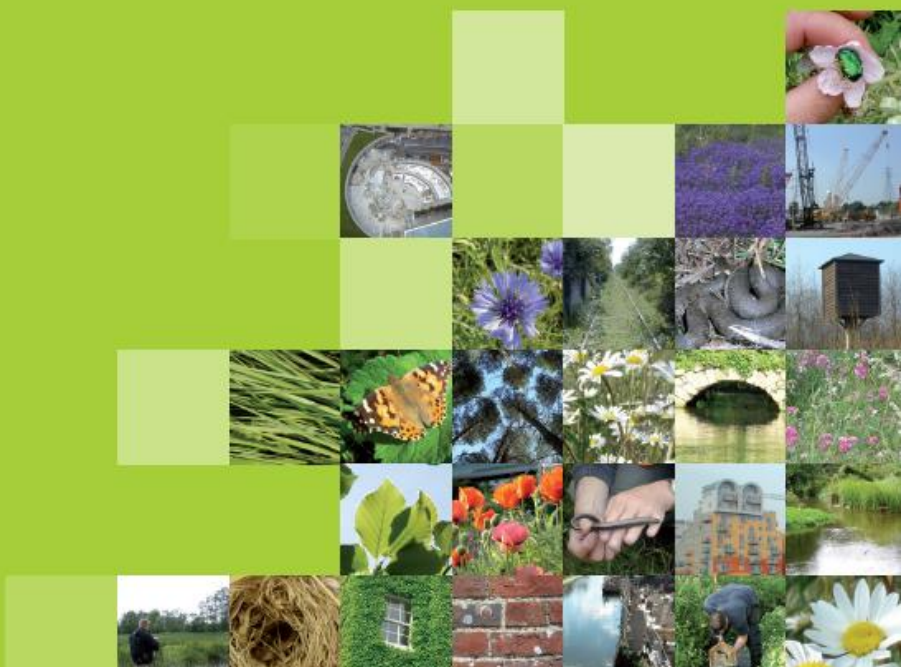
The Ecology Consultancy

Abacus Belsize Primary School / Preliminary Ecological Appraisal / **Kier Construction**



Abacus Belsize Primary School

Preliminary Ecological Appraisal

Report for Kier Construction

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Executive Summary

A Preliminary Ecological Appraisal that comprised a Phase 1 habitat survey and protected species assessment was carried out at the Abacus Belsize Primary School site in Hampstead on 13 March 2015. The appraisal includes an assessment of any ecological constraints applying to the proposed development and provides recommendations for protecting and enhancing the wildlife value of the site. The main findings of the survey are as follows:

- The site does not form part of any statutory or non-statutory designated nature conservation site. The nearest statutory site is Belsize Wood Local Nature Reserve located 610 metres (m) to the south east. The nearest non-statutory designated site is Hampstead Heath, a Site of Metropolitan Importance for Nature Conservation, located approximately 360m north east of the proposed development site.
- The habitats on the site comprise buildings, hard standing, semi-improved grassland, introduced shrub and ephemeral/short perennial. Habitats on site were considered to have value in the immediate vicinity of the site only for any protected/noteworthy species that may use the site.
- All buildings on site had medium potential to support roosting bats. All bat species are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). In order to comply with this legislation further bat surveys are required, detail is provided in Section 5.
- The site and adjacent trees had medium potential to support breeding birds. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). In order to comply with legislation some basic mitigation measures are provided in Section 5.
- Enhancement measures are also provided in Section 5 of this report to improve the biodiversity of the site in line with Policy CS15 within Camden's Local Development Framework Core Strategy (2012).

1 Introduction

BACKGROUND

1.1 The Ecology Consultancy was commissioned by Kier Construction to carry out a Preliminary Ecological Appraisal of Abacus Belsize Primary School, Hampstead, London Borough of Camden.

SCOPE OF THE REPORT

1.2 This report outlines the methodologies and results of the Preliminary Ecological Appraisal conducted on 13 March 2015.

1.3 The survey was carried out in order to provide baseline ecological information and to assess the potential for the site to support protected species. The assessment highlights any potential ecological constraints associated with the proposed development and provides recommendations for further surveys, where appropriate, to ensure that the development complies with relevant legislation. This appraisal considers land within the planning application site boundary as indicated in Appendix 1, Figure 1 (hereafter this area is referred to as 'the site').

1.4 The Preliminary Ecological Appraisal is based on a desk study, and a field survey using standard Phase 1 survey methodology (JNCC, 2010). The Phase 1 survey is designed to identify the broad habitat types present, to assess the potential of habitats to support protected species and to assist in providing an overview of the ecological interest at a site. It is generally the most widely used and professionally recognised method for initial ecological site appraisal.

1.5 This appraisal has also been prepared with reference to best practice guidance published by the Chartered Institute for Ecology and Environmental Management (CIEEM, 2013) and as detailed in British Standard 42020:2013 Biodiversity - Code of Practice for Biodiversity and Development (BSI, 2013).

1.6 A habitat map of the site is included in Appendix 1, with photographs provided in Appendix 2. A full list of plant species that were present on site are provided in Appendix 3. The relevant legislation and policies relating to protected species and habitats are set out in Appendix 4.

SITE CONTEXT AND STATUS

1.7 The site is located in a semi-urban area and is bound by the A502 to the south west, Downshire Hill to the north west and residential housing to the north and east. The wider surrounding area largely comprises residential housing with trees lined streets. The proposed development site totals approximately 0.193 hectares (ha) in size. The National Grid Reference for the centre of the site is TQ 269 856.

1.8 The nearest area of open green space is Hampstead Heath, a Site of Metropolitan Importance for Nature Conservation (SMINC), located approximately 300 metres (m) to the north east of the site.

DEVELOPMENT PROPOSAL

1.9 The outline proposals are for the redevelopment of the site into a new school, including demolition and replacement of some buildings and expansion of others.

2 Methodology

DESK STUDY

2.1 Information regarding the present and historical ecological interest of the site within a 1 kilometre (km) radius was requested from Greenspace Information for Greater London (GiGL, 2014). A search was also completed of an on-line mapping service Multi-Agency Geographic Information for the Countryside [1](MAGIC) to ascertain the presence of any statutory designated sites in the area.

2.2 The following information regarding the present and historical ecological interest of the site and land within a 1km radius was sourced from GiGL and MAGIC:

- statutory sites of nature conservation importance;
- non-statutory sites designated as Sites of Nature Conservation Importance (SNCIs) at county level often recognised in Local Authority development plans;
- species protected by legislation (protected species);
- Habitats and Species of Principal Importance for the Conservation of Biodiversity in England under the NERC Act 2006[2] which may be relevant to the site (hereafter referred to as 'Species of Principal Importance' and 'Habitats of Principal Importance'); and,
- rare and other noteworthy species such as those on "red lists" using IUCN criteria and Birds of Conservation Concern.

HABITAT SURVEY

2.3 A field survey of the site was carried out on 13 March 2015. Habitats were described and mapped following standard Phase 1 Habitat survey methodology (JNCC, 2010). A full list of plant species identified during the survey, along with an assessment of their abundance[3], is provided in Appendix 3. Scientific names are given after the first mention of a species, thereafter, common names only are used. Nomenclature follows

[1] http://magic.defra.gov.uk/)

2 56 Habitats of Principal Importance for Biodiversity and 943 Species of Principal Importance for Biodiversity are included in the NERC Act. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (UK BAP) and continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.

[3] Plant species abundance was recorded using the DAFOR system (where D = dominant, A = abundant, F= frequent, O = occasional and R = rare).

Stace (2010) for vascular plant species. The site was also surveyed for the presence of invasive plant species as defined by Schedule 9 of the Wildlife and Countryside Act, 1981 (see Appendix 4).

