



44-44A Gloucester Avenue, Camden, London

Preliminary Ecological Appraisal Report

SLR Ref: 418-02629-00002

February 2015

Victoria Square Property Company Limited

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1.0 INTRODUCTION

In January 2015, SLR Consulting Limited (SLR) was appointed by Victoria Square Property Company Limited to provide a Preliminary Ecological Appraisal for land at 44-44A Gloucester Avenue in the London Borough of Camden, London, hereafter referred to as 'the site'. The site is centred at Ordnance Survey (OS) grid reference TQ 282 840. It is proposed to regenerate the site by refurbishing the existing disused building for office use and residential units (Figure 1).

The site is located in an urban location and comprises five disused buildings around a small courtyard. The site has a consented planning approval for a residential led scheme that provides an element of office floorspace, with the current application seeking to provide a residential scheme with associated amenity space and landscaping. The purpose of this report is to inform BREEAM and Code for Sustainable Homes Assessments for the scheme.

1.1 Relevant Legislation and Policy

This section reviews wildlife legislation that is considered relevant to the proposed development site and its specific ecology. In addition, the national, regional and local planning policy requirements that are considered relevant to the proposed development site in relation to ecology are presented.

The major pieces of legislation relating specifically to the protection of wildlife and nature conservation in England are as follows:

- The Wildlife and Countryside Act (WCA) 1981 (as amended)¹;
- Protection of Badgers Act 1992²;
- The Countryside and Rights of Way (CROW) Act 2000 (as amended)³;
- Natural Environment and Rural Communities (NERC) Act 2006⁴;
- The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) (as amended)⁵; and
- The Wild Mammals (Protection) Act 1996⁶.

Explanatory notes relating to species that may be of relevance to the site and specifically protected under The Conservation of Habitats and Species Regulations 2010 (as amended) and/or the Wildlife and Countryside Act 1981 (as amended) are given below.

¹ Her Majesties Stationary Office (HMSO), (1981); Wildlife and Countryside Act 1981.

² HMSO, (1992); Protection of Badgers Act 1992.

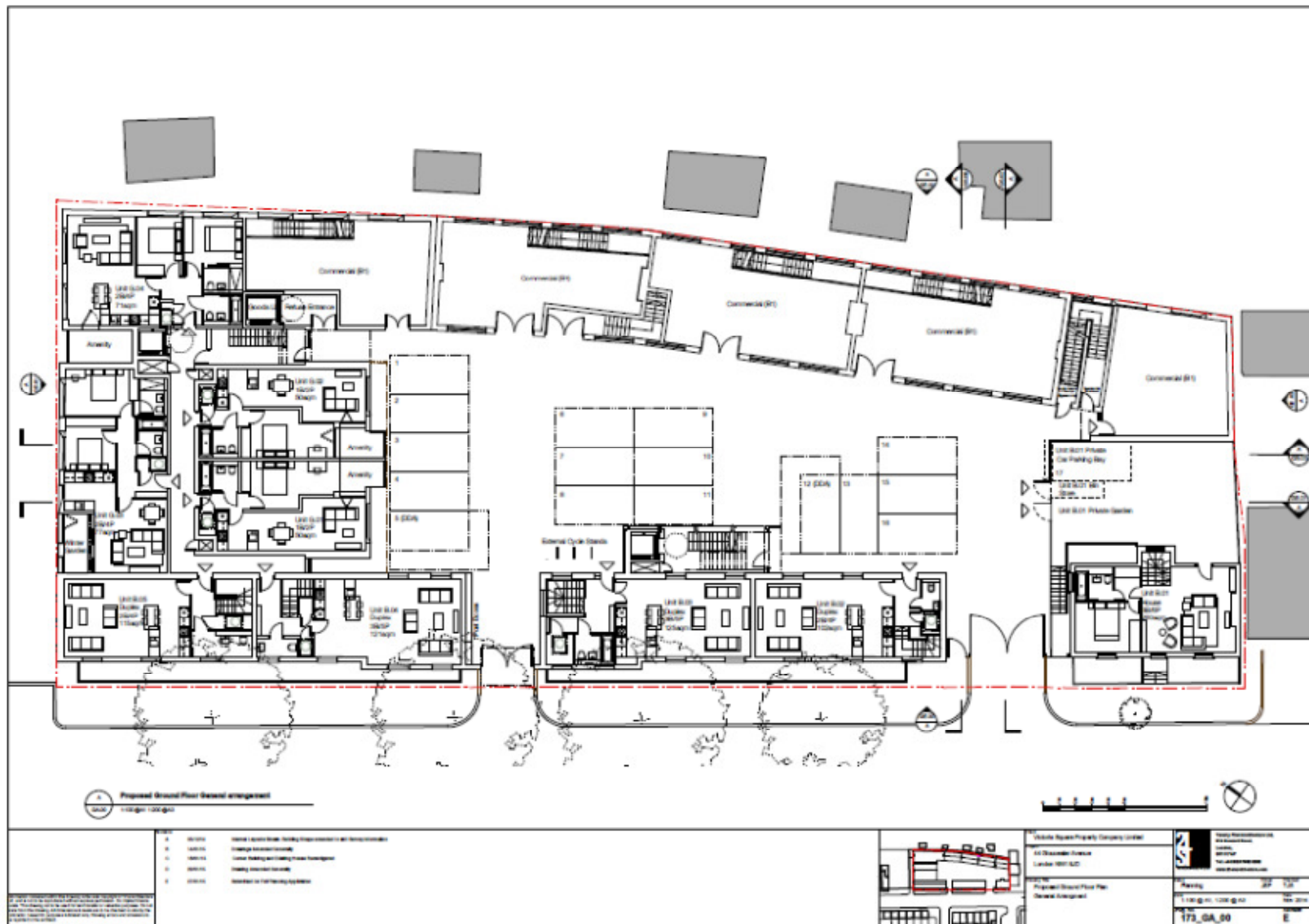
³ HMSO, (2000); Countryside and Rights of Way Act 2000.

