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Camden Road

Ecological Appraisal

Prepared by LUC for Paul McAneary Architects Ltd
April 2016

Planning & EIA
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Project Title: Camden Road Ecological Appraisal

Client: Paul McAneary Architects Ltd

Version	Date	Version Details	Prepared by	Checked by	Approved by
1.0	02/03/16	Issue 1	Rebecca Turner	David Green	Peter Lawrence
2.0	12/04/16	Final issue	David Green	David Green	Peter Lawrence

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1 Introduction

Scope

1.1 In February 2016, LUC was appointed by Paul McAneary Architects Ltd to undertake an Ecological Appraisal of 139-147 Camden Road in north London (hereafter referred to as the site). The appraisal was requested to inform a planning application for the site.

1.2 The Ecological Appraisal comprises a desk study and extended Phase 1 Habitat Survey with particular focus on bat roost potential. This report presents the findings of the above surveys, including recommended mitigation and enhancement.

1.3 This report has been prepared for the exclusive of the London Borough of Camden. No part of this report should be considered as legal advice.

Site Description

1.4 The site currently comprises a car repair garage, located on Camden Road in north London (TQ295846). The site was bound by a railway line and Cantelowes Garden in the north, Sandall Road in the west and Camden Road in the south and east. The surrounding area is heavily urbanised, comprising a mix of residential and commercial buildings.

Proposals

1.5 The planning application intends to retain the existing car repair garage use on Ground Floor and to create a new five storey block of offices (use class - B1), which would create office units at First to Fourth Floor level

Policy and Legal Considerations

1.6 This appraisal has been prepared in accordance with relevant legislation and policy. Further detail is provided in Appendix 1, however the following primary documents are of relevance:

- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way Act (CRoW Act), 2000 (as amended);
- The Natural Environment and Rural Communities Act (NERC Act), 2006;
- The Conservation of Habitats and Species Regulations 2010 (as amended);
- The Camden Biodiversity Action Plan.

2 Method

2.1 The methods adopted in the survey and appraisal are outlined below. They accord with the best practice guidance documents for survey and appraisal produced by the Chartered Institute of Ecology and Environmental Management[1] and the British Standards Institute[2].

Baseline Data Collection

Desk Study

2.2 To provide additional background to the appraisal and to highlight likely features or species groups of interest, a study of available biological records was undertaken to identify sites designated for their nature conservation value, and existing records of protected or notable species of relevance to the site. A search of the following resources was undertaken, within a 1km radius from the site centre:

- Multi-Agency Geographical Information for the Countryside (MAGIC);
- Ordnance Survey (OS) mapping;
- Aerial photography; and the
- Greenspace information for Greater London (GiGL)[3] - to identify non-statutory designated sites and existing records of protected or notable species within 1km of the site.

2.3 The absence of a species from biological records cannot be taken to represent actual absence. Species distribution patterns should be interpreted with caution as they may reflect survey/reporting effort rather than actual distribution.

Field Surveys

2.4 An Extended Phase 1 Habitat Survey was undertaken within the site boundary in line with standard methods[4].

2.5 Phase 1 Habitat Survey provides a rapid means of classifying broad habitat types in any given terrestrial site.

2.6 The survey was 'extended' by considering the suitability of the site to support notable or protected flora or fauna. Species considered included those identified during the desk study, or those considered appropriate by the surveyor during the survey. Detailed surveys were not completed for these species; however, based on an understanding of species ecology, consideration was given to The site's potential to provide sheltering or foraging habitat and/or connectivity to allow dispersal between populations. Further information is provided in the 'Baseline Data' section below.

2.7 The survey was undertaken on 17th February 2016 by Rebecca Turner GradCIEEM. Weather conditions during the survey were fine and dry.