2.4 The survey was conducted by a suitably experienced and qualified ecologist, who is competent in carrying out Extended Phase 1 habitat surveys and is a graduate member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

PROTECTED, NOTEWORTHY AND INVASIVE SPECIES ASSESSMENT

2.5 The potential for the site to support legally protected species[4], Species of Principal Importance[5] and noteworthy species[6] and invasive species[7] was assessed from field observations carried out at the same time as the habitat survey, combined with the results of the desk study.

2.6 Those species considered potentially present, on the basis of suitable habitat being present, were further evaluated as follows:

- buildings and mature / semi-mature trees containing features suitable to support roosting bats; and
- Introduced shrub and scattered trees providing suitable nesting habitat for breeding birds, and evidence of recent bird nesting, including territorial activity and old nests.

2.7 If, on the basis of the preliminary assessment or during subsequent surveys, it is considered likely that other protected species may be present, recommendations for further surveys will be made. Without such surveys, it would not be possible to determine presence / likely absence of that species

[4] Legally protected species include those listed in Schedules 1, 5 or 8 of the Wildlife and Countryside Act, 1981 (as amended); Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended); or in the Protection of Badgers Act, 1992.

[5] Species of Principal Importance are those listed on Section 41 of the Natural Environment and Rural Communities Act, 2006.

[6] Noteworthy species include Species of Principal Importance under the Natural Environment and Rural Communities Act, 2006; Local Biodiversity Action Plan (LBAP) species; Birds of Conservation Concern (Eaton *et al.* 2009); and/or Red Data Book/nationally notable species (IUCN, 2014)

[7] Invasive species are those listed in Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended).

Protected Species Assessment Criteria

2.8 The likelihood of occurrence of protected and/or invasive species is ranked as follows and relies on the findings of the current survey and an evaluation of existing data.

- Negligible – while presence cannot be absolutely discounted, the site includes very limited or poor quality habitat for a particular species or species group. No local returns from a data search, surrounding habitat considered unlikely to support wider populations of a species/species group. The site may also be outside of, or peripheral to, a known national range for a species.
- Low – on-site habitat of poor to medium quality for a given species/species group. Few or no returns from data search, but presence cannot be discounted on the basis of national distribution, nature of surrounding habitats, habitat fragmentation, recent on-site disturbance etc.
- Medium – on-site habitat of medium quality, providing all of the known key requirements of a given species/species group. Local returns from the data search, within national distribution, suitable surrounding habitat. Factors limiting the likelihood of occurrence may include small habitat area, habitat severance, and disturbance.
- High – on-site habitat of high quality for a given species/species group. Local records provided by desk top study. The site is within/peripheral to a national or regional stronghold. Good quality surrounding habitat and good connectivity.
- Present – presence confirmed from the current survey or by recent, confirmed records.

2.9 The purpose of this assessment is to identify whether more comprehensive Phase 2 surveys for protected species should be recommended.

SITE EVALUATION

2.10 The site has been evaluated broadly following guidance issued by the Institute of Ecology and Environmental Management[8] (IEEM, 2006), according to a geographic scale (significance at the international level down to the site level) and using a range of criteria for assigning ecological value, as follows:

8 Established in 1991, the Institute of Ecology and Environmental Management (IEEM) received the Royal Charter in 2013, becoming the Chartered Institute of Ecology and Environmental Management (CIEEM).

- Presence of sites or features designated for their nature conservation interest. Examples include internationally or nationally designated sites such as Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs), locally designated sites such as Local Nature Reserves (LNRs) and non-statutory sites such as SINCs;
- Biodiversity value, for example, habitats or species which are rare or uncommon, species-rich assemblages, species which are endemic or on the edge of their range, large populations or concentrations of uncommon or threatened species, and/or plant communities that are typical of valued natural/semi-natural vegetation types;
- Potential value, as addressed by targets to increase the biodiversity value for example of SSSIs, international sites and some BAP species and habitats. If detailed plans exist to enhance the value of such areas, then it may be appropriate to value them as if the intended resource already existed;
- Secondary and supporting value, for example, habitats or features which provide a buffer to valued features or which serve to link otherwise isolated features;
- Presence of Species of Principal Importance and legally protected Species.

2.11 The ecological interest of the site and the proposed development has also been evaluated in terms of Camden's Local Development Framework Core Strategy, adopted in 2012 containing development policies relating to nature conservation.

LIMITATIONS

2.12 Whilst every effort has been made to provide a comprehensive description of the site, no investigation can ensure the complete characterisation and prediction of the natural environment.

2.13 It is important to note that, even where data is held, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest; the area may be simply under-recorded. This is taken into account when interpreting records and also through the Phase 1 habitat survey methodology which identifies where protected species may be supported within the site.

2.14 The protected species assessment provides a preliminary view of the likelihood of protected species occurring on-site, based on the suitability of the habitat, known distribution of the species in the local area provided in response to our enquiries, and any direct evidence on the site. It should not be taken as providing a full and definitive survey of any protected species group. It is only valid at the time the survey was carried out.

2.15 This Preliminary Ecological Appraisal does not constitute a full botanical survey, or a Phase 2 pre-construction survey that would include accurate GIS mapping for invasive or protected plant species.

2.16 The survey was carried out in March, at which time some plant species cannot be readily identified. As such the species recorded in the current survey is unlikely to be comprehensive, but, due to the nature of habitats present at the site, this has not affected the identification of habitats or assessment of their nature conservation value.

2.17 It was not possible to view the roof of one of the buildings on site due to its height and a lack of vantage points in the area surrounding the building. A conservative assessment has therefore been made, in regards to this building potential to support bats.

2.18 Despite these limitations, it is considered that this report accurately reflects the habitats present, their biodiversity values and the potential of the site to support protected species.

Results

DESK STUDY

3.1 The following records regarding present and historical ecological interest at the site within a 1km radius were supplied by GiGL. Records are summarised in paragraphs 3.2 - 3.11 below.

Statutory Sites of Importance for Nature Conservation

3.2 The proposed development site is not subject to any statutory nature conservation designations, such as Special Protection Area (SPA), SSSI, SAC, National Nature Reserves (NNR) or LNR.

3.3 One site with national statutory designation is present within 1km of the site: Belsize Wood LNR, located 610m south east of the proposed development site, covering an area of 1.03ha and comprises an isolated area of relatively species rich woodland.

Non-Statutory Sites of Importance for Nature Conservation

3.4 The proposed development site does not form part of a non-statutory designated site. There are six non-statutory sites designated as Sites of Importance for Nature Conservation Importance (SINC) located within the 1km data search area.

3.5 The nearest SINC is Hampstead Heath Site of Metropolitan Importance for Nature Conservation (SMINC), located approximately 360m north east of the proposed development site. A further five SINCs are also located within 1km of the site. Details of all sites are described in Table 1 below.

Table 1: Non-Statutory sites within a 1km radius of the site boundary.

Site Name	Reason for designation	Area (ha)	Distance from site (m)
Sites of Metropolitan Importance			
Hampstead Heath	Hampstead Heath contains long-established high forest woodlands with good structure comprising an abundance of old and over-mature trees providing dead wood habitat for a range of invertebrate species. The site also includes an adjacent small valley containing an acidic flush with developing bog-moss communities, rare in London. Acid grassland occurs on the upper slopes. In several areas, heathland restoration is being attempted. The many ponds and watercourses on site are of	317.63	360 NE

Table 1: Non-Statutory sites within a 1km radius of the site boundary.

