

White Clawed Crayfish

The white clawed crayfish (*Austropotamobius pallipes*) receives partial protection under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). This species is protected under Sections 9(1) and 9(5), making it an offence to:

- intentionally take/capture white-clawed crayfish; and
- sell, offer or expose for sale, have in possession or transport for the purpose of sale, any live or dead white clawed crayfish or part of this species.

A conservation licence for the capture and translocation of crayfish may be issued for the purpose of development activities if it can be demonstrated that the activity has been carefully planned and this species considered. The activity must also demonstrate that it contributes to the conservation of the population.

Wild Mammals

All wild mammals are protected against intentional acts of cruelty under the Wild Mammals (Protection) Act 1996. Under this legislation it is an offence to:

- mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention of this legislation, due care and attention should be taken when carrying out works that have the potential to impact any wild mammal as described above.

Plants

Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Some rare plant species also receive full protection under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits:

- intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only); and

- selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or parts.

In addition to the legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. Regulation 45 makes it an offence to:

- deliberately pick, collect or destroy a wild Schedule 5 species; and
- be in possession of, or control, transport, sell or exchange any wild live or dead Schedule 5 species or anything derived from it.

A European Protected Species Mitigation (EPSM) Licence issued by Natural England will be required for works liable to affect species of plant listed under The Conservation of Habitat and Species Regulations 2010.

Invasive Plant Species

Certain plants are listed on Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in respect to Section 14(2). Species include:

- Japanese knotweed (*Fallopia japonica*);
- giant hogweed (*Heracleum mantegazzianum*);
- Himalayan balsam (*Impatiens glandulifera*);
- certain species of rhododendron (*Rhododendron* sp.); and
- certain species of cotoneaster (*Cotoneaster* sp.).

Species listed are non-natives whose establishment or spread in the wild may be detrimental to native wildlife. Inclusion on Part II of Schedule 9 therefore makes it an offence to:

- plant or otherwise cause these species to grow in the wild.

This legislation makes it is an offence to cause species listed to grow in the wild. Therefore, if they are present on site and development activities have the potential to cause the further spread of these species to new areas, it will be necessary to ensure appropriate measures are in place to prevent this.

HABITATS

International Statutory Designations

- Special Protection Areas (SPAs): Terrestrial SPA's are afforded protection by The Conservation (Natural Habitats, &c. Regulations 1994 (as amended) and offshore SPA's are afforded protection under The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). SPAs are designated under the EC Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds). SPAs are areas recognised as important habitat for rare and migratory birds within the European Union (rare birds as listed on Annex I of the Directive).
- Special Areas of Conservation (SACs): These areas are designated under the EC Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora), designated for the habitats and (non-bird) species listed on Annexes I and II to the Directive under the same regulations as detailed for SPA's.
- Ramsar sites: These areas are wetlands designated under the Convention on Wetlands of International Importance (1971). Wetlands can include areas of marsh, fen, water or peatland and may be natural or artificial, permanent or temporary. Ramsar sites are underpinned through prior notification as Sites of Special Scientific Interest (SSSIs) and as such receive statutory protection under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CRoW) Act 2000.

National Statutory Designations

- Sites of Special Scientific Interest (SSSIs): These sites are designated by the countryside agencies (for example Natural England) under the Wildlife & Countryside Act 1981 (as amended). Prior to 1981 these were designated under the National Parks and Access to the Countryside Act 1949. Improved mechanisms for the protection of SSSIs have also been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales).
- National Nature Reserves: These sites are also designated by the countryside agencies under the Wildlife & Countryside Act 1981 (as amended).

Local Statutory Designations

- 1949 Local Nature Reserves (LNRs): These sites are designated by local authorities under the National Parks and Access to the Countryside Act 1949. These are sites recognised for their wildlife or geological interest at a local level and are managed for nature conservation.

Non-Statutory Designations

- Local Wildlife Sites: Areas of local conservation interest may be designated by local authorities. The terminology for these sites varies depending on the county. They can be called Sites of Nature Conservation Importance (SNCI's), Sites of Importance for Nature Conservation (SINCs), County Wildlife Sites (CWS), Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Biological Importance (SBIs). The designation criteria may vary between counties. Local Wildlife Sites are of material consideration when planning applications are being determined.
- The Hedgerow Regulations 1997: These have been compiled to protect 'important' countryside hedgerows from damage or removal. A hedgerow is considered important if (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy certain hedgerows without permission from the local planning authority. Hedgerows covered by these regulations include those on or adjacent to common land, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys.

