

Tindal Overseas Ltd

Oasis Project- Rear site
204 Finchley Road.
London NW3

Ecological assessment
(revised layout)

December 2007

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DWINGS

497/01 HABITAT SURVEY

256.03A SITE LAYOUT

SUMMARY

An ecological survey was undertaken in May 2007 of land to the rear of 204 Finchley Road, London NW3. The area incorporated a small abandoned part of a former garden with self set trees and shrubs, including many Norway maple and much ivy. It was strewn with fly tipping and lying sections of wall. The remainder of the site formed areas of hard standing mostly used for car parking, and a flat roofed lodge building. The semi natural part of the site was relatively typical of gardens in the wider area although with a much denser tree canopy. In association with adjacent gardens it provides some very local nature conservation value.

The proposals for the development of offices relate to areas of hard standing with the semi natural habitat retained and enhanced to benefit nature conservation, and to provide a local amenity for the office users. Recommendations are put forward for enhancement. Overall, the proposed office development would result in a neutral to beneficial effect to nature conservation

1 INTRODUCTION

- 1.1 Catherine Bickmore Associates were instructed by Philip Cave Associates on behalf of Tindal Overseas Ltd to undertake an ecological survey of land to the rear of 204 Finchley Road, London NW3. The site is being proposed for re development for commercial uses as offices. The report of the ecological survey has been produced in support of the full planning application and as part of a BREEAM assessment.

Outline

- 1.2 Section 2 describes the method of approach followed by section 3 which presents the findings of the desk survey including biological records and local planning policies. Section 4 describes the site context and the findings of the field survey with an assessment of the nature conservation interest. Section 5 outlines the development proposals and assesses the implications in terms of the nature conservation interest including the implications for possible protected species. Recommendations as to enhancement and the residual effects are presented by way of conclusions in section 6.
- 1.3 Appendix I includes locations of sites of importance for nature conservation and Appendix II provides scientific equivalents of common names of plants used in the text.

2 METHOD

- 2.1 The survey comprised a desk study of biological records and other documents and a site survey. Biological records were collated from the Greenspace Information for Greater London for an area extending 2km from the site and included records of protected sites and species as well as those subject to biodiversity action plans. Information on the recent history of the site was provided by the applicant.
- 2.2 The site survey was undertaken on 23rd May 2007, a hot sunny day, and comprised a walkover phase I habitat survey including target notes with species lists to provide a basis for a fuller description of the site (Nature Conservancy Council (1990). Common names are used throughout the text with scientific equivalents listed in Appendix II applying NBN nomenclature. Casual observation was made of signs of fauna present with notes made of the suitability of habitat for likely protected species.
- 2.3 Habitat types on the mapping relate to definitions in Nature Conservancy Council (1990). Equivalent types have also been related to the definition of habitat types used in the open space survey in London (GiGL).

Constraints

- 2.4 The survey was subject to access and seasonal constraints reflecting the conditions on the site at the time of the survey.

3 BIOLOGICAL RECORDS

Recent site history

- 3.1 The site formed part of the rear garden of adjacent residential properties. It was acquired by the present owner in 2005. No specific maintenance has been undertaken since this time.

Planning policy guidance and local planning policies

Planning Policy Statement 9

- 3.2 Planning Policy Statement 9 (ODPM 2005) Biodiversity and Geological Diversity promotes sustainable development, the conservation and enhancement of wildlife and geology and rural renewal. The aim of planning decisions is to prevent harm to biodiversity and geological conservation. In the PPS, local authorities are charged with taking measures to protect habitats and species of importance for conservation, including biodiversity action plan species as well as those with legal protection. The value of sites of local biodiversity interest for wildlife and local communities should also be recognised and a criterion based approach used to judge impacts of development on or near to such sites.