Site Name	Reason for designation	Area (ha)	Distance from site (m)
	further botanical, entomological and ornithological interest.		
Borough Grade I Site of Importance			
Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve	The railsides of the complex junction at Gospel Oak support a mosaic of habitats. Sizable blocks of secondary woodland, interspersed with scrub, grassland and tall herbs. Mortimer Terrace Nature Reserve is mostly sycamore woodland, though a wide range of native trees have been planted, as well as native woodland flowers. Kentish Town City Farm has a good wildlife garden with a pond planted with native marginal plants. There are sheep-grazed pastures with plants of disturbed ground at their edges. The farm also has an excellent bog garden.	6.72	445 NE
Hampstead Parish Churchyard	This churchyard contains a good number of fine mature trees and dense planted shrubberies. The grassland is indicative of old slightly acid meadowland. There are patches of diverse and well-established tall herbaceous vegetation.	0.9	610 W
Branch Hill	Branch Hill consists of several individual blocks of woodland, interposed with small areas of grassland. It also incorporates the private grounds of three large houses.	3.72	855 NW
Borough Grade II Site of Importance			
Belsize Wood Local Nature Reserve	An isolated relatively species rich woodland supporting populations of common bird species.	0.7	570 SE
Frognal Court Wood	A small area of woodland, frequented by many species of bird.	0.2	805 SW

Protected and Noteworthy Species

3.7 Protected Species, Species of Principal Importance, and noteworthy species such as London BAP species have been recorded within a 1km radius. Species that may potentially utilise the site are discussed below. The level of protection afforded to each species and the distance and orientation of the records, as well as the dates of those recorded in the past twenty years are also provided.

Bats

3.8 The data search returned records for at least five species of bats. These included 14 records for common pipistrelle *Pipistrellus pipistrellus,* the closet record was located 74m south west of the site in 2009. A total of four soprano pipistrelle *Pipistrellus*

pygmaeus records were provided by the data search, the closet record was also located 74m south west of the site in 2009. A total of 32 records were provided for unidentified pipistrelle species, the most recent record being 509m north of the site in 2006. Fifteen records were provided for Daubenton's bat, the most recent sighting was recorded 646m north of the site in 2005. Twenty-one records for noctule bat were recorded, the most recent sighting was 914m north of the site in 2007. A single record was provided for brown long-eared bats, the closest sighting was 74m south west in 2009.

3.9 All bat species are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Of those species likely to be present on site and noctule bat, and soprano pipistrelle are Species of Principal Importance.

Birds

3.10 The data search returned numerous records for bird species. Of the species recorded, species listed on the London BAP that could potentially utilise the site comprise five records of song thrush *Turdus philomelos*, nearest located 635m north in 2009; three records of starling *Sturnus vulagris,* nearest also located 635m north in 2009; and, 17 records of house sparrow *Passer domesticus*, nearest located 70m north west in 2002.

3.11 All bird species are protected under the Wildlife and Countryside Act 1981 (as amended) and house sparrow is also listed as a Species of Principal Importance.

EXTENDED PHASE 1 HABITAT SURVEY

3.12 The proposed development site comprised two disused police station buildings at the south west and north east of the site and a disused residential property at the south east of the site. These buildings surrounded a central courtyard comprising hard standing tarmac. Introduced shrub, bare ground, semi-improved grassland, ephemeral/short perennial vegetation and a semi-mature tree were located in the front garden of the disused house.

Buildings and hard standing

3.13 Building 1 (B1) was a small two-storey brick building with an awning and single-storey outbuilding adjoining the northern elevation. Its roof was pitched with gable ends and clad in slate tiles (Appendix 2, Photograph 1).

3.14 Building 2 (B2) was a three-storey brick building a pitched roof clad in slate tiles. (Appendix 2, Photograph 2).

3.15 Building 3 (B3) was a three-storey brick building attached to the southern elevation of B2. It had a gable end pitched roof clad in clay tiles (Appendix 2, Photograph 3).

3.16 Hard standing tarmac was present throughout the central area of the site.

Semi-improved grassland (species poor)

3.17 A small patch of semi-improved grassland was present within the south west corner of the site (Appendix 2, Photograph 4). Grass species comprised abundant red fescue *Festuca rubra* and frequent cock's-foot *Dactylis glomerata*. Herbaceous species included frequent bluebell *Hyacinthoides* sp. and occasional daffodil *Narcissus* sp., crocus *Crocus* sp. and green alkanet *Pentaglottis sempervirens.*

Ephemeral/short perennial

3.18 An area of ephemeral/short perennial vegetation was located within the south west corner of the site beneath the canopy of a sessile oak (Appendix 2, Photograph 5). Species included frequent lesser celandine *Ranunculus ficaria,* stone parsley *Sison amomum,* green alkanet and Dalmatian bellflower *Campanula portenschlagiana* and occasional daffodil and bluebell.

Introduced shrub

3.19 Introduced shrub was present along western site boundary. Hebe *Hebe* sp. and variegated greater periwinkle *Vinca major* were present in the garden at the south of this border. Butterfly bush *Buddleia davidii* had established itself within the lightwell adjacent the basement level on the western elevation of B2 (Appendix 2, Photograph 6).

Scattered trees

3.20 A semi-mature sessile oak *Quercus petraea* was located in the front garden of B3 at the south west of the site.

Target notes

3.21 Refer to Figure 1 in Appendix 1 for the locations of the features of ecological interest labelled as target notes and described below:

- Target Note 1 (TN1): lifted slate tile on the eastern aspect of B1 offering potential to support roosting bats (Appendix 2, Photograph 7).

- Target Note 2 (TN2): broken soffit under the awning of B1 offering potential to support roosting bats (Appendix 2, Photograph 8).
- Target Note 3 (TN3): gap between brickwork and roof of B1 offering potential to support roosting bats (Appendix 2, Photograph 9);
- Target Note 4 (TN4): missing/broken slate tile on B3 offering potential to support roosting bats (Appendix 2, Photograph 10); and,
- Target Note 5 (TN5): dense ivy on the eastern boundary wall offering potential to support nesting birds (Appendix 2, Photograph 11).

PROTECTED SPECIES ASSESSMENT

3.22 The habitats on site were evaluated as to their likelihood to provide sheltering, roosting, nesting and foraging habitat for all protected and invasive species. Those species identified as being present or potentially present, owing to suitable habitat being supported within the site, were:

- Bats; and,
- Breeding birds.

3.23 The likelihood of those species identified being present within the site are evaluated in Table 2 below, based on the results of the desk study, observations made during the site survey, an assessment of the suitability of on-site and adjoining habitat.

Invasive species

3.24 The presence of invasive plant species, for which national legislation exists, is also considered in Table 2. The relevant legislation and policies relating to protected species and habitats are set out in Appendix 4.

Table 2: Protected and Invasive Species Assessment.

Habitat/species	Main legislation and policy (see Appendix 4)	Reason for consideration	Likelihood of occurrence
Bats	Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).	The site contains potential roosting habitat (i.e. buildings and trees). The data search provided numerous records for bats within the search area.	**Buildings** **Medium:** Features suitable to support roosting bats were recorded on **B1** including a lifted tile on the southern aspect, a gap between the brickwork and the roof and a broken soffit under the awning (TN1-3). A broken/missing slate tile was also recorded on the southern aspect of **B3** (TN4), presenting a roosting opportunity for small crevice dwelling species. The roof of **B2** was of a similar structure and age to B1 and so may have suitable features for roosting bats that could not be viewed at ground level. In addition, a large number of bat records within 1km of the site were provided by the data search. The site is strongly connected to areas of woodland within Hampstead Heath SMINC and Belsize Wood LNR through tree-lined streets and gardens which increases the likelihood of any bats in the local area finding and utilising those features presented by the buildings on site. Subsequently, these buildings have been assessed as having medium potential to support bats. **Trees** **Negligible:** The trees on site and adjacent to the site boundary were not found to contain features that would be suitable for roosting bats (i.e. knot holes, flaked bark) and as such, their likelihood to support bats roosts is negligible.

Table 2: Protected and Invasive Species Assessment.

Habitat/species	Main legislation and policy (see Appendix 4)	Reason for consideration	Likelihood of occurrence
Breeding birds	Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).	The site contains suitable breeding habitat. Records for were provided from the data search within 1km of the site.	**Medium:** The site supported dense ivy (TN5) and a semi-mature sessile oak, which offered nesting and foraging opportunities for breeding birds including London BAP species such as house sparrow, song thrush and starling. Furthermore, the site has good connectivity to garden habitat in the surrounding area. Therefore, the site was assessed as having medium potential to support nesting birds.
Invasive species			
Invasive species	Section 14 and Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).	Invasive species are widespread in many habitats and are commonly found on disturbed sites.	**Negligible:** No invasive plant species were identified on site at the time of the survey.