⁴ HMSO, (2006); Natural Environment and Rural Communities Act 2006.

⁵ HMSO, (2010); The Conservation of Habitats and Species Regulations 2010.

⁶ HMSO, (1996); Wild Mammals (Protection) Act 1996.

Figure 1: Proposed Development Layout Plan



1.1.1 Bats

All UK bat species are fully protected under the Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats);
- Damage or destruction of a breeding site or resting place;
- Deliberate disturbance of bat species as:
 - to impair their ability to survive, breed, reproduce, or to rear or nurture young and/or to hibernate or migrate; and
 - to affect significantly the local distribution or abundance of the species.

Bats are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level);
- Intentional or reckless obstruction of access to any place of shelter or protection; and
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

1.1.2 Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it 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;
- Intentionally take or destroy an egg of any wild bird: and
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.

Certain species of bird, receive additional protection under Schedule 1 of the Act. This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young; and
- Intentional or reckless disturbance of dependent young of such a bird.

1.1.3 Non-Native Invasive Species

The WCA contains measures for preventing the establishment of certain non-native species, prohibiting the release of animals listed in Schedule 9, or allowing them to escape and planting of plants listed in Schedule 9 or otherwise causing them to grow.

1.1.4 The Wild Mammals (Protection) Act 1996

This Act states it is an offence to intentionally cause all wild mammals' unnecessary suffering by certain methods, including crushing and asphyxiation. This includes common mammals such as red fox *Vulpes vulpes*.

1.1.5 National Planning Policy Framework

The National Planning Policy Framework (NPPF) (2012)⁷ states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Local planning authorities should set criteria-based policies against which proposals for any development on or affecting protected wildlife will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status.

To minimise impacts on biodiversity, planning policies should plan for biodiversity at a landscape-scale; identify and map components of the local ecological networks; and promote the preservation, restoration and re-creation of priority habitats and ecological networks and the protection and recovery of priority species populations and identify suitable indicators for monitoring biodiversity.

A number of principles should be applied by local planning authorities when determining planning applications. Notably, the primary aim should be to avoid significant harm to protected species and habitats and, if not possible, mitigate impacts, or, as a last resort, provide adequate compensation. If these options are not feasible, planning permission should be refused. Furthermore, opportunities to incorporate biodiversity should be sought.

The NPPF should be read in conjunction with the Government Circular: Biodiversity and Geological Conservation, ODPM Circular 06/2005⁸.

1.1.6 Regional Planning Policy

There are a number of policy documents at the regional level with relevance to biodiversity, which are summarised below. The London Plan⁹ contains the following policies of relevance to ecology.