London wide planning policies

- 3.3 The Mayor of London is required to take account of local biodiversity action plans produced by the boroughs (Greater London Authority Act 1999). The draft London Plan contains policies to protect, manage and enhance biodiversity. In particular, protection is given to sites of international and national importance and Sites of Metropolitan Importance for Nature Conservation.
- 3.4 The need to become a green city is one of the visions contained in The Spatial Development Strategy for London Plan. A biological diversity strategy (2002) has been produced to provide a broad statutory framework for London. This lists as objectives:
- biodiversity for people,
 - nature for its own sake
 - economic benefits
 - functional benefits
 - sustainable development.
- 3.5 The strategy makes reference to the range of habitats present within London. It notes the opportunity provided by the built environment including the value of buildings including roofs, walls and paving. It suggests that these should be taken into account as part proposals for new development.
- 3.6 The biodiversity strategy contains a number of policies with particular emphasis on:
- 'protection of biodiversity*
 - positive measures to encourage biodiversity action,*
 - promoting the management, enhancement and creation of valuable green*
 - space*
 - incorporating biodiversity into new development*
 - access to nature and environmental education'.*

- 3.7 A hierarchy of sites of nature conservation interest have been identified and these are given protection, in particular sites of Metropolitan Importance. Development adversely affecting protected species will be resisted also.

- 3.8 Boroughs are required to take account of biodiversity in all planning decisions with new developments encouraged to take up opportunities to benefit wildlife with priority given to 'Areas of Deficiency' (policy 5).

Local planning policies

- 3.9 Policies relating to biodiversity are included in the Natural Environment section of Camden's Replacement Unitary Development Plan (UDP) (adopted June 2006). Associated policies aim to *'conserve and enhance biodiversity'*. Supplementary guidance is provided in the Camden biodiversity action plan.

- 3.10 Policy N5 expects development proposals to have considered the conservation and enhancement of biodiversity including the creation of wildlife habitats. Reference is made to the creation of wildlife habitats including by the installation of bird nesting boxes and the planting of species native to the area. Policy N7 relates to the prevention of harm to legally protected species and their habitats, and species under threat and subject to a biodiversity action plan.
- 3.11 Trees are considered a valuable resource to enhance developments. Arkwright Road Conservation Area covers the semi natural part of the site and therefore provides some protection for the trees and open space under policy N8. In addition trees on the site are covered by a Tree Preservation Order. There are no other specific designations for open space or biodiversity associated with the site or the adjacent area.
- 3.12 The proposals map associated with the UDP shows a green corridor just under 100m to the west of the site running along the railway. This is covered by policy N3 which states that the council will not grant planning permission for development it considers would cause harm to the character and biodiversity values of green corridors. Additionally there are several areas of open space within 500m of the site, the majority of which are also designated conservation areas covered by policy N6 which prevents development that would harm these areas.
- 3.13 Camden biodiversity action plan aims to ensure the conservation, enhancement and public appreciation of biodiversity in the borough. It identifies a number of priority habitats and species and has prepared habitat action plans to include flagship species. Of relevance to the Oasis these included a group under the heading of small parks, gardens and city squares. Bat, hedgehog, house sparrow and stag beetle were named as priority species with flagship garden species including holly blue butterfly, wren and blackbird.

Statutory designations, and sites of nature conservation interest (SINCs)

- 3.14 One site with a statutory designation, Hampstead Heath Woods Site of Special Scientific Interest, is located just over 2km from Finchley Road. Biological records also show one London Wildlife Trust reserve, Greville Place, part of the Broadhurst Gardens Meadow local site of importance for nature conservation, just under 2km from the site (Appendix I).
- 3.15 Within a 2km radius of the site there are a total of 21 SINCs with most of these relating to relatively small discrete areas of land. There is a large area some 250m to the south of the site classified as an Area of Deficiency covering built up land over 1km walking distance from an accessible Metropolitan or Borough site.
- 3.16 The nearest SINCs to 204 Finchley Road include Frognal Court Wood (0.2ha), some 100m to the south of the site classed as a grade II Site of Borough Importance for Nature Conservation. It forms a small sycamore dominated wood with under storey shrubs and the ground flora including male fern and blue bell. It is frequented by number of passerine species of bird. To the north c300m, the next nearest site is Frognal Lane Gardens (0.55 ha), a Site of Local Importance for Nature Conservation forming a private communal garden with mature trees, wildflowers and a pond.
- 3.17 The Metropolitan line between Kilburn and Neasden includes intermittent sections making up a grade I Site of Borough Importance for Nature Conservation with a number of south facing slopes providing habitat for a diversity of species. However, the section closest (c100m) to the site is described as 'bare artificial habitat'.