4 Evaluation

4.1 Habitats and species on the site were evaluated following standard guidance on ecological impact assessment published by the Chartered Institute of Ecology and Environmental Management (IEEM, 2006) using the recommended geographic frame of reference.

Features of value within the immediate vicinity of the site

4.2 The proposed development site is not subject to any nature conservation designations. It contains common and widespread habitats of limited extent. It is situated within an urban environment surrounded by residential housing and tree-lined roads, with connectivity to semi-natural habitats within the surrounding area.

4.3 The habitats on site were seen to support small numbers of common foraging and breeding bird species including house sparrow, song thrush and starling, as well as bats, all of which are listed on the London BAP.

4.4 The habitats at the site and populations of the above species are likely to be important within the immediate vicinity of the site only. It is not possible to conclude on the value of potential bat populations which may be present until further surveys have been undertaken. .

LOCAL PLANNING POLICY

4.5 On the basis of the survey undertaken, it is considered that a single policy contained in Camden's Local Development Framework Core Strategy, adopted in 2012, are relevant to the site, as listed in Table 3 below. The full text of the relevant policy from this document is contained in Appendix 4.

Table 3: Camden's Local Development Framework policies relevant to the site

Policy	Relevance to the site
Policy 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) expecting the provision of new or enhanced habitat, where possible, including through biodiverse green or*	Recommendations to provide new habitats and increase the biodiversity value of the site are located in Section 5 of this report.

Table 3: Camden's Local Development Framework policies relevant to the site

Policy	Relevance to the site
brown roofs and green walls; *e) protecting trees and promoting the provision of new trees and vegetation, including additional street trees.* *The Council will preserve and enhance the historic, open space and nature conservation importance of Hampstead Heath and its surrounding area by:* *k) improving the biodiversity of, and habitats in, Hampstead Heath and its surrounding area, where opportunities arise.*	

5 Conclusions and Recommendations

CONCLUSIONS

5.1 The habitats on site largely comprised buildings and hard standing. Smaller areas of habitat included species-poor semi-improved grassland, ephemeral/short perennial, introduced shrub and a semi-mature sessile oak tree. The habitats on site were assessed as being of value in the immediate vicinity of the site only for any protected/noteworthy species that may be present.

5.2 The main ecological constraints that apply to the site are as follows:

- All three buildings onsite were assessed as having medium potential to support roosting bats owing to the presence of suitable features.
- Dense ivy (TN5) and a semi-mature sessile oak tree on site were assessed to have medium potential to support common breeding bird species.

5.3 The site was considered unsuitable to support any other protected species.

5.4 The potential presence of protected species, namely bats and breeding birds will require further surveys and/or mitigation measures to be undertaken at the site in order to ensure compliance with protected species legislation. Advice regarding this is summarised below.

5.5 Recommendations are also provided below in order to improve the overall ecological value of the site.

RECOMMENDATIONS

Protected Species Surveys

Bats

5.6 All bat species are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

5.7 Buildings 1, 2 and 3 had potential to support roosting bats. It is understood that these buildings and their roof voids will demolished or modified under the current development proposals. As such, further bat surveys preceded by an internal building inspection must be undertaken prior to the commencement of works.

5.8 An internal building inspection for bats may be carried out at any time of year. Its purpose is to assess if the identified features on the building are being, has been, or is likely to be used as a bat roost and to identify any field signs of bats that would indicate current or past habitation within all internal spaces, including roof voids.

5.9 In accordance with the Bat Conservation Trust's *Bat Surveys: Good Practice Survey Guidelines 2nd Edition* (Hundt, 2012), a bat presence/likely absence survey must be carried out for Buildings 1,2 and 3 in order to determine if the building are used by roosting bats. These surveys must be carried out in advance of any works commencing on the buildings to ensure legal compliance. At least two survey visits per building are anticipated based on this assessment, however the survey effort required would also be informed by the internal inspection.

5.10 Bat presence/likely absence surveys must be undertaken in the optimum survey season for bats, which is May – August, inclusive. If bats are confirmed present, a European Protected Species Mitigation (EPSM) licence may be required. The findings and mitigation measures required may impose timing and methodological restrictions on works, to ensure the works proceed lawfully.

Mitigation

Birds

5.11 All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The semi-mature sessile oak and dense ivy (TN5) on site were considered likely to support a number of common nesting bird species. Any vegetation clearance on site, or immediately adjacent to the site should be carried out outside of the main bird nesting season (March to August, inclusive) to avoid any potential offences relating to nesting birds (Newton *et al.*, 2004).

5.12 Where this is not possible, a search for nesting birds up to 48 hours prior to vegetation clearance taking place must be undertaken by an experienced ecologist. If any nests are found, the nests are to be protected by establishing an exclusion zone around the nest. Works may then proceed up to, but not within, this exclusion zone until such time as an ecologist confirms the young have fledged the nest. If nesting birds are found at any time during clearance works, work must stop immediately and an ecologist must be called to site immediately.

Habitat Protection

Trees

5.13 The retained semi-mature sessile oak tree on site and additional trees adjacent to the site boundary are to be protected in accordance with the British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction* (BSI, 2012).

Ecological enhancements

5.14 The enhancements and landscape recommendations detailed below will improve the wildlife value of the area thereby contributing to London BAP Priority Species objectives for house sparrow and bats. These recommendations will also ensure that the proposed redevelopment of this site meets the requirements of Policy 7.19 within the London Plan (2011) and Policy CS15 within Camden's Local Development Framework Core Strategy (2012), which aim to enhance biodiversity.

Biodiverse green roof

5.15 There is potential for the site to be enhanced through the inclusion of a biodiverse green roof. To demonstrate the highest feasible and viable sustainability standards in-line with the London Plan Policy 5.11, it is recommended that a low-nutrient biodiverse roof is used. Such roofs are preferable to standard sedum species dominated roofs that deliver little in the way of biodiversity value and ecosystem services as they are typically less species-rich and have a shallower substrate depth. The green roof should include additional habitat features such as temporary pools and rotting wood that will enhance the wildlife value of the site. Habitat features can be designed specifically to attract target species, such as the London BAP species house sparrow.

5.16 Biodiverse green roofs are established with a minimum substrate depth of 80mm and plug planted with herbs/wildflower species before seeding with a wildflower mix such as the Emorsgate ER1F[9] wildflowers for green roofs seed mixture. It is recommended that advice is sought from a professional green roof consultancy such as the Green Roof Consultancy (http://greenroofconsultancy.com/) in order to design the specification of the green roof in-line with the environmental goals of the development.

[9] http://wildseed.co.uk/mixtures/view/57

Planting of value to wildlife

5.17 The post-development landscape design should utilise native and non-native plant species of recognised wildlife value which will provide pollen, nectar and fruits for widespread invertebrate and bird species. Larger shrubs and trees should be under-planted with smaller flowering bulbs and herbaceous perennials that are tolerant to shade, which creates a greater structural diversity within the planting scheme and will provide dense cover for wildlife when established. A list of suitable plants can be found here: https://www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/rhs_pollinators_plantlist.

Provision of nesting opportunities for breeding birds

5.18 Two bird boxes should be installed on site. The inclusion of woodcrete bird boxes (Schwegler, 2010) is recommended as they are available in a range of designs, are long lasting compared to wooden boxes and insulate occupants from extremes of temperature and condensation. Bird boxes should be placed apart from one another, on suitable buildings at least 3m above ground level. The following model is most appropriate for the species of birds likely to use the site: 1SP, 1B hole-fronted, 26 mm entrance hole and 32 mm entrance hole. This model is designed especially for house sparrows, which are a Species of Principal Importance. Nesting boxes should be cleaned annually in the autumn with old nests removed annually between August and January, and old boxes replaced or repaired as necessary.