The Mayor's London Plan, Spatial Development Strategy for Greater London 2011

- *Policy 2.18 Green Infrastructure* states that development proposals should protect, promote, expand and manage the extent and quality of London's network of green infrastructure;
- *Policy 5.3 Sustainable Design and Construction* states that development proposals should promote and protect biodiversity and green infrastructure, for example through the provision of green roofs;
- *Policy 5.10 Urban Greening* states that development proposals should integrate green infrastructure, which could include tree planting; green roofs and walls; and soft landscaping;

⁷ Department for Communities and Local Government, (2012); 'National Planning Policy Framework

⁸ Office of the Deputy Prime Minister, (2005); Government Circular: Biodiversity and Geological Conservation.

⁹ Greater London Authority (GLA), (2011); The Mayor's London Plan, Spatial Development Strategy for Greater London.

- *Policy 5.11 Green Roofs and Development Site Environs* states that major development proposals should include roof, wall and site planting, especially green roofs and walls where feasible;
- *Policy 7.19 Biodiversity and Access to Nature* describes the protection that should be given to internationally and nationally designated sites, Sites of Importance for Nature Conservation (SINCs), protected species and priority species identified in the UK, London and borough BAPs; and
- *Policy 7.21 Trees and Woodlands* states that trees and woodlands should be managed in accordance with the London Tree and Woodland Framework.

The Mayor's Biodiversity Strategy 2002

The Mayor's Biodiversity Strategy¹⁰ details the Mayor of London's vision for protecting and conserving London's natural open spaces. The strategy aims to protect wildlife habitats, encourage businesses to incorporate green design into their development proposals and protect London's most vulnerable wildlife.

1.1.7 Camden Core Strategy 2010-2025 Local Development Framework¹¹

The Camden Core Strategy sets out current planning policies which are used by the Local Planning Authority to determine planning applications and shape development across borough.

Those policies relevant to the ecology of the site are listed below:

CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity

- The Council will protect and improve sites of nature conservation and biodiversity, in particular habitats and biodiversity identified in the Camden and London Biodiversity Plans in the borough by:
 - d) designating existing nature conservation sites;
 - e) protecting other green areas with nature conservation value, including gardens, where possible;
 - f) seeking to improve opportunities to experience nature, in particular in South and West Hampstead, Kentish Town and central London, where such opportunities are lacking;
 - g) expecting the provision of new or enhanced habitat, where possible, including through biodiverse green or brown roofs and green walls;
 - h) identifying habitat corridors and securing biodiversity improvements along gaps in habitat corridors;
 - i) working with The Royal Parks, the London Wildlife Trust, friends of parks groups and local nature conservation groups to protect and improve open spaces and nature conservation in Camden;
 - j) protecting trees and promoting the provision of new trees and vegetation, including additional street trees.
- The Council will preserve and enhance the Regent's Canal by:

¹⁰ GLA, (2002); Connecting with London's Nature. The Mayor's Biodiversity Strategy.GLA.

¹¹ Camden Borough Council: Camden Core Strategy 2010-2025 Local Development Framework

- q) balancing the differing demands on the Canal, its towpath and adjoining land;
- t) implementing opportunities to provide additional nature conservation areas and improve the role of the Canal and its adjoining land as a habitat corridor (green chain);
- u) working with British Waterways, Natural England, other land owners/developers, users and the local community to improve the Canal and towpath.

2.0 METHODS

2.1 Desk Study

In January 2015, a desk study was undertaken for the site and land within a one kilometre (km) radius. This included an ecological data search for information on statutory and non-statutory sites, and rare notable and protected species, held by Greenspace Information for Greater London (GIGL). Records of designated sites within the search area were verified through a review of relevant information on the MAGIC¹² website.

2.2 Field Surveys

A walkover survey of the site and its immediate surrounds was undertaken by SLR Ecologist Rachel Holmes BSc (Hons), MSc, PhD MCIEEM on 19th January 2015, whereby the habitats on and adjacent to the site were identified and classified according to the Phase 1 habitat survey guidelines¹³. Furthermore, any features of particular interest to ecology were described and mapped using target notes.

During the site visit the potential of the habitats to support rare, legally protected and notable species was assessed. This included an inspection of the exterior and interior of the buildings to assess their potential to support roosting bats and/or nesting birds. During the inspection potential access points, roosting/ nesting locations, and signs of birds or bats, including animals in-situ, scratch marks, staining, droppings and feeding remains were recorded.

Finally, all trees on and adjacent to the site were inspected from the ground to identify features that could support roosting bats and/or nesting birds.