National Planning Policy

The National Planning Policy Framework (2012) replaces the former PPS9 document and emphasises the need for sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and priority species. An emphasis is also made for the need for ecological networks through preservation, restoration and re-creation. The protection and recovery of priority species is also included as a requirement of planning policy. In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from adverse harm; appropriate mitigation or compensation measures are in place where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

Regional and Local Planning Policy

London Plan (2011)

POLICY 2.18: GREEN INFRASTRUCTURE: THE NETWORK OF OPEN AND GREEN SPACES

- *“The Mayor will work with all relevant strategic partners to protect, promote, expand and manage the extent and quality of, and access to, London’s network of green infrastructure. This multifunctional network will secure benefits including, but not limited to, biodiversity; natural and historic landscapes; culture; building a sense of place; the economy; sport; recreation; local food production; mitigating and adapting to climate change; water management; and the social benefits that promote individual and community health and well-being.*
- *The Mayor will pursue the delivery of green infrastructure by working in partnership with all relevant bodies, including across London’s boundaries, as with the Green Arc Partnerships and Lee Valley Regional Park Authority. The Mayor has published supplementary guidance on the All London Green Grid to set out the strategic objectives and priorities for green infrastructure across London*
- *Enhancements to London’s green infrastructure should be sought from development and where a proposal falls within a regional or metropolitan park deficiency area*
- *Development proposals should:*
- *incorporate appropriate elements of green infrastructure that are integrated into the wider network; and*
- *encourage the linkage of green infrastructure including the Blue Ribbon Network, to the wider public realm to improve accessibility for all and develop new links, utilising green chains, street trees, and other components of urban greening (Policy 5.10)”.*

POLICY 5.3: SUSTAINABLE DESIGN AND CONSTRUCTION

- *“The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.*
- *Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.*

- *Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance and this should be clearly demonstrated within a design and access statement. The standards include measures to achieve other policies in this Plan and include promoting and protecting biodiversity and green infrastructure''.*

POLICY 7.19: BIODIVERSITY AND ACCESS TO NATURE

- *“to ensure a proactive approach to the protection, enhancement, creation, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy. This means planning for nature from the beginning of the development process and taking opportunities for positive gains for nature through the layout, design and materials of development proposals and appropriate biodiversity action plans.*
- *Any proposals promoted or brought forward by the London Plan will not adversely affect the integrity of any European site of nature conservation importance (to include special areas of conservation (SACs), special protection areas (SPAs), Ramsar, proposed and candidate sites) either alone or in combination with other plans and projects. Whilst all development proposals must address this policy, it is of particular importance when considering the following policies within the London Plan: 1.1, 2.1-2.17, 3.1, 3.3, 5.14, 5.15, 5.17, 5.20, 6.3, 7.14, 7.15, 7.25, and 7.26. Whilst all opportunity and intensification areas must address the policy in general, specific locations requiring consideration are referenced in Annex 1.*
- *Development proposals should:*
 - *wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity*
 - *prioritise assisting in achieving targets in biodiversity action plans (BAPs) set out in Table 7.3 and/or improve access to nature in areas deficient in accessible wildlife sites*
 - *not adversely affect the integrity of European sites, and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species, or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP.*
- *On Sites of Importance for Nature Conservation development proposals should:*

- *give the highest protection to sites with existing or proposed international designations²⁴ (SACs, SPAs, Ramsar sites) and national designations²⁵ (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations*
- *give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance*
- *give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.*
- *When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:*
 - *avoid adverse impact to the biodiversity interest*
 - *minimize impact and seek mitigation*
 - *only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation''.*

Camden Core Strategy (2010 - 2025)

POLICY CS15: Protecting and Improving our Parks and Open Spaces and Encouraging Biodiversity

- *Expecting the provision of new or enhanced habitat, where possible, including through biodiverse green or brown roofs and green walls;*
- *identifying habitat corridors and securing biodiversity improvements along gaps in habitat corridors;*

Unitary Development Plan (2007) (Saved Policies)

POLICY N5: Biodiversity

- *In assessing planning applications, the Council will expect development schemes to have considered conserving and enhancing biodiversity, including by creating wildlife habitats.*

POLICY N7: protected species and their habitats

- The Council will not grant planning permission for development that it considers would harm the following species and their habitats:
 - a) legally protected species; and
 - b) species in the National, London and Camden Biodiversity Action Plans (BAPs) that are uncommon, declining or under threat.

Appendix D
Plant Species List

Scientific nomenclature follows Stace (2010) for vascular plant species and British Bryological Society (BBS) Special Volume No. 5 *English Names for British Bryophytes* for bryophyte species. Vascular plant common names follow the Botanical Society of the British Isles 2003 list, published on its web site, www.bsbi.org.uk. The plant species list was generated as part of a Phase 1 Habitat survey and does not constitute a full botanical survey.

Abundance was estimated using the DAFOR scale as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, L = locally *i.e.* LD, LD, LF

Key to qualifiers: g = garden origin, p = planted, y = young, s = seedling, t = tree, h = hedge, ? = identification uncertain.