Protected species and species of conservation concern

- 3.18 Records for protected species and London priority Biodiversity Action Plan (BAP) species within 1km of the site related to the period between 1993 (bats) and 2003. Protected species included pipistrelle bat (544m from the site). Species with protection preventing sale included stag beetle (closest record 630m from site), common toad (660m), common frog (70m), and bluebell (970m from site).
- 3.19 National BAP priority species included pipistrelle bat, stag beetle, and for London only, the house sparrow (270m from site) and the chamomile plant (710m from site).

- 3.20 Sightings of pipistrelle bat in 1993 related to locations 540m to the south of the site and 890m to the north west. The absence of records from the London Bat Group of bat roosts within 1km of the site may relate to survey effort rather than an actual absence.
- 3.21 No records for protected species related directly to the site which is more likely to reflect the absence of survey information rather than the absence of species of any note. However, the limited extent of semi natural habitat suggests that bat is the most likely protected species that might be associated with the site, if at all. Stag beetle could be present.

4 SITE DESCRIPTION

Relative location and context

- 4.1 The only part of the site forming semi natural habitat outside areas of hardstanding is located on the eastern side of the car park forming part of Prime House, 204 Finchley Road. To the south is an area of open land mainly hard standing with a small flat roofed lodge building. The backs of gardens with trees of semi detached houses in Frognal lie beyond and bound the site to the east. The northern boundary forms the back walls of garages/sheds. Thus, the site is on the interface of land in commercial and residential uses.
- 4.2 The semi natural habitat part of the site forms a 0.03ha area of level land retained by walls along the western and southern sides. The extent of the wider area subject to the planning application is approximately 0.1 ha.