Following the inspections each tree and building was assigned a category of bat roost potential, based on the Bat Conservation Trust's (BCT's) Good Practice Guidelines for Bat Surveys¹⁴:

2.2.1 *Criteria for Assigning Categories of Bat Roost Potential*

- Negligible potential - No features that could be used by bats (for roosting, foraging or commuting);
- Low potential – A small number of potential roosting features, isolated habitat that could be used by foraging bats, e.g. a lone tree or patch of scrub but not parkland and an isolated site not connected by prominent linear features (but if suitable foraging habitat is adjacent it may be valuable if it is all that is available);
- Moderate potential - Several potential roosting features in the buildings or trees, habitat could be used by foraging bats e.g. trees, shrub, grassland or water and the site is connected with the wider landscape by linear features that could be used by commuting bats e.g. lines of trees and scrub or linked back gardens;
- High potential – Buildings or trees with features of particular significance for roosting bats, habitat of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland and the Site is connected with the wider landscape

¹² Natural England (2013); Multi Agency Geographic Information for the Countryside (MAGIC). Available at: <http://www.magic.gov.uk/default.htm>

¹³ JNCC (2007) Handbook for Phase 1 habitat survey: A technique for environmental audit. Joint Nature Conservancy Committee, Peterborough.

¹⁴ Hundt (2012); Bat Surveys; Good Practice Guidelines' Bat Conservation Trust (BCT)

by strong linear features that would be used by commuting bats e.g. river/stream valleys or hedgerows, Site is close to known roosts; and

- Confirmed roosting - Evidence indicates the buildings or trees are used by bats, e.g. bats seen roosting or observed flying from a roost or freely in the habitat; droppings, carcasses, feeding remains, etc. found; and/or bats heard 'chattering' inside on a warm day or at dusk and bats recorded/observed using an area for foraging or commuting.

2.3 Limitations

Vegetation surveys should ideally be conducted between April and September, when the majority of plants are in flower; however, there were few flowering plants on the site and it was possible to identify the habitats and evaluate the potential value of the site, despite the survey taking place in January. The level of survey was considered to be sufficient to assess the suitability of the site to support protected and notable species and therefore reasonably confirms the conditions present on site.

Access to parts of the interiors of the buildings was restricted for health and safety reasons and therefore a thorough search of all roof voids was not possible.

It should be noted that any survey can only record plants or animals that are present at the time of survey and may therefore overlook species not evident at the time of the site walkover. However, given the relative lack of semi-natural habitat on-site and an assessment of the desk study findings, these limitations are considered unlikely to significantly affect the conclusions of this report.

3.0 RESULTS

3.1 Desk Study

3.1.1 Statutory Designated Sites

There are no statutory designated sites within 1km of the site.

3.2 Non-Statutory Designated Sites

There are six non-statutory designated sites within 1km of the site. These are;

- London's Canals Site of Metropolitan Importance;
- Regent's Park Site of Metropolitan Importance;
- Chalk Farm Embankment and Adelaide Nature Reserve Site of Borough Importance I;
- London Zoo Site of Borough Importance I;
- Primrose Hill Site of Borough Importance I; and
- Rochester Terrace Gardens Site of Local Importance.

3.2.1 Rare, Notable and Protected Species

GIGL provided a number of records of rare, notable and protected fauna and flora within 1km of the site. Information considered relevant to the site is presented below.

Bats

GIGL returned records of the following bat species from within 1km of the site; common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, Daubenton's bat *Myotis daubentonii*, Natterers bat *Myotis nattereri*, noctule *Nyctalus noctula*, Leisler's bat *Nyctalus leisleri*, Nathusius' pipistrelle *Pipistrellus nathusii* and serotine *Eptesicus serotinus*.

Other Mammals

Hedgehog *Erinaceus europaeus* has been recorded within 1km of the site.

Birds

GIGL returned numerous records of birds from within 1km of the site. Species which occur in the area and may utilise the habitats present on site, include house sparrow *Passer domesticus*, swift *Apus apus*, starling *Sturnus vulgaris*, dunnock *Prunella modularis*, grey wagtail *Motacilla flava* and the Schedule 1 species black redstart *Phoenicurus ochruros*.

Reptiles and Amphibians

GIGL returned no records of reptiles or amphibians within 1km of the site.

3.3 Field Survey - Habitats

The following habitats were recorded during the field survey:

- Buildings;
- Hardstanding / tall ruderal;
- Introduced shrub;
- Boundaries; and
- Adjacent habitats.