Provision of roosting bat opportunities

5.19 Two bat boxes should be installed on site post development. Woodcrete boxes (Schwegler, 2010) are recommended as they include a broad range of designs, are long lasting compared to wooden boxes and insulate occupants from extremes of temperature and condensation. Bat boxes should be positioned between 3-5m above ground level facing southeast – southwest in a location that will not be lit by artificial lighting. When incorporating more than one box, they should be placed apart from one another, ideally on different building facades/trees and not be lit by any new lighting proposals for the site.

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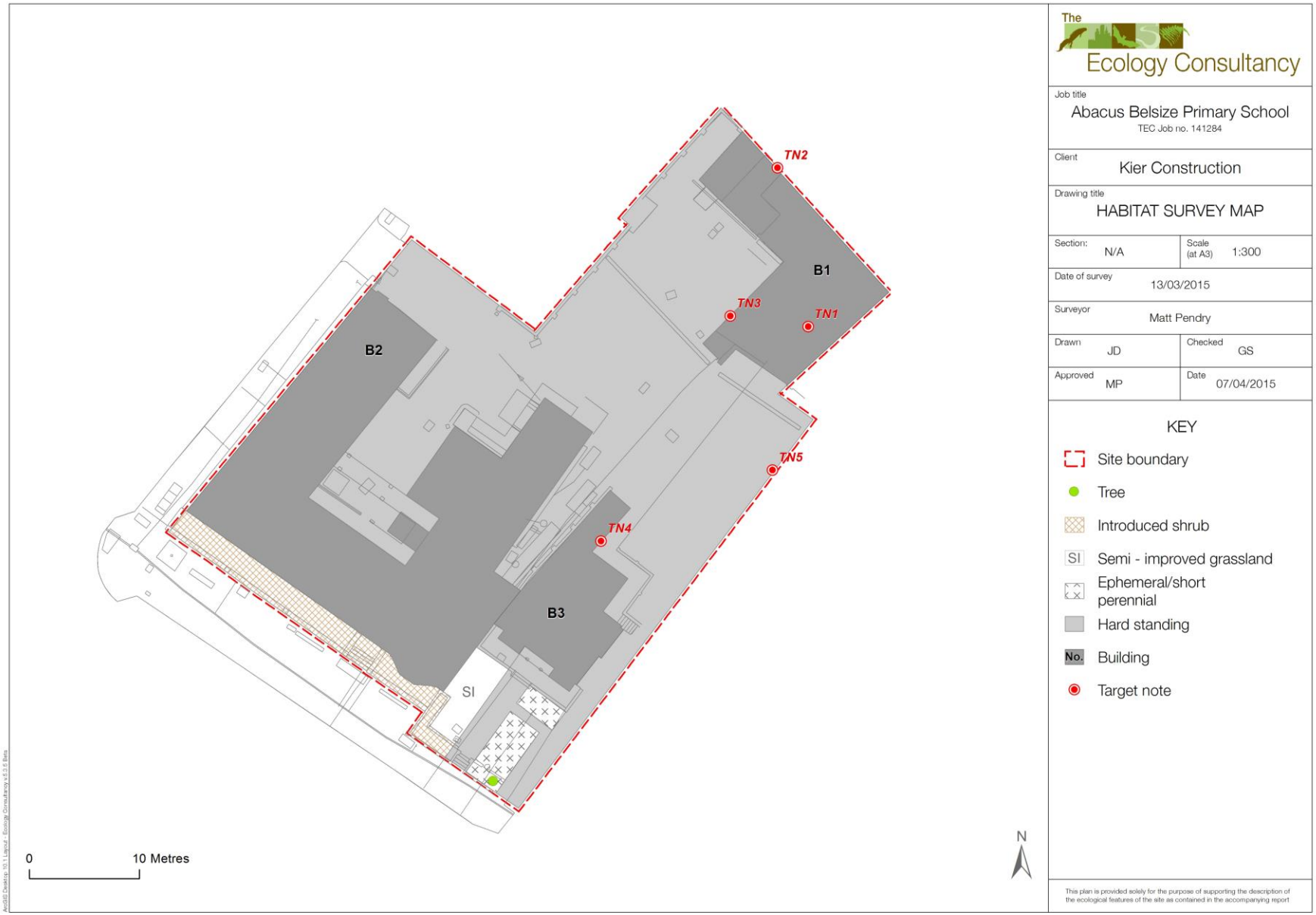
Appendix 1: Habitat Map

Figure 1: Habitat Survey Map

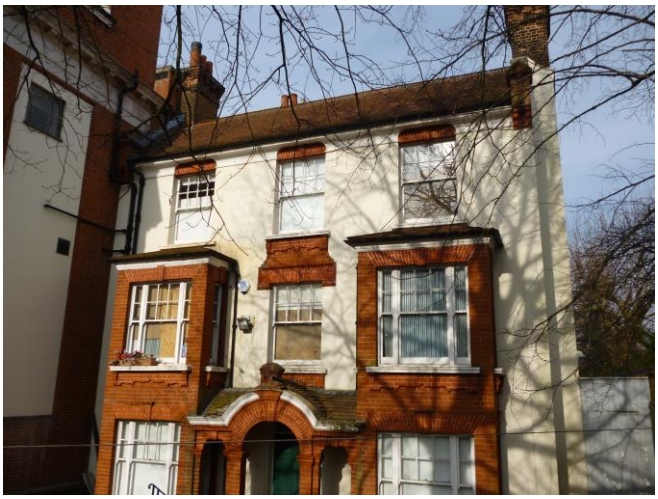


Appendix 2: Photographs

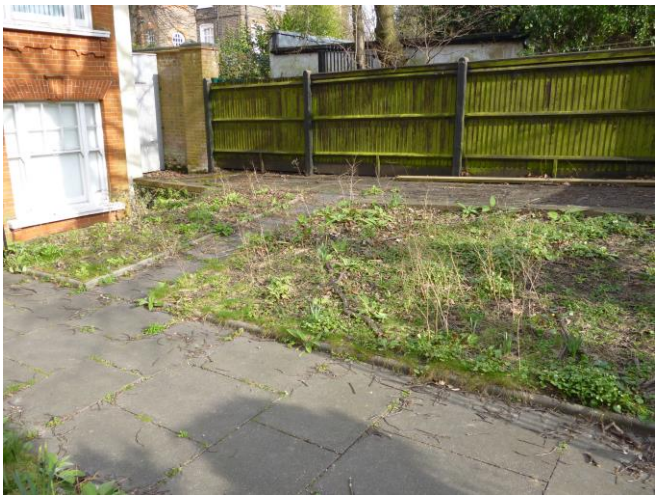
Photograph 1
Building 1, west and northern elevations.

Photograph 2
Building 2, western elevation.

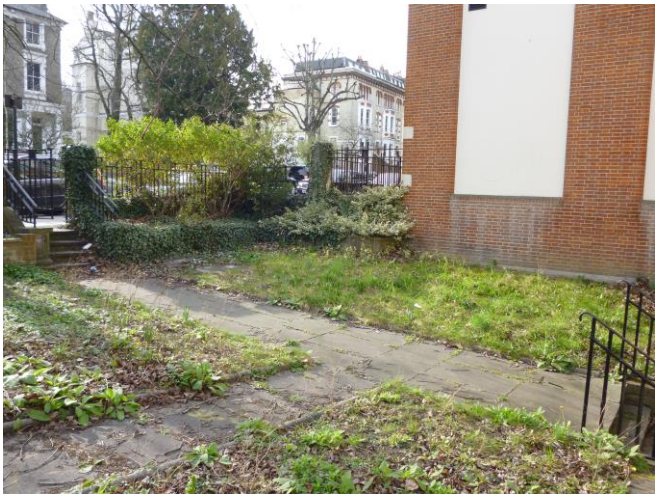
Photograph 3
Building 3, western elevation.



