

Maitland Park, Camden

Addendum to Preliminary Ecological Appraisal

Client: Arcadis

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The Ecology Consultancy was commissioned by Arcadis on behalf of the London Borough of Camden in August 2019 to carry out an update ecology survey of the land at Maitland Park, Camden. The site was first surveyed by Ramboll to inform a Preliminary Ecological Appraisal (PEA) in 2014 (Ramboll, 2014) with an update PEA survey in 2017 (The Ecology Consultancy, 2017).

The development proposals are for the demolition of the 1960s Aspen House, Tenants and Residents Association Hall (TRA), gymnasium and garages to provide 119 new residential units and a new TRA.

The purpose of this update ecology survey is to establish whether there have been any significant changes to the site since the 2017.

The update site visit was conducted on 30 August 2019 by Ecologist George Siskos and surveyed in accordance with the Joint Nature Conservation Committee (JNCC) Phase 1 Habitat Survey Methodology (JNCC, 2010) as outlined in the original reports (Ramboll, 2014 and The Ecology Consultancy 2017). The updated Phase 1 survey focussed on the development footprint.

Habitat descriptions

The survey found a number of changes to the habitats on site within the redline boundary which had been described in the original report, and are detailed below:

- The Tenants and Residents Association building and a number of ancillary buildings in the north east of the site had been demolished since the survey was carried out in 2017.

Furthermore, introduced shrub and trees had also been cleared around the buildings leaving areas of bare ground and ruderal vegetation which was fenced off by hoarding (Photograph 1).

- All trees had been removed from the area directly to the south of Aspen House. The area of amenity grassland was now poor semi improved grassland as it had been left unmanaged and was fenced off by Heras fencing (Photograph 2).

Protected species assessment

Bats

All buildings on site had been previously assessed as having negligible potential to support roosting bats, as such no further surveys were recommended prior to their demolition as part of the development.

However, since the last ecology survey in 2017 the gymnasium's condition has worsened resulting in the appearance of a number of potential roosting features (PRF) which bats could now utilise. The PRF's included, but are not limited to, missing mortar at a roof gable/apex (Photograph 3)

Furthermore, given the site's location in a suburban setting well connected to the wider landscape via a network of private gardens, bats could have found and now be utilising the potential roosting features identified. The Gymnasium building's potential to support roosting bats has therefore now been revised to **low**.

All other buildings on site were found to be in a similar condition to when they were surveyed in 2017 and therefore are still assessed as having negligible potential to support roosting bats.

As all bats and roosts are protected under The Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended) further update surveys in the form of either one dusk emergence or one dawn re-entry survey will be required prior to the Gymnasium being demolished. No further surveys are required on the buildings with negligible potential to support roosting bats.

Breeding birds

Scattered trees, introduced shrub and tall ruderal vegetation on site were all considered to have potential to support common nesting bird species and were largely unchanged from the description in the original PEA report.

The proposed development works require the removal of trees and introduced shrubs with potential to support breeding birds. This must be carried out between September to February inclusive, to avoid any potential offences relating to breeding birds during their main bird breeding season.

Where this is not possible, a check for nesting birds up to 48 hours prior to vegetation clearance must be undertaken by an experienced ecologist and, if any nests are found, the nests should be protected until such time as the young have left the nest, as confirmed by an ecologist. If any nesting birds are found at any time during clearance works, works within the immediate surroundings of the nests should stop immediately and an ecologist be consulted.

Photographs

Photograph 1: Area of tall ruderal vegetation dominated by Canadian fleabane where the Tenants and Residents Association building and a number of ancillary buildings in the north east of the site once stood.



Photograph 2: Area of poor semi improved grassland which was previously amenity grassland with scattered trees.



Photograph 3: Missing mortar between roof tiles and southern apex elevation of the Gymnasium building suitable for roosting bats



References

- Collins. (2016) Bat Surveys - Good Practice Guidelines 3rd Edition. Bat Conservation Trust, London.
- HMSO (1981) Wildlife and Countryside Act (as amended)
- HMSO (1996) Wild Mammals (Protection) Act
- Joint Nature Conservancy Council (2010) *Handbook for Phase 1 Habitat Survey*. Peterborough
- Ramboll UK (2014) Maitland Park, Camden - Phase 1 Habitat Survey Report. Doc Ref. 61031879/ENV/RD01
- The Ecology Consultancy (2017) Maitland Park, Camden – Ecology Report Addendum. Doc Ref: 5617

Legislation

The objective of the EC Habitats Directive¹² 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).

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:
 - to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young;
 - to hibernate or migrate
 - 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.

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.



Ecology Consultancy

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