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Consultation Response – 53 Fitzroy Park, Hampstead

This letter has been prepared in response to residents comments regarding ecology received during the consultation process for planning application Ref. 2015/0441/P.

The ecological survey was carried out on 5th August 2014 and the site is a semi derelict single residential unit surrounded by an existing patio and garden comprising majority bare ground with ephemeral/short perennial vegetation. Several semi-mature trees were scattered across the site and there were small areas of scrub and tall ruderal vegetation. The current condition of the site in terms of the degree and extent of present vegetation is clearly linked to the absence of maintenance of the garden given the house has been unoccupied for some time. However, the lawful use of the site is still a single residential dwelling.

We have listed below the key ecological issues identified within the consultation comments. These clearly relate to the perceived consequences that could result from a redevelopment of the site for a replacement dwelling, but must be viewed in the context that the existing use as a single dwelling if reoccupied and renovated, or redeveloped under the extant permission at the site, could result in the majority of the matters raised being progressed either outside the planning process, or within the implementation of the extant permission.

We feel the following information on the planning portal, prepared in support of the extant planning permission may be of help:

<http://camdocs.camden.gov.uk/webdrawer/webdrawer.dll/webdrawer/rec/3291258/view/GEW%20ECOLOGICAL%20PROPOSAL%20LETTER.PDF>

<http://camdocs.camden.gov.uk/webdrawer/webdrawer.dll/webdrawer/rec/3291259/view/ARBORICULTURE%20&%20ECOLOGICAL%20EXEC.%20SUMMARY.PDF>

<http://camdocs.camden.gov.uk/webdrawer/webdrawer.dll/webdrawer/rec/3291260/view/GENERAL%20ECOLOGICAL%20APPRAISAL.PDF>

In the context of the above we have offered our professional opinion and detailed how the development proposed now under application Ref. 2015/0441/P will address each issue.

Habitats

Concerns were raised about the loss of habitat on potential species utilising the site. The habitats within the site are common to urban locations consisting of buildings, hard surfaces, bare ground with ephemeral/short perennial vegetation, scrub and trees. The habitats affected by the development are locally abundant, typical of gardens

within the area and of low intrinsic nature conservation value. This vegetation, in addition to the scrub and five trees are to be removed under development proposals.

The scrub and trees offer suitable habitat for nesting, foraging and commuting bat and bird species. We would note that three of the trees have permission to be removed under the extant permission for the redevelopment of the site, and all of the scrub and undergrowth could be removed out with planning control by virtue of the existing lawful use of the property as a single dwelling with garden.

Notwithstanding this, the proposed landscaping and new habitats are detailed within the Design and Access Statement and include a minimum of twenty semi-mature new indigenous trees and a minimum of five smaller new indigenous trees planted within this revised plan for the redevelopment of the site. In addition, a new beech hedgerow will extend around the whole site with a pleached hedgerow behind. A wildflower meadow will be planted around the perimeter of the site (with the exception of the drive area) and a wildlife pond will be created to the south. The proposed habitats will provide more structural diversity within the site and are considered to offer more valuable habitat for bird, bat and invertebrate species which may occur within the surrounding area than the existing poor quality overgrown garden.

In addition to the landscaping proposals, the proposed new building will contain a Bauder biodiversity green roof system which will provide excellent opportunities for a wide range of invertebrate and bird species. Green roofs can also help water attenuation and have better thermal capacity than typical roofing. Overall, the installation of green roofs are considered to reduce the environmental impact of the new property and are a clear enhancement over the existing semi-derelict dwelling.

Bats

Concerns were raised regarding the loss of potential habitat suitable for bats and questioned the need for further bat activity surveys. The trees and scrub provide suitable habitat for commuting and foraging bats and the scrub and five of the trees will be removed under development proposals. One of the trees had a potential roosting feature in the form of a pruning scar and this tree will be retained within development proposals. None of the trees to be removed contained features suitable for roosting bats.

Clearance of a small number of trees and small area of scrub is not considered likely to result in significant negative impacts upon bats or result in a significant loss of foraging habitat, and within the context of this site could be undertaken under the existing use of the property regardless of whether development requiring planning permission was to take place.

Notwithstanding this, our ecological report recommends that mitigation planting in the form of replacement tree/shrub planting should take place within the new development; species planted being native or species of value to British wildlife. Landscaping proposals include planting 25 new trees, in addition to hedgerow planting, a wildflower meadow and green roofs. These habitats will increase the number and diversity of invertebrates present within the site and therefore increase the foraging potential for bats. Planting trees and hedgerows around the perimeter of the site will also increase the potential commuting habitat for bats and provide commuting corridors towards Hampstead Heath.

As such, any minor (non-significant) effects associated with temporary removal of habitat within the site will be more than compensated by the landscape planting scheme that is proposed for the site.

Bat boxes are proposed to be installed on the retained trees within the site, creating additional roost sites. This is considered an ecological enhancement to the roost potential of the site.

In order to protect retained and newly created habitats from light pollution, all exterior artificial lighting should be fitted with directional cowls. Any exterior security lighting fitted to the new building should be on a motion-sensitive timer and also fitted with directional cowls. A lighting strategy for the site could form a condition of the planning

permission if considered necessary by Officers and should be developed with input from an appropriately experienced ecologist.