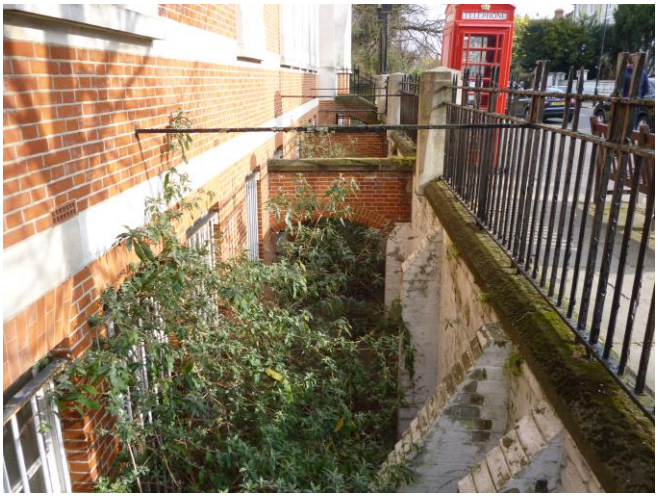
Photograph 4
Ephemeral/short perennial vegetation to the south west of B3.



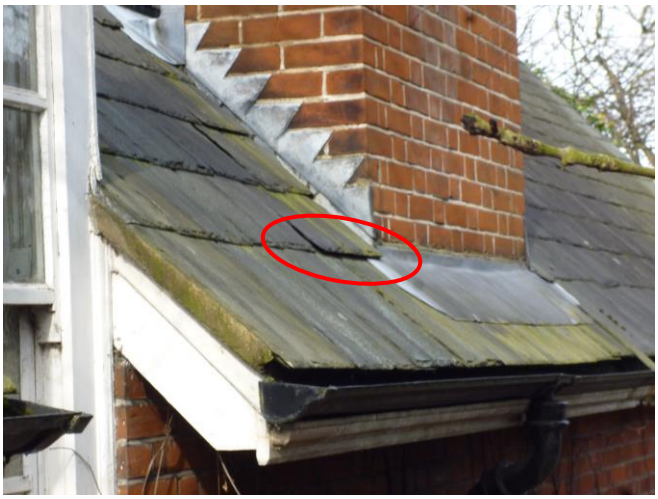
Photograph 5
Introduced shrubs, semi-improved grassland and ephemeral/short perennial vegetation to the west of B3.



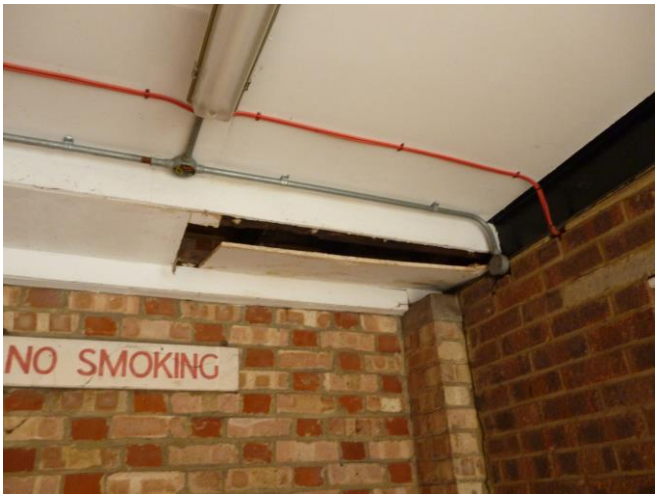
Photograph 6
Butterfly bush along the west elevation of B2.



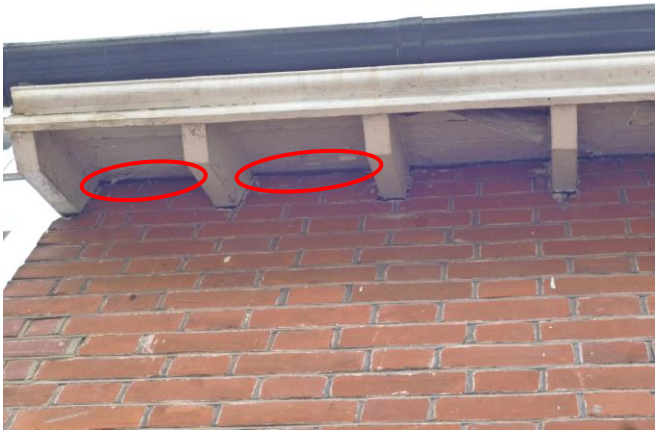
Photograph 7
TN1 - Lifted slate tile on the southern aspect of B1.



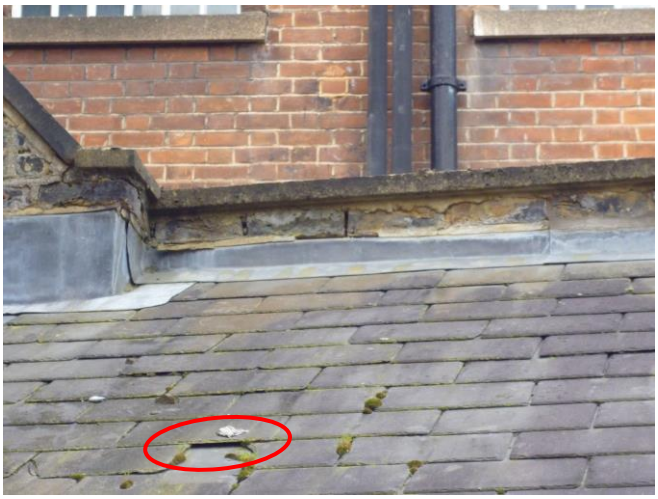
Photograph 8
TN2 - Broken soffit beneath the awning on B1.



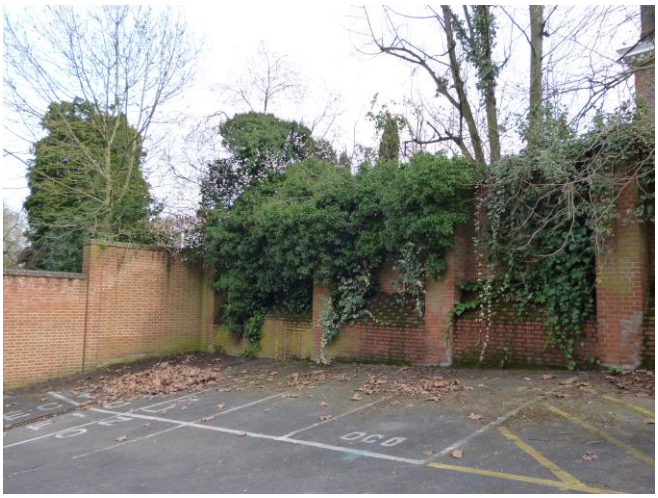
Photograph 9
TN3 - Crevices between brickwork and roof of B1.



Photograph 10
TN4 – Missing/broken slate tile on the southern aspect of B3.



Photograph 11
TN5 – Dense ivy on the southern boundary wall to the south west of B1.



Appendix 3: Plant Species List

Plant Species List for the Abacus Belsize Primary School site compiled from the Preliminary Ecological Appraisal habitat survey carried out on 13 March 2015.

Scientific nomenclature follows Stace (2010) for vascular plant species. Vascular plant common names follow the Botanical Society of the British Isles 2003 list, published on its web site, www.bsbi.org.uk. Please note that this plant species list was generated as part of a Phase 1 habitat survey, does not constitute a full botanical survey and should be read in conjunction with the associated Phase 1 Report.

Abundance was estimated using the DAFOR scale as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, LD =locally dominant

P = planted, s = seedling or sucker, T = tree, y = young tree, S = shrub.