The habitats are described in detail below and their locations are presented in **Drawing 1**. Target Notes (TN) are also detailed below and their locations shown on **Drawing 1**. Photographs of various habitat features are provided in Appendix A.

3.3.1 Buildings

There were five buildings present on the site (Buildings B1-B5, **Drawing 1**) which surrounded a small courtyard. None of the buildings were occupied at the time of survey.

Building 1 was a three-storey brick building with a basement (Photo 1). The building had a pitched roof, but a parapet prevented the roof from being visible from the outside. Several feral pigeons were noted on the parapet and these birds may use the building for nesting.

Most of the interior of the building was illuminated from natural light coming through the windows and from artificial lights left on for security reasons. Most of the roof space was vaulted, but two sections supported false ceilings; however it was not possible to gain access to these areas. The basement comprised several discrete areas, including rooms that formally served as bathrooms when the building was occupied. Some areas of the basement were dark, but others were illuminated by electric lighting. No obvious access points, where bats could gain entry, were noted.

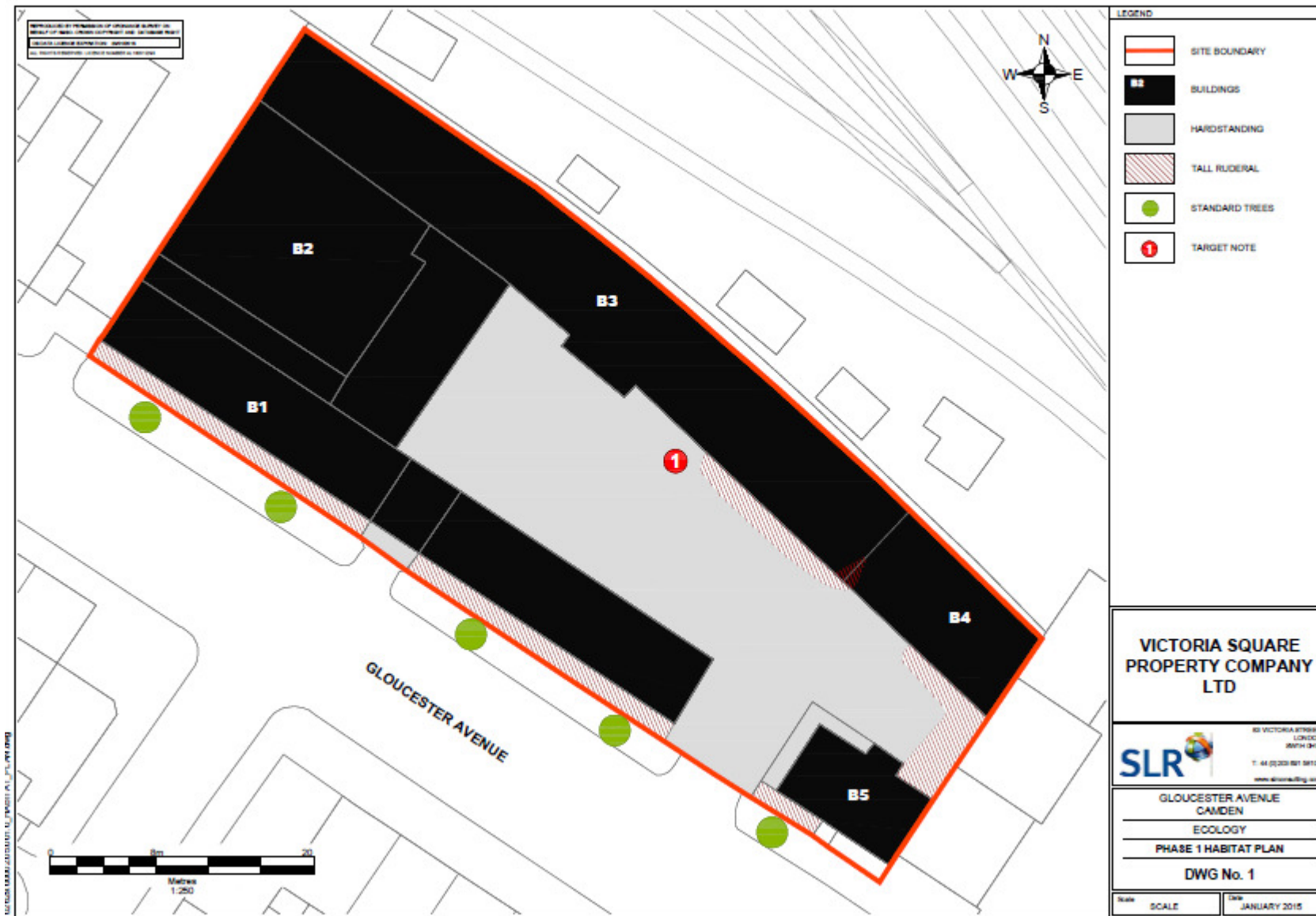
Building 2 was a two-storey brick building with a pitched, tiled roof (Photo 2). The building was well maintained and no obvious access points for bats or birds were noted. The interior of the building had a vaulted roof and was illuminated by natural light coming through the windows.