Habitat description

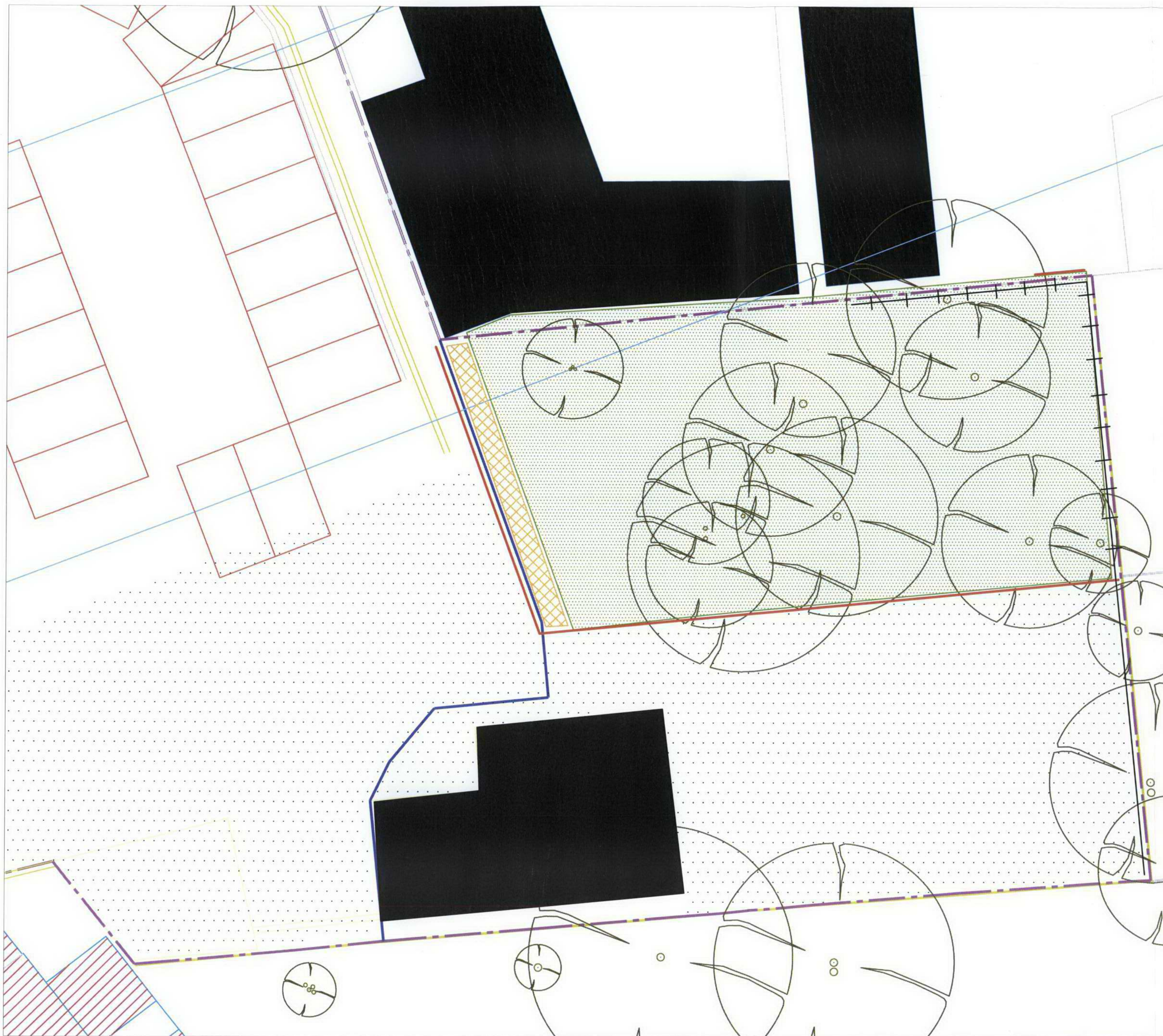
- 4.3 The area of semi natural habitat on the site forms a rectangular shape and is enclosed partially by wooden panel fencing and walls on the northern and eastern sides, with retaining walls defining the other sides (Dwing 497/01). The area was dominated by a near closed canopy of Norway maple trees together with saplings and the occasional other species including sycamore, ash, oak horse chestnut, London plane. Shrubs included bramble, cherry, dog rose, dogwood, elder, hazel, holly. Ivy covered the majority of the ground with the exception of small patches of bare ground, rubbish or fallen walls. Also ivy covered many of the tree trunks and the walls/fences along the boundaries.
- 4.4 There were occasional small areas/gaps in the canopy within the ivy cover where light levels have enabled the growth of other species including a very small patch of bluebell in the west, and occasional plants including alkanet, bindweed, broad leaved dock, cleavers, dandelion, nettle, nipplewort, sow thistle, wood avens, woody night shade, woundwort. A number of these were associated with the western interface between a linear strip of bark mulched ornamental shrubbery mainly cherry laurel, and the trees. The strip included false oat grass.
- 4.5 Applying the definition of habitat types used in the open space survey in London, the semi natural habitat part of the site comprised non native broadleaved woodland. The remains of the site would be classified as bare artificial habitat.

Fauna

- 4.6 The semi natural area is likely to provide an area for nesting birds. Bat could be associated with the ivy covered trees and possibly the building.
- 4.7 Stag beetle could be associated with some of the ivy covered dead timber. Holly blue butterfly may be associated with the ivy covered walls but neither was recorded at the time of the survey.