Latin Name	Common name	Abundance	Qualifiers
Buddleia davidii	Butterfly bush	LA	S
Campanula sp.	Bell flower	LF	
Conyza canadensis	Canadian fleabane	O	
Crocus sp.	Crocus	LO	
Cymbalaria muralis	Ivy-leaved toadflax	R	
Dactylis glomeratum	Cock's foot	O	
Epilobium montanum	Broad-leaved willowherb	R	
Festuca rubra	Red fescue	LF	
Geranium robertianum	Herb Robert	R	
Geum urbanum	Wood avens	O	
Hebe sp.	Hebe	R	P S
Hedera helix	Ivy	O LA	
Hyacinthoides sp.	Bluebell	LF	
Linaria sp.	Toadflax	R	
Mericurialis perennis	Dogs mercury	R	
Myosotis sp	Forget-me-not	LF	
Narcissus sp.	Daffodil	LF	P
Oxalis corniculata	Procumbent yellow sorrel	R	
Pentaglottis sempervirens	Green alkanet	LF	
Pimpinella saxifraga	Burnet saxifrage	LF	
Potentilla sp.	Cinquefoil	R	
Pseudofumaria lutea	Yellow corydalis	R	
Quercus ilex	Holm oak	R	P S
Quercus petraea	Sessile oak	R	P T
Ranunculus ficaria	Lesser celandine	LF	

Latin Name	Common name	Abundance	Qualifiers
Senecio jacobaea	Groundsel	R	
Sonchus oleraceous	Smooth sow-thistle	R	
Stellaria media	Common chickweed	R	
Taraxacum officinalis	Dandelion	O	
Vinca major	Variegated greater periwinkle	R	P S

Appendix 4: Legislation and Planning Policy

Important notice: This section contains details of legislation and planning policy applicable in Britain only (i.e. not including the Isle of Man, Northern Ireland, the Republic of Ireland or the Channel Islands) and is provided for general guidance only. While every effort has been made to ensure accuracy, this section should not be relied upon as a definitive statement of the law.

A NATIONAL LEGISLATION AFFORDED TO SPECIES

The objective of the EC Habitats Directive[10] is to conserve the various species of plant and animal which are considered rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

The Wildlife and Countryside Act 1981 (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Since the passing of the Wildlife & Countryside Act 1981, various amendments have been made, details of which can be found on www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CRoW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991;
- Countryside and Rights of Way (CRoW) Act 2000;
- Natural Environment & Rural Communities (NERC) Act 2006;
- Protection of Badgers Act 1992:
- Wild Mammals (Protection) Act 1996.

Species and species groups that are protected or otherwise regulated under the aforementioned domestic and European legislation, and that are most likely to be affected by development activities, include herpetofauna (amphibians and reptiles), badger, bats,

[10] Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora

birds, dormouse, invasive plant species, otter, plants, red squirrel, water vole and white clawed crayfish.

Explanatory notes relating to species protected under The Conservation of Habitats and Species Regulations 2010 (as amended) (which includes smooth snake, sand lizard, great crested newt and natterjack toad), all bat species, otter, dormouse and some plant species) are given below. **These should be read in conjunction with the relevant species sections that follow.**

- In the Directive, the term 'deliberate' is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.
- The Conservation of Habitats and Species Regulations 2010 (as amended) does not define the act of 'migration' and therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.
- In order to obtain a European Protected Species Mitigation (EPSM) licence, the application must demonstrate that it meets all of the following three 'tests': i) the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment; ii) that there is no satisfactory alternative and iii) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

Bats

All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2010 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats)
- Deliberate disturbance of bat species as:
    - a) to impair their ability:
        - (i) to survive, breed, or reproduce, or to rear or nurture young;
        - (ii) to hibernate or migrate[3]
    - b) to affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

Bats are also currently 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:
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to bats liable to affect development works?

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity of a local population.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). 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:
- 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, for example the barn owl, black redstart, hobby, bittern and kingfisher receive additional special protection under Schedule 1 of the Act and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC). 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;
- Intentional or reckless disturbance of dependent young of such a bird.

How is the legislation pertaining to birds liable to affect development works?

To avoid contravention of the Wildlife and Countryside Act 1981 (as amended), works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August[11]. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Those species of bird listed on Schedule 1 are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

B NATIONAL AND EUROPEAN LEGISLATION AFFORDED TO HABITATS

Statutory Designations: National

Nationally important areas of special scientific interest, by reason of their flora, fauna, or geological or physiographical features, are notified by the countryside agencies as statutory **Sites of Special Scientific Interest** (SSSIs) under the National Sites and Access to the Countryside Act 1949 and latterly the Wildlife & Countryside Act 1981 (as amended). As well as underpinning other national designations (such as **National Nature Reserves** which are declared by the countryside agencies under the same legislation), the system also provides statutory protection for terrestrial and coastal sites which are important within a European context (Natura 2000 network) and globally (such as Wetlands of International Importance). See subsequent sections for details of these designations. Improved provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales).

[11] It should be noted that this is the main breeding period. Breeding activity may occur outwith this period (depending on the particular species and geographical location of the site) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

The Wildlife & Countryside Act 1981 (as amended) also provides for the making of **Limestone Pavement Orders**, which prohibit the disturbance and removal of limestone from such designated areas, and the designation of **Marine Nature Reserves**, for which byelaws must be made to protect them.

Statutory Designations: International

Special Protection Areas (SPAs), together with **Special Areas of Conservation** (SACs) form the **Natura 2000** network. The Government is obliged to identify and classify SPAs under the EC Birds Directive (Council Directive 2009/147/EC (formerly 79/409/EEC)) on the Conservation of Wild Birds). SPAs are areas of the most important habitat for rare (listed on Annex I of the Directive) and migratory birds within the European Union. Protection afforded SPAs in terrestrial areas and territorial marine waters out to 12 nautical miles (nm) is given by The Conservation of Habitats & Species Regulations 2010 (as amended). The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) provide a mechanism for the designation and protection of SPAs in UK offshore waters (from 12-200 nm).

The Government is obliged to identify and designate SACs under the EC Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora). These are areas which have been identified as best representing the range and variety of habitats and (non-bird) species listed on Annexes I and II to the Directive within the European Union. SACs in terrestrial areas and territorial marine waters out to 12 nautical miles are protected under The Conservation of Habitats & Species Regulations 2010 (as amended). The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) provide a mechanism for the designation and protection of SACs in UK offshore waters (from 12-200 nm).

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and wise use, in particular recognizing wetlands as ecosystems that are globally important for biodiversity conservation. Wetlands can include areas of marsh, fen, peatland or water and may be natural or artificial, permanent or temporary. Wetlands may also incorporate riparian and coastal zones adjacent to the wetlands. 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. Policy statements have

been issued by the Government in England and Wales highlighting the special status of Ramsar sites. This effectively extends the level of protection to that afforded to sites which have been designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs).

Statutory Designations: Local

Under the National Sites and Access to the Countryside Act 1949 Local Nature Reserves (LNRs) may be declared by local authorities after consultation with the relevant countryside agency. LNRs are declared for sites holding special wildlife or geological interest at a local level and are managed for nature conservation, and provide opportunities for research and education and enjoyment of nature.

Non-Statutory Designations

Areas considered to be of local conservation interest may be designated by local authorities as a Wildlife Site, under a variety of names such as County Wildlife Sites (CWS), Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Biological Importance (SBIs), Sites of Importance for Nature Conservation (SINCs), or Sites of Nature Conservation Importance (SNCIs). The criteria for designation may vary between counties.

Together with the statutory designations, these are defined in local and structure plans under the Town and Country Planning system and are a material consideration when planning applications are being determined. The level of protection afforded to these sites through local planning policies and development frameworks may vary between counties.

Regionally Important Geological and Geomorphological Sites (RIGS) are the most important places for geology and geomorphology outside land holding statutory designations such as SSSIs. Locally-developed criteria are used to select these sites, according to their value for education, scientific study, historical significance or aesthetic qualities. As with local Wildlife Sites, RIGS are a material consideration when planning applications are being determined.