Building 3 was a row of two-storey terraced houses with basements (Photo 3). The houses were brick built with pitched, tiled roofs, although the roofs could not be inspected from the outside. Several roof voids were present. One of these sections was accessible and an inspection revealed that the roof was not insulated and that it was well sealed with no obvious points where bats or birds could gain entry.

The basement of the buildings was dark and had a stable temperature. There were numerous crevices in the structure of the basement which could provide roosting opportunities for bats; however, the basement appeared to be well sealed and no access points were noted.

Building 4 was a single-storey brick shed with a corrugated sheet roof (Photo 4) which was attached to Building 3. The windows of the building had been boarded up and the interior of the building was dark. Several potential access points for bats and birds were noted around the windows; however, the building was not insulated and was draughty.

Building 5 was a two-storey brick house with a basement and a pitched, tiled roof. The windows of the building had been boarded up and the interior of the house was dark. Gaps in the masonry on one side of the house, which could provide roost sites for bats or nest sites for birds, were noted (Photo 5); however, these did not appear to provide access to the interior to the house. The interior of the building could not be accessed at the time of survey, but it is likely to have a roof void. No entry point to the basement was recorded during the external assessment.



3.3.2 Hardstanding / Tall Ruderal

The buildings on site surround a small brick courtyard. The hard standing is generally intact, but a few tall ruderal plants have encroached at the edges, including; butterfly-bush *Buddleia davidii* and red valerian *Centranthus ruber*.

3.3.3 Introduced Shrub

A single rhododendron *Rhododendron* sp. shrub is present in the courtyard (Drawing 1 TN 1).

3.3.4 Boundaries

A c.3m high brick wall forms the southeast site boundary. The wall has no features which could support fauna.

3.3.5 Adjacent Habitats

The site lies in an urban location in the London Borough of Camden. To the northeast lie active railway lines. To the south, west and north lay high density buildings which comprise residential units, offices and commercial units.

The Grand Union Canal lies approximately 100m to the southeast and Primrose Hill lies approximately 300m west. Neither of these features is connected to the site by functional ecological corridors, such as tree lines or hedgerows.

The closest properties lie adjacent to the northwest and southeast of the site and comprise well maintained, occupied, modern buildings. No features which could support roosting bats were noted on the exterior of these buildings.

There are five mature street trees on Gloucester Avenue adjacent to the site. The trees comprise three silver birch *Betula pendula* and two Himalayan birch *Betula utilis*. For further details of trees please refer to the separate arboricultural report¹⁵. The trees had no features which could support roosting bats and no old nests of birds were recorded.

3.4 Field Survey – Potential for Protected Species

3.4.1 Bats

No evidence of roosting bats was recorded during the site visit; however, it was not possible to access all the buildings to assess their potential to support bats. Nor was it possible to inspect all of the roofs from the outside to identify possible access points.

The habitats on and adjacent to the site offer few foraging opportunities for bats and the trees on Gloucester Avenue are isolated and offer no connections to suitable bat foraging habitats elsewhere.

A preliminary assessment of the potential of the buildings to support bats, based on the information collected during the survey, suggests that Building 2 has negligible potential to support roosting bats. Buildings 1, 3 and 4 have low-negligible potential to support roosting bats. Building 5, which had external features which could provide roost sites for crevice

¹⁵ Landmark Trees (2014) Arboricultural Impact Assessment Report and Outline Method Statement.

dwelling bats and is likely to have a large roof void and basement, has low potential to support roosting bats.

The trees on Gloucester Avenue had no features which could support roosting bats and were assessed as having negligible potential for bats.