Initial Bat Assessment

2.8 In addition to the above, the existing car repair garage was specifically considered for its potential to support bats. For ease of reference, the table below sets out the categories of potential value for these species (based on Hundt, 2012). During the initial daytime assessment, the external

[1] Survey guidance is available at http://www.cieem.net/sources-of-survey-methods-sosm- and appraisal guidance is available at http://www.cieem.net/guidance-on-preliminary-ecological-appraisal-gpea-.
[2] British Standards Institute (2013). BS42020:2013 Biodiversity – Code of Practice for Planning and Development.
[3] Available at www.gigl.org.uk.
[4] Joint Nature Conservation Committee (1990). Handbook for Phase 1 Habitat Survey. JNCC, Peterborough.

building features were examined to assess the potential to support bats. Typical features with potential to support bats are described in **Table 2.1** below.

Table 2.1 Bat Roost Potential Categories

Category	Description
Known of confirmed bat roost	Bats or evidence of bats recorded, both of recent and/or historic activity. **Works affecting a roost are licensable. Further survey (e.g. dusk emergence/dawn re-entry survey in accordance with best practice) is required to determine the bat species present, nature of roost and level of use before mitigation is can be determined. Seasonal constraints may apply.**
1 High BRP	In buildings, examples include eaves, barge boards, gable ends and corners of adjoining beams, ridge and hanging tiles, behind roofing felt or within cavity walls. Any ivy cover is sufficiently well-established and matted so as to create potential crevices beneath. **Further survey is required to determine whether or not bats are present and if so, the bat species present, nature of roost and level of use. Appropriate mitigation and potentially licensing requirements may then be determined. Seasonal constraints may apply.**
2 Low BRP	From the ground, building appears to have features (e.g. holes, cavities or cracks) that may extend back into a cavity. However, owing to the characteristics of the feature, they are deemed to be sub-optimal for roosting bats. Alternatively, if no features are visible but owing to the size and age and structure, hidden features, sub-optimal for roosting bats, may occur that only an elevated inspection may reveal. In respect of ivy cover, this is not dense (i.e. providing BRP in itself) but may mask presence of BRP features. No further survey is required. Works may proceed with reasonable precautions (e.g. controlled working methods, supervision of a bat worker). Seasonal constraints may apply.
3 Negligible	An inspected building that is considered to have no potential for roosting bats. **No further survey or mitigation required.**

General Limitations and Constraints

2.9 Due to restricted access by the train line in the north, the back of the building could only be observed from a distance. The building appeared to be in good condition, with tightly fitted features in keeping with the rest of the building. Given the construction type, a closer inspection was not considered necessary in respect of assessing bat roost potential.

2.10 It is important to note that ecological surveys provide information regarding the ecological baseline of a site for only a 'snapshot' of time. Therefore, if significant time lapses between the surveys and the further development or implementation of proposals updated ecological surveys may be required to identify any change in the baseline, such as natural succession of habitats, or local extinction or colonisation of species. Ecological surveys can generally be considered as up-to-date for 1 to 3 years dependent on the nature of the site, ecological baseline and proposals and likely impact. Therefore if a year lapses between the progressions of development proposals, it is recommended that ecological advice is sought regarding the applicability of the survey findings.

2.11 This appraisal does not constitute an Ecological Impact Assessment (EcIA) and should not be used for the purposes of Environmental Impact Assessment.

3 Baseline Data

Desk Study

3.1 The findings of the desk study are presented in the tables below. These tables list designated sites and relevant protected and notable species which have been recorded within a 1km search radius from the centre of the site.

Table 3.1 Desk Study Findings – Designated Sites within 1km

Site Name	Designation(s)	Description	Orientation / Distance (m) from centre of site (approx.)
Non-statutory sites			
London's Canals	SINC (Metropolitan)	London's canals provide a home for many fish and aquatic plants, and are a great way to enjoy the natural world in some of the city's most built-up areas.	South-west (646m)
Kentish Town City Farm, Gospel Oak Rail sides and Mortimer Terrace Nature Reserve	SINC (Grade I)	A large area of green rail side land, with an adjacent city farm and a tranquil woodland nature reserve.	North-west (1km)
Caledonian Park	SINC (Grade I)	With the impressive Victorian clock tower as its centrepiece, 'Cally' Park is one of Islington's largest open spaces. Specialist landscaping by the borough for over a decade has achieved wonders here. The park has become a haven for wildlife.	East (687m)
Holloway Road to Caledonian Road Rail sides	SINC (Grade I)	This site includes a section of the Kings Cross main line supporting sizeable areas of ruderal and roughland habitats, with many common	North-east (942m)