The proposed development site is small-scale and does not provide a unique habitat assemblage or habitat of elevated value in relation to those within the local landscape. Despite wider designations in the local area, the site remains a private garden, and would remain so after the conclusion of this proposal. In addition, the proposed landscaping constitutes an ecological enhancement to the foraging and commuting potential within the site. It is therefore considered unnecessary to undertake further bat activity surveys as it seems unlikely that the results of this survey would result in any particular change to the design of the development or approach to mitigation already proposed.

Amphibians

Concerns were raised about the likelihood of great crested newts (GCN) being present within the area, especially within the adjacent garden pond. In total seven ponds were identified within 500m of the site. Five of these were located within Hampstead Heath and three were ruled out for the presence of GCN due to their commercial use; comprising a stock pond and bathing ponds. A garden pond located approximately 100m north east was separated from the site by residential housing and a road which would act as physical barriers to the movement of amphibians between the pond and the site.

The remaining three ponds were assessed, with a Habitat Suitability Index (HSI) score calculated for each one following the methodology described by Oldham et al. HSI scores give a relative indication of the likelihood that a water body would support breeding great crested newts. Based upon this calculation, the remaining two ponds within Hampstead Heath were classified as having 'poor' suitability, with the adjacent garden pond classified as having 'average' suitability for breeding GCN. The ponds classed as having 'poor' suitability were therefore ruled out within our assessment.

Terrestrial habitat surrounding the pond in the adjacent garden was poor in suitability and did not provide any suitable hibernation habitat for GCN during the winter period. In addition, the site was separated from the pond by managed amenity grassland and a close boarded wooden fence which it was considered would act as a barrier to movement of amphibians between the pond and the application area. It is however acknowledged that there may be gaps beneath the fencing that could be used to access the garden, should amphibians, and in particular GCN, be present within this pond. The habitats within the site were generally considered sub-optimal habitat for newts.

In addition to the survey results, a robust desk study did not identify any great crested newt records within 1km of the site boundary. Average suitability in combination with the physical barrier to movement, a lack of records and the limited extent of the site itself suggests that it is extremely unlikely GCN will be encountered within the site.

We note that the presence/absence of great crested newts from this pond could be established through taking water samples of the pond which can be tested for GCN DNA. We would however require access to the pond in question which is on private land out with the application site.

Birds

Concerns were raised about the removal of habitat suitable for birds. The trees and scrub offer suitable nesting habitat for birds and this scrub and five of the trees are to be removed within current proposals. Three of the trees are permitted for removal under and extant and implementable permission for the redevelopment of the site, meanwhile subject to the constraints imposed by any nesting birds, the existing scrub could be removed at any time under normal garden maintenance, subject of course to appropriate precautions to avoid damaging or disturbing nesting birds.

Notwithstanding the above, the proposals include a number of new bird boxes to be installed within the retained trees as mitigation for the perceived loss of nesting habitat. The proposed landscaping includes the planting of 25 new trees around the replacement dwelling, in addition to hedgerow planting, which will all provide suitable new

and enhanced nesting habitat for birds. Nesting habitat will therefore increase following the construction of the replacement dwelling.

Invertebrates

Concerns have been raised about the loss in habitat which may be suitable for invertebrate species. The scrub, tall ruderal and ephemeral/short perennial vegetation will all be removed under these development proposals and are likely to provide foraging and shelter opportunities to common invertebrate species. However, this vegetation would also be removed should the extant and implementable permission at the site be taken forward, and could also be removed as part of normal garden maintenance out with the planning process, so the weight that can be attached to these concerns is minimal at best.

Post construction, the landscaping and planting provisions accompanying the replacement single family dwelling will provide numerous habitats of value to invertebrates, including green roofs, a wildflower meadow and a wildlife pond. These habitats are likely to attract a diversity of terrestrial and aquatic invertebrates, which provide prey species for bats, birds and amphibians enhancing feeding opportunities for these species.

In conclusion, while the proposed redevelopment of the site to provide a replacement dwelling has the capacity to have adverse impacts on a number of ecological receptors should no mitigation be implemented, these are no greater than would be anticipated with an alternative design of dwelling, or indeed than would result from implementation of the extant permission for the redevelopment of the site. Many of the concerns raised, also relate to the removal of scrub vegetation that would be classed as normal garden maintenance was the existing house to be re-occupied and the existing garden brought back into managed use.

Notwithstanding the above, avoidance measures, and mitigation and enhancement measures will be implemented to ensure that these potential adverse impacts are reduced to acceptable levels as far as possible, and these measures are commonplace and not out with the ordinary range of activities that would accompany any similar type of development. The majority of the trees on the site will be retained, with proposed planting including 25 new trees, a wildflower meadow, hedgerow planting, green roofs and the installation of a wildlife pond. It is our professional opinion that habitats within the site will be improved with regards structural diversity and value to wildlife following the proposed redevelopment of the existing dwelling.

Assuming the successful implementation of all the measures described within the Ecological Survey, Design & Access Statement and this letter, the proposed scheme can be considered in line with planning policy DP24 of the Camden Local Development Framework "Camden Development Policies 2010-2025" and policy CS15 of the "Camden Core Strategy 2010-2025" (Adoption version 2010).

Yours sincerely,



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Managing Director