SCIENTIFIC NAME	COMMON NAME	ABUNDANCE	QUALIFIER
<i>Geranium sp.</i>	Crane's-bill	R	p
<i>Hedera helix</i>	Ivy	O	p
<i>Lavandula sp.</i>	Lavender	R	p
<i>Phormium sp.</i>	Phormium	R	p

Appendix E
Plants of Wildlife Value

SPECIES OF WILDLIFE VALUE

This section provides a list of plants which are of proven value to wildlife. The list is not exhaustive and merely provides a guide for suggested planting for wildlife value. Planting should be tailored on a site by site basis. The list includes some native and ornamental species however the emphasis should always be on the use of predominantly native species.

N = Native, NN = Non-native.

This list includes species that may be harmful if handled or ingested. Schedule 9 (Part 2) of the Wildlife and Countryside Act, 1981 (as amended) includes a list of invasive plants, including aquatic species, that should always be avoided in planting schemes.

Herbaceous Perennials

Tree mallow (*Lavatera* spp). (*L. arborea*) N, or (*L. obliq.*), (*L. thuringiaca*) NN

Lavender (*Lavandula* spp.), (*L. angustifolia*), (*L. x intermedia*) NN

Globe thistle (*Echinops ritro*) NN

Foxglove (*Digitalis purpurea*) N or (*D. lutea*), (*D. x mertonensis*) NN

Michaelmas Daisy (*Aster novi-belgii*) NN

Sunflowers (*Helianthus annuus*) NN

Hemp agrimony (*Eupatoria cannabinum*) N

Common knapweed *Centaurea nigra* N

Rosemary (*Rosmarinus officinalis*) NN

Rock rose (*Cistus* spp.) NN

Shrubby cinquefoil (*Potentilla fruticosa*) N

Large Shrubs

Hedge veronica/Hebe (*Veronica* spp.) NN

Hawthorn (*Crataegus monogyna*) N

Blackthorn (*Prunus spinosa*) N

Rose: dog rose (*Rosa canina*), field rose (*R. arvensis*), burnet rose (*R. pimpinellifolia*) N

California lilac (*Ceanothus* spp.), (*C. arborea*) NN

Wild privet (*Ligustrum vulgare*) N

Common holly (*Ilex aquifolium*) N

Barberry (*Berberis* spp.) (*B. darwinii*), (*B. thunbergii*), (*B. x stenophylla*) NN

Daisy Bush (*Olearia* spp.), (*O. x hastii*), (*O. macrodonta*) and (*O. traversii*) NN

Firethorn (*Pyracantha coccinea*) NN

Hazel (*Corylus avellana*) N (*C. maxima*) NN

Viburnum *Viburnum* spp., wayfaring tree (*V. lantana*) N, guelder rose (*V. opulus*) N, laurustinus (*V. tinus*) E Note: *V. lantana* can become invasive in more open habitats.

Butterfly bush (*Buddleja* spp.), (*B. alternifolia*), (*B. globosa*) NN

Dogwood (*Cornus sanguinea*) N

Broom (*Cytisus scoparius*) N

Escallonia (*Escallonia macrantha*) NN

Hardy fuchsia (*Fuchsia magellanica*) NN

Buckthorn (*Rhamnus cathartica*) N

Spindle (*Evonymus europaeus*) N

Tutsan (*Hypericum androsaemum*) N

Yew (*Taxus baccata*) N

Trees

Cherry (*Prunus* spp.), wild cherry (*P. avium*), bird cherry (*P. padus*), domestic plum (*P. domestica*) N or cherry plum (*P. cerasifera*) NN

Ash (*Fraxinus excelsior*) N

Apple (*Malus* spp.), edible apple (*M. domestica*), crab apple (*M. sylvestris*) N

Pear *Pyrus* spp., edible pear (*P. communis*) NN

Small-leaved lime (*Tilia cordata*) N

Silver birch (*Betula pendula*) N

Yew (*Taxus baccata*) N

Foxglove tree (*Paulownia tomentosa*) NN

Beech (*Fagus sylvatica*) N

Climbers

Jasmine (*Jasminum* spp.), summer jasmine (*J. officinale*), winter jasmine (*J. nodiflorum*)
NN

Ivy (*Hedera helix*) N

Climbing hydrangea (*Hydrangea anomala* ssp. *petiolaris*) NN

Honeysuckle (*Lonicera* spp.) (*L. periclymenum*) N

Clematis (*Clematis* spp.) NN

Hop (*Humulus lupulus*) N

Firethorn (*Pyracantha atalantioides*) NN

Nasturtium (*Tropaeolum majus*) NN

Bulbs

English bluebell *Hyacinthoides non-scripta* N

Squill species *Scilla* spp. N/NN

Snowdrop *Galanthus nivalis* N

Winter aconite *Eranthis hyemalis* E

Crocus species *Crocus* spp. NN

Wild Daffodil *Narcissus pseudonarcissus* N

Onion species *Alliums* spp. N/NN. N.B. *A. triquetrum* (three cornered leek) and *Allium paradoxum* (few-flowered leek) are Schedule 9 invasive plant species.

Wood anemone *Anemone nemorosa* N

Lesser celandine *Ficaria verna* N