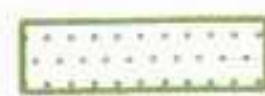




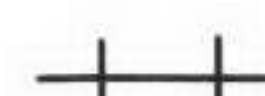


Nature conservation interest

- 4.8 The site is typical of an abandoned area of garden with the re growth of woody species including exotics. As such it provides a semi natural area of benefit to commonly occurring nesting birds within the local context. The trees have some potential value for pipistrelle bat if associated with the wider area of back gardens.



KEY



-  Woodland: broad-leaved plantation
-  Ornamental shrubbery
-  Tree
-  Building
-  Hard standing
-  Fence
-  Wall
-  Site ownership boundary
-  Site free lease boundary

Ordnance Survey Licence No. AL100036425

Drawn by	Check by	Date	Scale
MM	CB	May 2007	NTS

204 Finchley Road

Phase 1 habitat survey

Catherine Bickmore Associates
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 E-mail: cbickmore@aol.com

Drawing number	Revision
497/01	

5 ASSESSMENT OF DEVELOPMENT PROPOSALS

Description of the scheme

- 5.1 The proposed building would be located in the area currently occupied by the hard standing and car park. The building would extend up to the edge of the retaining wall around the area of semi natural habitat. The area of semi natural habitat would be retained as amenity space for the occupants of the building. A path would be cut through it providing access from either side of the building (Dwing 256.03A).

Assessment of effects

- 5.2 The development would result in the loss of the majority of the area of hard standing including the lodge building. The area of semi natural habitat would be retained and enhanced with no effective loss of semi natural habitat. Present linkages with adjacent areas of garden would be maintained.
- 5.3 Habitat enhancement would include the removal of some of the trees, in particular a number of the Norway maple and crown lifting of some of those retained. This would provide more light to the ground and enable the establishment of a more diverse ground flora. In turn these works would provide more nectar sources of potential benefit to invertebrates and in turn species such as bat if present.
- 5.4 The development would be in line with the draft London Plan, and London Borough of Camden in particular policy N5 and the objectives of Camden's biodiversity action plan.

Bat

- 5.5 All British bat species are fully protected by the Wildlife & Countryside Act 1981 (as amended) and by the Conservation (Natural Habitats &c.) Regulations 1994. In summary, the legislation makes it illegal to:
- Intentionally or recklessly damage, destroy or obstruct access to structure or place used for shelter by a bat;
 - Intentionally or recklessly disturb a bat (whether in a roost or not);
 - Intentionally or deliberately kill, injure or take any bat.
- 5.6 The site could provide roosts for bat and if these are recorded would be subject to the above legislation. In the medium term the habitat would be enhanced for bat.