Site Name	Designation(s)	Description	Orientation / Distance (m) from centre of site (approx.)
		birds and butterflies.	
Copenhagen Junction	SINC (Grade I)	Copenhagen Junction is formed by the North London line passing over the Kings Cross main line, on a viaduct between two tunnels. These rail sides include large areas of bracken.	South-east (950m)
North London Line	SINC (Grade II)	A small area of wildlife habitat along the railway line, left over from development of King's Cross Goods Yard.	South-east (660m)
Market Road Garden	SINC (Grade II)	A small open space including an adventure playground, a wildlife garden and an area of formal parkland with mature trees.	East (859m)
Rochester Terrace Gardens	SINC (Local)	An attractive public garden which is managed with wildlife in mind.	South-west (444m)
Tufnell Park Primary School Gardens	SINC (Local)	This primary school has a small but well cared-for nature area, created during the mid-1980s on the site of a demolished caretaker's house.	North (995m)

Table 3.2 Desk Study Findings – Relevant Species Records (Refer to Appendix 1 for Policy and Legislation)

Species Name	Status	Orientation / Distance (m)
Amphibians		
Common Toad *Bufo bufo*	NERC Act Section 41[5]	West (946m)

[5] Natural Environment and Rural Communities (NERC) Act Section 41

Species Name	Status	Orientation / Distance (m)
Birds		
House Sparrow *Passer domesticus*	NERC Act Section 41	North (993m)
Black Redstart *Phoenicurus ochruros*	W&CA Sch1 Part 1	North (993m)
Swift *Apus apus*	Local Spp of Cons Conc[6]	North (993m)
Dunnock *Prunella modularis*	BAP Priority London Local Spp of Cons Conc	North (993m)
Starling *Sturnus vulgaris*	BAP Priority London Local Spp of Cons Conc	North (993m)
Song Thrush *Turdus philomelos*	BAP Priority London Local Spp of Cons Conc	North (993m)
Mammals (exc. Bats)		
West European Hedgehog *Erinaceus europaeus*	NERC Act Section 41	North (266m)
Mammals (Bats)		
Noctule Bat *Nyctalus noctula*	Cons Regs 2010 Sch2 Hab&Spp Dir Anx 4 W&CA Sch5 Sec 9 NERC Act Section 41	North (548m)
Daubenton's Bat *Myotis daubentonii*	Cons Regs 2010 Sch2[7] Hab&Spp Dir Anx 4[8] W&CA Sch5 Sec 9[9]	North (969m)
Leisler's *Nyctalus leisleri*	As above	North (588m)
Pipistrelle *Pipistrellus pipistrellus*	As above	North (548m)
Soprano Pipistrelle *Pipistrellus pygmaeus*	As above	North (548m)

[6] Local species of conservation concern
[7] Conservation of Habitats and Species Regulations 2010 Schedule 2 (Cons Regs 2010 Sch2)
[8] Habitat and Species Directive Annexe 4
[9] Wildlife and Countryside Act Schedule 5 Section 9

Species Name	Status	Orientation / Distance (m)
Nathusius's Pipistrelle *Pipistrellus nathusii*	As above	North (548m)
Plants		
Cornflower *Centaurea cyanus*	NERC Act Section 41	North (705m)
Invertebrates		
Stag Beetle *Lucanus cervus*	Hab&Spp Dir Anx 2np NERC Act Section 41	North (903m)
Small Blue *Cupido minimus*	NERC Act Section 41	North (736m)
Wall *Lasiommata megera*	NERC Act Section 41	North (923m)

Phase 1 Habitat Survey

Study Area Description

3.2 The site comprised entirely of a single building and hard standing, which were used as a car repair garage and associated parking area. To the south of the site there was a small, ornamental hedge (*Buxus sp*) that ran adjacent to the front of the building. See aerial below.