3.4.2 Other Mammals

No evidence of other wild mammals was recorded during the survey and the lack of vegetation and connectivity to functional habitat makes it unlikely that other wild mammals would use the site.

3.4.3 Birds

Three feral pigeon were recorded on the site and these birds may nest on the buildings or inside the buildings where access points exist. Gaps in the exterior of the Building 4 may provide nesting opportunities for small passerines. Similarly the trees on Gloucester Avenue and rhododendron may provide nest sites for such birds. The site appears sub-optimal for black redstarts to nest as these birds prefer sites with flat roofs or ledges for nesting.

3.4.4 Reptiles and Amphibians

The site comprises buildings and hardstanding which offer no opportunities for reptiles and amphibians.

3.4.5 Plants

No rare or notable plants were recorded on the site.

3.4.6 Invertebrates

The habitats on site are unlikely to support invertebrates of conservation importance.

4.0 EVALUATION

4.1 Evaluation of Nature Conservation Value

Due to the lack of vegetation and the limited potential for the site to support fauna, the site is likely to have low ecological value; however, the potential presence of bats means that this cannot be confirmed at present.

5.0 RECOMMENDATIONS

The potential presence of roosting bats and nesting birds means the following measures should be adopted to prevent any possible breach of wildlife legislation:

- The site survey indicated that there is potential for bats to be roosting in the buildings and all bats and their roosts are afforded full legal protection. Due to the potential for bats to roost in the buildings, further bat surveys should be undertaken should any potential roosting sites be impacted by the scheme. In line with BCT guidelines, bat surveys should comprise dusk and dawn bat survey conducted between May and September to determine whether bats are leaving or entering the buildings. Where the potential entry/ exit points to buildings cannot be observed, the use of static bat detectors or inspections of crevices using an endoscope, may be appropriate;
- Any vegetation removal or tree pruning should take place outside of the bird breeding season (which is between March and September). If works are unavoidable during this period, a search for active nests should be undertaken by an ecologist immediately prior to removal. Furthermore, if the buildings are to be renovated between March and September, then any potential nest sites should be checked to determine if birds are using them for nesting. Some works may need to be delayed if active nests are located. Whilst it is unlikely that black redstarts would use the site for nesting, should this species nest here, then additional measures would be required to protect the birds from disturbance in order to avoid a breach of the WCA. This is because black redstarts are listed on Schedule 1 of the WCA.

In order to qualify for ecology credits under the BREEAM and CfSH schemes a suite of enhancements for wildlife should be incorporated into the scheme:

Key recommendations;

- Plant at least three native tree species within the landscaped areas. Suggested species include silver birch *Betula pendula*, rowan *Sorbus aucuparia*, bird cherry *Prunus padus*, wild cherry *Prunus avium*, small-leaved lime *Tilia cordata*, hornbeam *Carpinus betulus* and field maple *Acer campestre*;
- Erect three bat boxes and two bird boxes at suitable locations on the buildings. Bird boxes specifically designed for house sparrow *Passer domesticus* and/or swift *Apus apus* should be used.

Additional recommendations;

- Incorporate an area of living roof into the scheme to provide habitats for invertebrates and birds. The establishment of native plants in this area could provide a new area of a Local Biodiversity Action Plan habitat and contribute to local biodiversity targets.
- Incorporate a water feature into the scheme to provide a source of freshwater for birds to drink and bathe.
- Incorporate a green wall within the site comprising native species of climbing plants such as ivy *Hedera helix* and honeysuckle *Lonicera* sp.
- Incorporate an area of at least 2m x 2m of native, berry-producing shrubs within the landscaped areas, such as holly *Ilex aquifolium*, spindleberry *Euonymus europaeus* and guelder rose *Viburnum opulus*.
- Adopt good horticultural practice on the site using organic pesticides only.
- Prepare a five year habitat management plan for the site to ensure that new habitats are maintained to maximise their benefits to wildlife.

6.0 CLOSURE

This report has been prepared by SLR Consulting Limited with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of Victoria Square Property Company Limited; no warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

Appendix A: Photographs of the Habitats on Site

Photo 1
Building 1



Photo 2
Building 2



Photo 3
Building 3



Photo 4
Building 4
Interior of shed with access point in roof.



Photo 5
Building 5
Gaps in brickwork that could provide roost sites for bats or nest sites for birds.



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Industry



Infrastructure



Mining & Minerals



Oil & Gas



Planning & Development



Renewable & Low Carbon



Waste Management