Birds

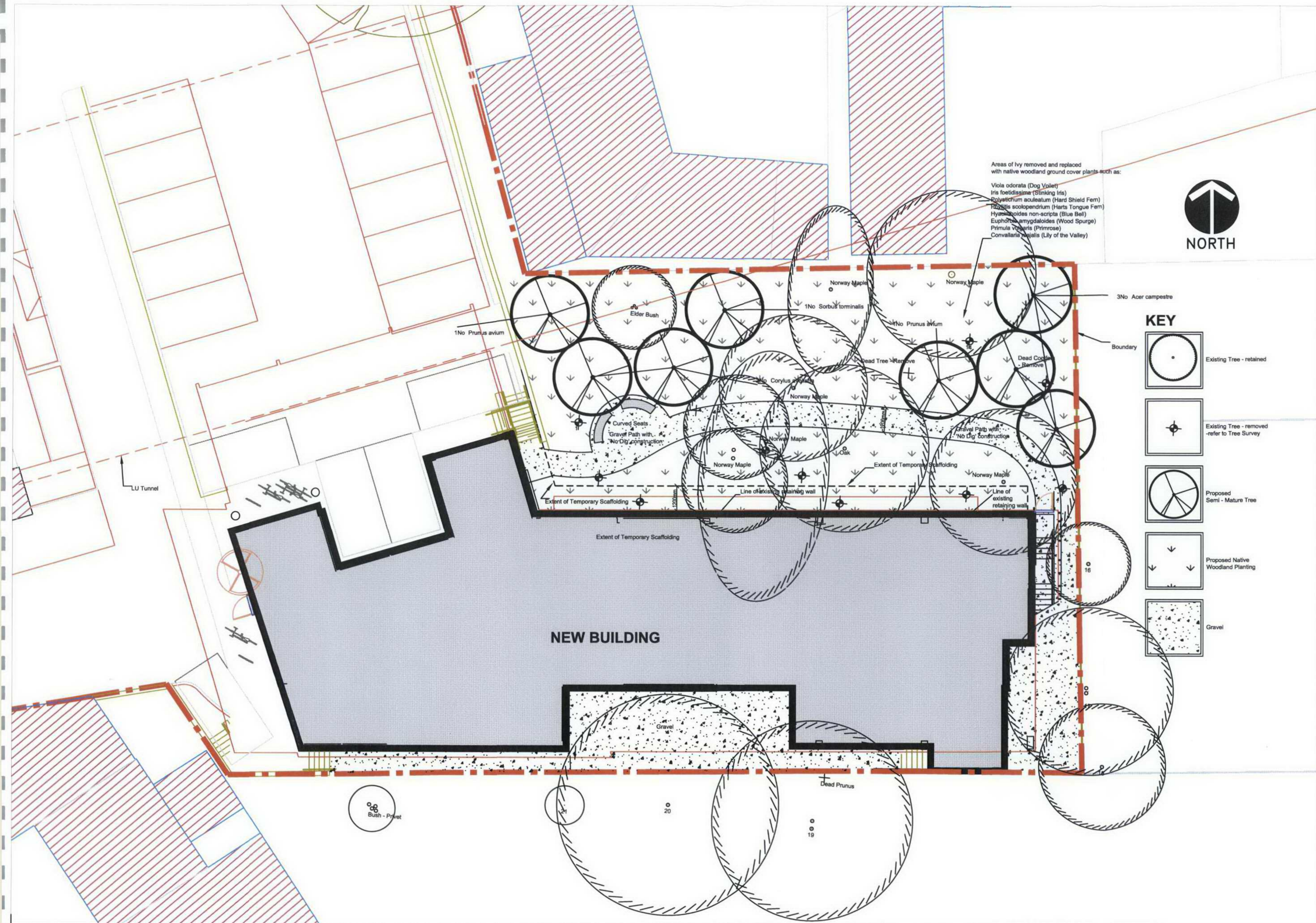
- 5.7 All breeding wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). The site provided opportunities for breeding birds. The selective removal of some of the larger trees could in the short term reduce nesting opportunities for breeding birds but in the medium and long term the habitat enhancement would more than compensate for the short term losses.

Invertebrates

- 5.8 Stag beetle has not been recorded on the site. The management works to the semi natural area would result in a reduction of potential stag beetle habitat. Selected areas of ivy and holly would be retained and encouraged to fruit to provide habitat for the holly blue butterfly.

Sites of Importance for conservation

- 5.9 The site is neither adjacent nor contiguous to any area considered of importance for nature conservation and is therefore unlikely to have any implications for such sites (Appendix I).



REAR SITE - OASIS PROJECT
FINCHLEY ROAD, NW3
LANDSCAPE DESIGN PLAN

PHILIP CAVE ASSOCIATES
LANDSCAPE ARCHITECTURE • URBAN DESIGN •

SCALE 1:100@A2 DRAWN SEK DATE MAY'07 DWG NO. 256.03 REV. A

No.5 Dryden Street Covent Garden London WC2E 9NW
Tel : 020 7829 8340 Fax : 020 7829 8314 E-mail : principal@philipcave.com

6 RECOMMENDATIONS AND CONCLUSION

Recommendations

- 6.1 Further survey work is recommended in the appropriate season to check for the presence of bat, in particular any roosts associated with the trees and the building. The survey for bat should be undertaken in advance of the demolition of the building /felling of trees.
- 6.2 Any site clearance works requiring the removal of trees and scrub should be undertaken outside the breeding bird season. Bird boxes could be included on the retained trees and buildings to provide replacement nesting habitat.
- 6.3 Landscape treatment is subject to further detailed design to provide for habitat enhancement to benefit wildlife including bat, and flagship species: the wren and blackbird, holly blue butterfly, stag beetle. This could include the provision of a loggery to encourage stag beetle.
- 6.4 A management plan should be produced following the production of the detailed design and to cover the construction period and subsequent use.