3.3 Cantelowes Garden public open space abutted the site to the north. The area adjacent to the site comprises of five Whitebeams *Sorbus aria* and amenity grassland with daffodil planting.

3.4 The area surrounding the site was heavily urbanised with poor habitat connectivity. The railway corridor which extended to the north lacked any habitats of ecological note with vegetation limited to narrow linear strips of scattered scrub.

Figure 3.1 Aerial map of study area

Protected and Notable Species

Bats

Desk Study

3.5 Bat records within 1km of the site were requested from GiGL. The following 6 species have been recorded:

- Noctule Bat
- Daubenton's Bat
- Leisler's
- Pipistrelle
- Soprano Pipistrelle
- Nathusius's Pipistrelle

Habitat Appraisal

3.6 A single building within the site and was found to have **negligible** bat roost potential. The building was comprised of glass, brick and metal with a flat roof. It is highly unlikely for bats to be present due to the structure of the building and lack of external features.

3.7 Although there were no trees within the site, five whitebeam trees were recorded in Cantelowes Garden adjacent to the site. The trees had a number of shallow rot holes and were considered to have **low potential (Category 2)** to support bats.

Nesting Birds

Desk Study

3.8 Relevant protected and notable bird species recorded within 1km of the site included, house sparrow, black redstart, swift, dunnock, starling and song thrush.

Habitat Appraisal

3.9 The site is considered unlikely to support nesting birds due to the lack of suitable habitat for nesting and foraging. However, the trees recorded next to the site were noted to have bird nest boxes and are therefore considered to have potential to support nesting birds.

4 Discussion

Designated sites

4.1 The site is not functionally connected to any designated sites and therefore designated sites are not considered further in this report.

Habitats

Discussion

4.2 The site is entirely comprised of building and hard standing with a small hedge to the south adjacent to the building. It is therefore considered that the site is of negligible ecological value and that there will be no notable impacts from development. However, there is potential for construction work to have a negative impact on the semi-natural parkland known as Cantelowes Garden situated directly next to the site. In particular, damage to the whitebeam trees from root compaction, encroachment, and run off of sediment and pollutants during construction.

Mitigation

4.3 Mitigation measures required include erection of protective fencing and implementation of best practice working methods.

Enhancement

4.4 Given that the site is of inherently low ecological value, there is an opportunity for the proposal to provide ecological enhancements as part of a scheme design which increases the ecological value of the site. Possible opportunities for consideration include:

Green roof

4.5 The creation of a green roof has the potential to enhance biodiversity by offering foraging and sheltering resources to invertebrates and birds, and by increasing the species-richness and cover of plants compared to the current site.

4.6 Given the low ecological value of the existing site, any greenroof design would represent an ecological enhancement. Options include designs with the use of wildflower blankets of high ecological value, or those supporting only Sedum species, which, whilst of lower ecological value, would still provide habitat of value to invertebrates.

Wildlife friendly planting

4.7 Providing wildlife friendly planting, such as street level planters may increase food, shelter and breeding site resources for wildlife and by increasing the species-richness and cover of plants compared to the current site. This can include native and non-native species with a known benefit for biodiversity, such as species with a high nectar load, or those that produce seeds or berries. This could also include planting of climbing species which may provide opportunities for bird nesting and nectar sources for invertebrates.

Invertebrate Sheltering Structures

4.8 Consideration could be given to provision of 'bug hotels' (e.g. log piles, or invertebrate boxes) associated with areas of soft landscaping. These would provide sheltering and over-wintering opportunities for invertebrates.

Habitat Management

4.9 A concise Habitat Management Plan would ensure the long term maintenance of any ecological features provided by specifying appropriate monitoring and maintenance requirements to be incorporated as part of wider site management.

