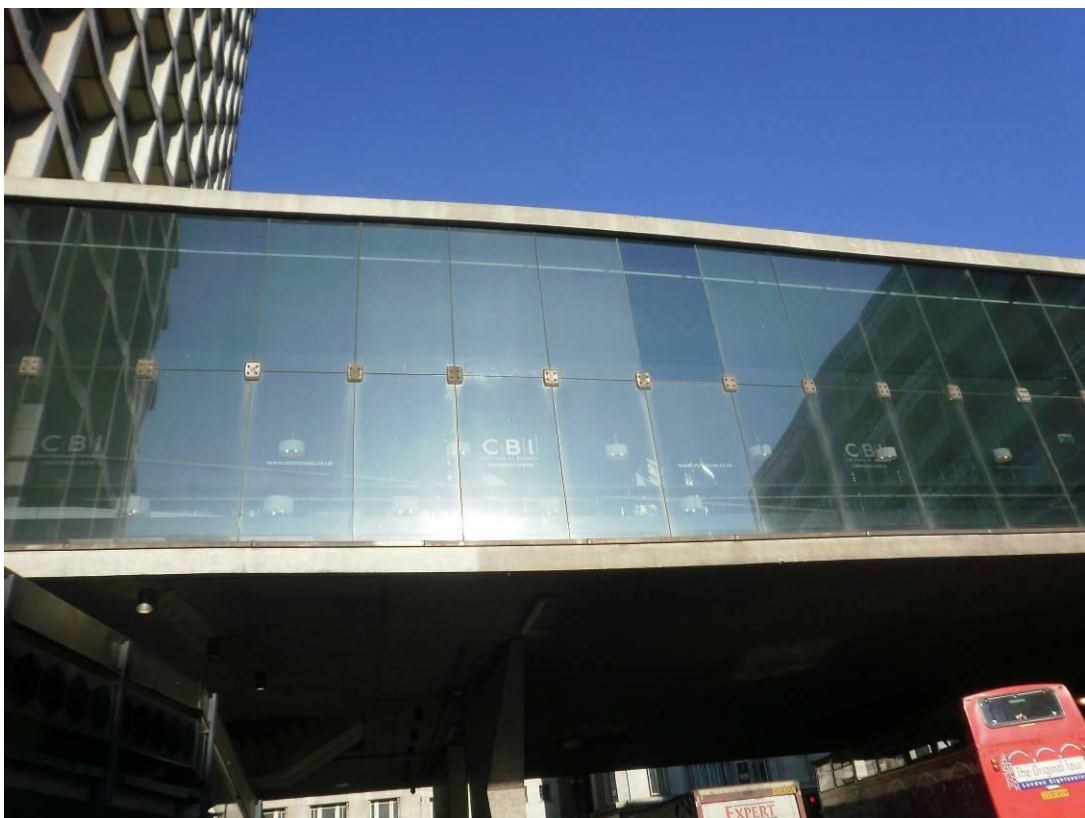
Target Note	Description
1	Elevated walkway connected to the two buildings associated with Centre Point.
2	Seven potted and managed box plants.
3	Potted cabbage palm trees with weeds growing including herb robert.
4	Small-leaved lime tree.

APPENDIX B

SITE PHOTOGRAPHS



Photograph 1: Overview of site dominated by buildings and hard surfaces.



Photograph 2: Elevated walkway connecting the two buildings with a road running underneath (Target Note 1).



Photograph 3: Cabbage palm plants with numerous weeds on top of public house (Target Note 3).



Photograph 4: Seven potted box above one of the entrances to residential units (Target Note 2).



Photograph 5: A small-leaved lime tree outside public house on southern edge of scheme (Target Note 4).

APPENDIX C

SUMMARY OF RELEVANT LEGISLATION

The following is a summary of statutes covering protected species of wildlife relevant to this scheme:

Badger

Badgers are protected under the following:

- The Protection of Badgers Act, 1992.

This statute makes it an offence to kill, ill treat or wilfully harm a badger or attempt to do so; or interfere with a sett (any structure or place which displays signs indicating current use by a badger) and disturbing a badger which may be occupying it. Where planning permission has been granted, Natural England may issue a licence to interfere with setts for development purposes. However, licences are only usually issued for works between July and November, a period when badgers are unlikely to have dependent young below ground.

Bats

All bats in the UK are protected under British and European law:

- Included in Annex II and IV of EC Directive 92/43/EEC on the Conservation of Natural Habitats and of the Wild Fauna and Flora (the Habitats Directive 1992) as obligated by the Bern Convention (1979) which implements the Conservation of Habitats and Species Regulations 2010 making it a European protected species (listed under Schedule 2).
- Schedule 5 of the Wildlife and Countryside Act (1981) (as amended by the Countryside Rights of Way Act 2000).
- Appendix II on The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention).
- Section 41 of the Natural Environment and Rural Communities Act (2006).

Under these statutes, it is an offence to damage or destroy any bat roosts, intentionally or recklessly obstruct a bat roost, deliberately, intentionally or recklessly disturb a bat or intentionally kill, injure or take any bat.

Reptiles

All reptiles are protected under the following:

- Schedule 5 of the Wildlife and Countryside Act (1981) (as amended by the Countryside Rights of Way Act 2000). In respect of Section 9.5 only – protected against intentional killing, injuring or taking and sale of any live or dead specimen, or any part of or anything derived from such an animal.
- Section 41 of the Natural Environment and Rural Communities Act (2006).
- Sand lizard and Smooth snake are also included in Annex II and IV of the Habitats Directive, 1992.

All reptiles are protected against intentional killing and injuring. This should be interpreted as meaning that if the harming of a reptile can reasonably be avoided then any act causing harm is quite probably illegal, and measures should be put in place to avoid this happening. It is also an offence to damage or destroy any place used for shelter or protection by sand lizard or smooth snake, or intentionally or recklessly disturb these animals while they occupy such a place.

Great crested newt

The great crested newt is protected under British and European law:

- Included in Annex II and IV of the Habitats Directive 1992 as obligated above.
- Schedule 5 of the Wildlife and Countryside Act (1981) (as amended by the Countryside Rights of Way Act 2000).
- Section 41 of the Natural Environment and Rural Communities Act (2006).

The above makes it an offence to deliberately capture or kill a great crested newt, damage any place used for shelter or protection by the species, including breeding ponds and terrestrial habitats, or intentionally or recklessly disturb a great crested newt whilst it is occupying a place of shelter.

Nesting birds

Birds are protected under the following:

- Section 1 of the Wildlife and Countryside Act 1981 (as amended by the Countryside Rights of Way Act 2000).
- Bird species which are listed on Schedule 1 of the Wildlife and Countryside Act (1981) receive greater protection and special penalties are imposed for offences.
- Council Directive 79/409/EEC on the Conservation of Wild Birds (The Birds Directive 1979) as obligated by the Bern Convention (1979) and Bonn Convention (1979).

Under these statutes it is an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or eggs. For species listed on Schedule 1, a person is guilty of an offence if they disturb these species while nest building, or is in or near a nest containing eggs or young; or disturbs dependent young of such a bird.