Residual effect

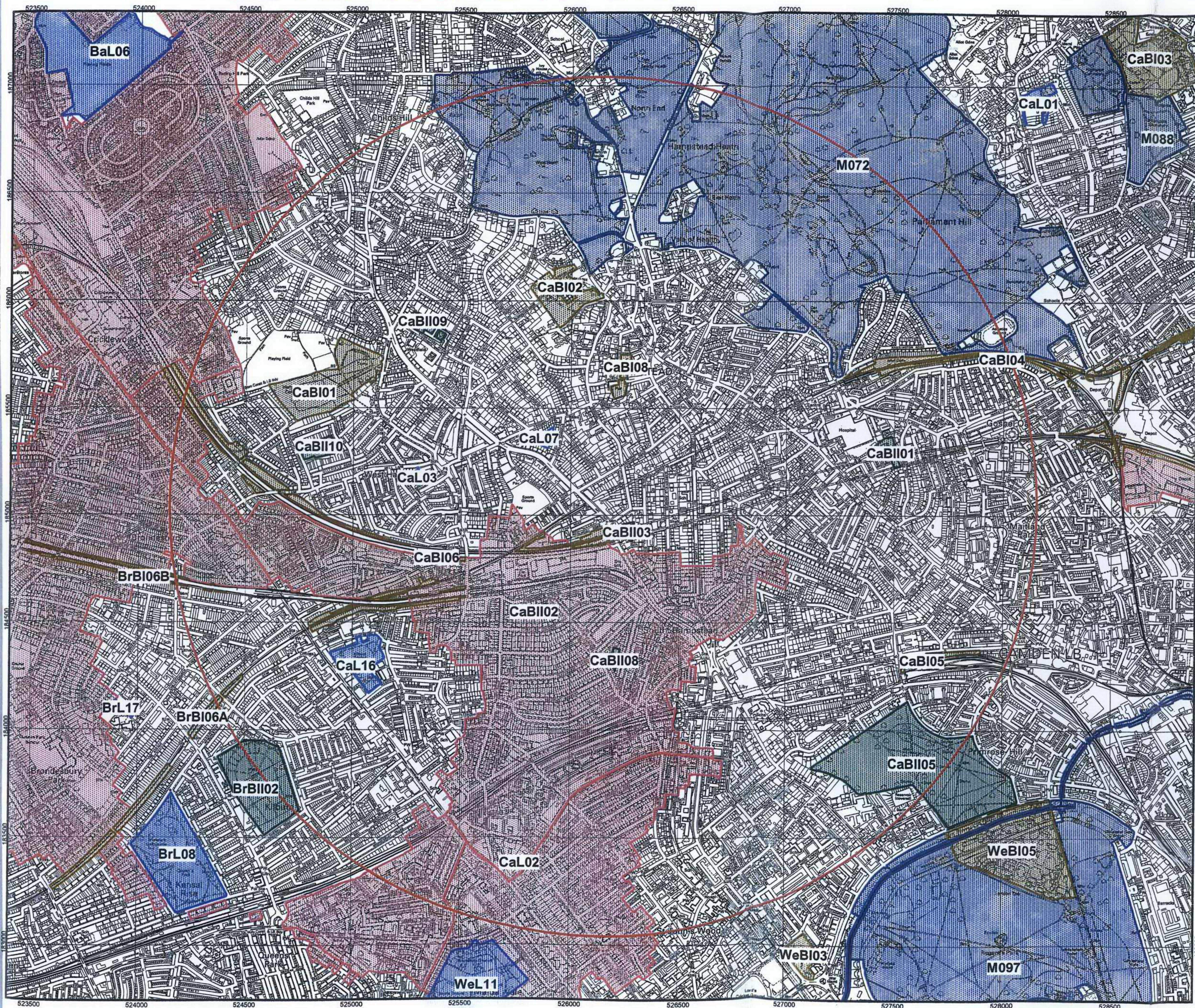
- 6.5 Development of land to the rear of 204 Finchley Road would result in a neutral to beneficial effect to the nature conservation value of the site.