Bats

Legal Protection

4.10 Legal protection afforded to bats and their roosts is summarised in **Appendix 1**. In summary, bats are legally protected and it is an offence to deliberately kill, damage, or take a bat; to intentionally or recklessly disturb a bat whilst it occupies a place of shelter or resting place; or to deliberately or recklessly damage, destroy or obstruct access to a bat roost. Bat roosts are also legally protected, regardless of whether bats are present at the time.

Discussion

4.11 The single building within the site was considered to have **negligible** bat roost potential, whilst the whitebeam trees to the north-east, adjacent to the site and development area were found to have **low bat roost potential (Category 2)**. Cantelowes Garden to the north is likely to provide suitable habitat for bats to forage and commute, as well provide suitable opportunities to roost. However, it is unlikely that bats will be directly affected by the construction and development of a new building at this site.

Further Survey Requirements

4.12 No further surveys are required.

Mitigation

4.13 No specific mitigation is required with regards to bats. However, in the unlikely event of bats being encountered during works, all works must halt and a suitably qualified ecologist must be consulted to determine how best to proceed in accordance with legal protection afforded to these species.

Lighting

4.14 Any final scheme should try to minimise additional light spill to semi-natural habitats.

4.15 High levels of lighting are already present within and near to the study area. However, it would be beneficial to foraging and commuting bats if light spill does not exceed existing levels. In addition, lighting in the vicinity of a replacement roost features may significantly reduce their effectiveness. Potential design measures which may help to minimise light spill include:

- Avoidance of lighting wherever possible, particularly in the vicinity of any bat roost mitigation/enhancement features;
- Use of LED lighting which does not emit UV (less attractive to flying insects);
- Use of motion sensor lighting;
- Use of timers to restrict lighting to required periods;
- Directional lighting with cowling, shields and/or hoods to minimise light spill;
- Use of the lowest lux possible;
- Screen planting to limit light spill

Enhancements

4.16 To enhance the ecological value of the site for bats, provision of bat boxes, such as Schwegler bat access/boxes could be integrated into the design of the building or surface mounted on the building exterior. These features would provide roosting opportunities for common bat species.

Nesting Birds

Legal Protection

4.17 Birds and their nests are protected by the Wildlife and Countryside Act, 1981 (as amended).

Discussion

4.18 There is negligible potential for nesting birds to be present within the site.

Further Survey Requirements

4.19 No further survey is required.

Mitigation

4.20 No specific mitigation is required with regards to birds. However, in the unlikely event of nesting birds being encountered during works, all works must halt and a suitably qualified ecologist must be consulted to determine how best to proceed in accordance with legal protection afforded to these species. This would likely result in delays to the programme.

Enhancement

4.21 Where possible, the inclusion of bird nesting boxes as part of scheme design would provide nesting opportunities for notable bird species such as house sparrow. Specific nest box designs could seek to attract species of conservation importance in London, such as swift boxes and house sparrow terraces. The provision of a green roof such as a Sedum roof would provide potential nesting and feeding sites for birds.

Appendix 1 Policy and Legal Considerations

Statutory nature conservation sites and protected species are a 'material consideration' in the UK planning process (DCLG 2012). Where planning permission is not required, for example on proposals for external repair to structures, consideration of protected species remains necessary given their protection under UK and EU law.

Natural England Standing Advice aims to support Local Planning Authorities decision making in respect of protected species (Natural England 2012). Standing advice is a material consideration in determining the outcome of applications, in the same way as any individual response received from Natural England following consultation.

The Conservation of Habitats and Species Regulations 2010 transpose the requirements of the European Habitats Directive (Council Directive 92/43/EEC) and Birds Directive (Council Directive 79/409/EEC) into UK law, enabling the designation of protected sites and species at a European level.

The Wildlife and Countryside Act 1981 (as amended) forms the key piece of UK legislation relating to the protection of habitats and species.

The Countryside Rights of Way Act 2000 provides additional support to the Wildlife and Countryside Act 1981; for example, increasing the level of protection for certain species of reptiles.

The Protection of Badger Act 1992 provides specific protection for this species.

The Wild Mammals Protection Act 1996 sets out the welfare framework in respect to wild mammals, prohibiting a range of activities that may cause unnecessary suffering.