C NATIONAL PLANNING POLICY

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) replaced Planning Policy Statement (PPS9) in April 2012 as the key national planning policy concerning nature conservation. The NPPF emphasises the need for suitable 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 via preservation, restoration and re-creation. The protection and recovery of priority species – that is those listed as UK Biodiversity Action Plan priority species – is also listed 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; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and The Biodiversity Duty

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 40 of the Act requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act (Section 42 in Wales) requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity.' This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

D REGIONAL AND LOCAL PLANNING POLICY

The London Plan

The Mayor's Spatial Strategy for Greater London (2009) deals with matters of strategic importance for London. Chapter 7 –London's Living Places and Spaces sets out the policy areas that impact amongst other factors the quality and function of green infrastructure and biodiversity. Policies 7.16 – Green Belt, 7.17 – Metropolitan Open Land, 7.18 – Protecting local natural space and addressing local deficiency and 7.19 – Biodiversity and access to nature, address the proposals relating to these factors.

Policy 7.16: Green Belt

Strategic- A: The Mayor strongly supports the current extent of London's Green Belt, its extension in appropriate circumstances and its protection from inappropriate development.

Planning decisions- B: The strongest protection should be given to London's Green Belt, in accordance with PPG2. Inappropriate development should be refused, except in very special circumstances. Forms of development that might be appropriate together with high quality management practices that improve access to and/or the environmental and landscape quality of London's Green Belt, while ensuring it continues to meet its statutory purposes, will be supported.

Policy 7.17: Metropolitan Open Land

Strategic - A: The Mayor strongly supports the current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances and its protection from development having an adverse impact on the openness of MOL.

Planning decisions - B: The strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL..

LDF preparation

C: Any alterations to the boundary of MOL should be undertaken by Boroughs through the LDF process, in consultation with the Mayor and adjoining authorities.

D: To designate land as MOL boroughs need to establish that the land meets at least one of the following criteria:

a) *it contributes to the physical structure of London by being clearly distinguishable from the built up area*
b) *it includes open-air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London*
c) *it contains features or landscapes (historic, recreational, biodiversity) of either national or metropolitan value d it forms part of a Green Chain or a link in the network of green infrastructure and meets one of the above criteria.*

Policy 7.18: Protecting local natural space and addressing local deficiency

LDF preparation

A: When assessing local open space needs LDFs should:

a) *include appropriate designations and policies for the protection of local open space*

b) *identify areas of public open space deficiency, using the open space hierarchy set out in Table 7.2 as a benchmark for all the different types of open space identified in the hierarchy*
c) *ensure that future open space needs are planned for in areas with the potential for substantial change such as Opportunity Areas, Regeneration Areas, Intensification Areas and other local areas.*

B: Use the CABESpace/Mayor of London Best Practice Guidance 'Open Space Strategies' as guidance for developing policies on the proactive creation, enhancement and management of open space.

Policy 7.19 Biodiversity and Access to Nature

Strategic A: The Mayor will work with all relevant partners 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.

Planning decisions C: Development Proposals should:

a) *wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity*
b) *prioritise assisting in achieving targets in biodiversity action plans (BAPs), and/or improving access to nature in areas deficient in accessible wildlife sites*
c) *not adversely effect 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.*

Connecting with London's Nature: The Mayor's Biodiversity Strategy (GLA, 2002) includes a number of policies and proposals for protecting green spaces and important species that are relevant to the site.

Proposal 3: Conserving species through the planning system states that:

''The Mayor will and boroughs should resist development that would have a significant adverse impact on the population or conservation status of protected species or priority species.

Proposal 6: Greening new developments states that:

"The Mayor will and boroughs should ensure that new development capitalises on opportunities to create, manage and enhance wildlife habitat and natural landscape. Priority should be given to sites within or near to areas deficient in accessible wildlife sites, areas of regeneration, and adjacent to existing wildlife sites".

A recent technical report (GLA, 2008) on living roofs and walls has been published to support the London Plan (2009) and the new London habitat – Built Structures. In outline, it includes the following key policies;

''The major will and boroughs should expect major developments to incorporate living roofs and walls where feasible and reflect this principle in LDF policies. It is expected that this will include roof and wall planting that delivers as many of these objectives as possible;

- Accessible roof space
- Adapting to and mitigating climate change
- Sustainable urban drainage
- Enhancing biodiversity
- Improved appearance

Boroughs should also encourage the use of living in smaller developments and extensions where the opportunity arises''.

CAMDEN'S LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY

Policy 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:

f) designating existing nature conservation sites;
g) protecting other green areas with nature conservation value, including gardens, where possible;
h) seeking to improve opportunities to experience nature, in particular in South and West Hampstead, Kentish Town and central London, where such opportunities are lacking;
i) expecting the provision of new or enhanced habitat, where possible, including through biodiverse green or brown roofs and green walls;

j) identifying habitat corridors and securing biodiversity improvements along gaps in habitat corridors;
k) 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;
l) protecting trees and promoting the provision of new trees and vegetation, including additional street trees.

The Council will preserve and enhance the historic, open space and nature conservation importance of Hampstead Heath and its surrounding area by:

l) working with the City of London, English Heritage and Natural England to manage and improve the Heath and its surrounding areas;
m) protecting the Metropolitan Open Land, public and private open space and the nature conservation designations of sites;
n) seeking to extend the public open space when possible and appropriate;
o) taking into account the impact on the Heath when considering relevant planning applications;
p) protecting views from Hampstead Heath and views across the Heath and its surrounding area;
q) improving the biodiversity of, and habitats in, Hampstead Heath and its surrounding area, where opportunities arise.

The Council will preserve and enhance the Regent's Canal by:

q) balancing the differing demands on the Canal, its towpath and adjoining land;
r) implementing opportunities to make the Canal a safer place;
s) applying the guidance in the Regent's Canal Conservation Area Management Strategy;
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.

E SPECIES AND HABITATS OF MATERIAL CONSIDERATION FOR PLANNING IN ENGLAND

In recent years there has been some confusion and uncertainty over the use of Biodiversity Action Plan (BAP) list as a material planning consideration in England. The uncertainty has arisen as a consequence of the publication of Biodiversity 2020: A strategy for England's wildlife and ecosystem services (2011) to replace the previous England Biodiversity Strategy, coupled with the replacement of the UK BAP itself with the UK Post-2010 Biodiversity Framework (2012). Biodiversity issues are now devolved. These new strategies and framework resulted in changes in the terminology used to describe priority habitats and species in England.

Previous planning policy (and some supporting guidance which is still current, eg ODPM Circular 06/2005, now under revision), refers to UK BAP species as being a material consideration in the planning process. Equally many local plans refer to BAP priority habitats and species. Both remain as material considerations in the planning process but such habitats and species are now described as Species and Habitats of Principal Importance for Conservation in England, or simply priority habitats and priority species. The list of habitats and species remains unchanged and is still derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006. As was previously the case when it was a BAP priority species hen harrier continues to be regarded as a priority species although it does not appear on the Section 41 list. So the same species and habitats are of material consideration for planning purposes as previously was the case, they are just referenced using different terminology.

Given the relatively recent nature of these changes you will still see references in local plans and some Government or Government agency documents and circulars to BAP habitats and species. As stated above these same habitats and species remain material considerations in planning albeit they are now referred to either as habitats and species of principal importance or simply priority habitats and priority species.

http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx

F REGIONAL AND LOCAL BAPS

The UK plan also encourages the production of local Biodiversity Action Plans at the County or District level. The London Biodiversity Action Plan contains 14 Habitat Action Plans (HAPs) and 12 Species Action Plans (SAPs). Specific HAPs and SAPs, which are of potential relevance to this site include:

Species

- bats; and
- house sparrow.

The Ecology Consultancy

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