REFERENCES

- Greater London Authority** (2002) *The Mayor's biodiversity strategy – connecting with London's nature*. GLA
- Greater London Council** (1985) *Nature conservation guidelines for London: ecology handbook no. 3*. GLC
- London Borough of Camden** (2006) Replacement Unitary Development Plan
- London Borough of Camden** (2000) Camden's biodiversity action plan
- Mitchell-Jones, T** (2004) *Bat Mitigation Guidelines*. English Nature, Peterborough.
- Nature Conservancy Council** (1990) *Handbook for Phase 1 habitat survey – a technique for environmental audit*. NCC
- ODPM** (2005) *Planning policy statement 9 Biodiversity and geological conservation*
- London Ecology Unit** (1993) *Nature Conservation in Camden: ecology handbook 24*

APPENDIX I: BIOLOGICAL RECORDS MAP

GREATER LONDON AUTHORITY Sites of Importance for Nature Conservation



**Ecological Data Search
for Catherine Bickmore
Associates
(07/201)**

23 May 2007

**204 Finchley Road,
NW3 6BX**

- Search Area
- Site of Metropolitan Importance
- Site of Borough Importance Grade 1
- Site of Borough Importance Grade 2
- Site of Local Importance
- Areas of Deficiency

Scale 1:17500

The Sites of Importance for Nature Conservation have been identified since 1986 using procedures which have now been adopted by the Mayor of London. They are recommended for protection in planning. The boundaries and site grades reflect the most recent consideration of each site, details of which are available from the Trust and the Greater London Authority. Note that boundaries and grades may change as new information becomes available.

**Produced by Greenspace
Information for Greater London**

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APPENDIX II: SPECIES LIST

Flora	
Common name	Scientific name
Alkanet green	<i>Pentaglottis sempervirens</i>
Ash	<i>Fraxinus excelsior</i>
Bindweed	<i>Calystegia sepium</i>
Bluebell	<i>Hyacinthoides non-scripta</i>
Bramble	<i>Rubus fruticosus</i> agg.
Broad leaved dock	<i>Rumex obtusifolius</i>
Cherry spp	<i>Prunus</i> spp
Cherry laurel	<i>Prunus laurocerasus</i>
Cleavers	<i>Galium aparine</i>
Common dandelion	<i>Taraxacum officinale</i> agg
Dog rose	<i>Rosa canina</i> agg.
Dogwood	<i>Cornus sanguinea</i>
Elder	<i>Sambucus nigra</i>
False oat grass	<i>Arrhenatherum elatius</i>
Ivy	<i>Hedra helix</i>
Hazel	<i>Corylus avellana</i>
Holly	<i>Ilex aquilifolium</i>
Horse chestnut	<i>Aesculus hippocastanum</i>
London plane	<i>Platanus x hispanica</i> .
Nettle	<i>Urtica dioica</i>
Nipplewort	<i>Lapsana communis</i>
Norway maple	<i>Acer platanoides</i>
Oak	<i>Quercus robur</i>
Smooth sow-thistle	<i>Sonchus oleraceus</i>
Sycamore	<i>Acer pseudoplatanus</i>
Woody nightshade	<i>Solanum dubium</i>
Wood avens	<i>Geum urbanum</i>
Woundwort	<i>Stachys sylvatica</i>