Species and Habitats of Principal Importance for Conservation in England and Wales and priority habitats and species listed on the London Biodiversity Action Plans (BAP) are species which are targeted for conservation. The government has a duty to ensure that involved parties take reasonable practice steps to further the conservation of such species under Section 41 of the Natural Environment and Rural Communities Bill 2006. In addition, the Act places a biodiversity duty on public authorities who 'must, in exercising their functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' (Section 40 [1]). Criteria for selection of national priority habitats and species in the UK include international threat and marked national decline.

The National Planning Policy Framework (DCLG 2012) states (Section 11), that the planning system should minimise impacts on biodiversity, providing net gains in biodiversity where possible. It also states that local planning authorities and planning policies should:

- Plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.
- Take account of the need to plan for biodiversity at a landscape-scale across local authority boundaries.
- Identify and map components of the local ecological networks, including: international, national and local sites of importance for biodiversity, and areas identified by local partnerships for habitat restoration or creation.
- Promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations, linked to national and local targets and identify suitable indicators for monitoring biodiversity in the plan.

The Localism Act 2011 abolished the regional tier of the planning system such that the former Regional Assemblies and Regional Development Agencies no longer exist. However, until central Government has formally revoked the Regional Strategies (consultation was completed in January 2012 on the Environmental Reports on the revocation of the Regional Strategies) they are still a material consideration.

Bats

All British species of bat are listed on the Wildlife and Countryside Act 1981 (as amended) Schedule 5. It is an offence to deliberately kill, damage, take (Section 9(1)) a bat; to intentionally or recklessly disturb

a bat whilst it occupies a place of shelter or protection (Section 9(4)(b)); or to deliberately or recklessly damage, destroy or obstruct access to a bat roost (Section 9(4)(c)). Given the strict nature of these offences, there is an obligation on the developer and owner of a site to consider the presence of bats.

All British bats are listed on the Conservation of Habitats and Species Regulations 2010, Schedule 2. Regulation 41 strengthens the protection of bats under the 1981 Act against deliberate capture or killing (Regulation 41(1) (a)), deliberate disturbance (Regulation 41(1) (b))[10] and damage or destruction of a resting place (Regulation 41(1) (d)).

A bat roost is defined as any structure or place which is used for shelter or protection, irrespective of whether or not bats are resident. Buildings and trees may be used by bats for a number of different purposes throughout the year including resting, sleeping, breeding, raising young and hibernating. Use depends on bat age, sex, condition and species as well as the external factors of season and weather conditions. A roost used during one season is therefore protected throughout the year and any proposed works that may result in disturbance to bats, and loss, obstruction of or damage to a roost are licensable.

Development works that may cause killing or injury of bats or that would result in the damage, loss or disturbance of a bat roost would require a Natural England (NE) Mitigation Licence. Licensed works require evidence that the works entailing detrimental impacts are unavoidable, as well as appropriate mitigation, which may include seasonal constraints and provision of alternative habitat and/or roosting structures. A NE Mitigation Licence application can only be submitted on completion of surveys and receipt of planning consent. The application typically takes six weeks to process, after which mitigation could commence.

Nesting Birds

Birds and their nests are protected by the Wildlife and Countryside Act 1981 (as amended). This Act gives protection to all species of bird with regard to killing and injury, and to their nests and eggs with regard to taking, damaging and destruction. Certain species listed on Schedule 1 of the Act, are afforded additional protection against protect

[10] Relates specifically to deliberate disturbance in such a way as to be likely to significantly affect i) the ability of any significant group of animals of that species to survive, breed or rear or nurture their young or ii) the local distribution of that species.

Appendix 2 Site Photographs

South-western aspect of the building

Northern aspect of the building. Viewed from a distance.

Easter aspect of the building. No features observed.

Ornamental hedge in the south.

Parking area to the east.

Edge of building on northern aspect.

Rot holes with low potential on Whitebeams

Whitebeams on Cantelowes Garden.