Premier Inn, Euston

Ecological Appraisal

For Whitbread Group

July 2019

11th Floor, 1 Angel Court, London, EC2R 7HJ

Tel: 0123 456 789

Email: ecology@wyg.com

Document Control

Project:	Premier Inn, Euston
Client:	Whitbread Group
Job Number:	A113580
File Origin:	\\lds-dc-vm-002\Group Ecology\Projects\Projects A113000 on\A113580 Premier Inn, Euston

Version 1	13 June 2019	FINAL
Prepared by:		Georgia Alfreds ACIEEM **Project Ecologist**
Checked By:		Luke Verrall MCIEEM **Project Ecologist**
Verified By:		Vivienne Greenough MCIEEM **Associate Ecologist**

Version:	Date:	Updated by:	Verified by:	Description of changes:
2	24/07/19	GA	VG	Update to number of floors of rear extension

Contents

Executive Summary

Contents	Summary
Site Location	Premier Inn, Euston, 1 Duke's Road, London, WC1H 9PJ (Closest National Grid Reference: TQ 29884 82639).
Proposals	Whitbread Group are proposing to submit a planning application in mid-July 2019 for a seven-storey rear car park extension and two storey rooftop extension to the existing Premier Inn hotel at Euston.
Scope of this Survey(s)	To support the planning application for the site, an Ecological Appraisal was carried out. The survey comprised an extended Phase 1 habitat survey of the site to record habitat types and dominant vegetation, including any invasive species and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species. The building and the tree on site were assessed (externally and from the ground) for their potential to be used by bats or nesting birds.
Results	There are no SACs or SPAs within 2km of the site. However, Camley Street Nature Park LNR & SINC is located 0.7km north-east of the site, which contains a range of habitats created on former vacant land. Four habitats were recorded on-site, of which the tree provides the greatest value for ecology. The site was found to be suitable for the following habitats and protected and notable species: • The site is assessed as having **low** suitability to support roosting bats. • The site is assessed as having **moderate** potential to support nesting and foraging common bird species.
Recommendations	Further bat survey for features in B2, B3 and B4 to ascertain whether roosting bats are present. Where removal of bird breeding habitat is required and cannot be carried out outside of the bird breeding season, a suitably experienced ecologist should check for active bird nests immediately prior to demolition or clearance of vegetation or buildings (within 48 hours). It is recommended that a lightweight green sedum roof is installed on both the rear car park extension and the area of roof between the Somerton House residential and the new rooftop extension (B1). The installation of planters along Dukes Road (number & design to be confirmed in detailed design) is also recommended.

Glossary

BCT	Bat Conservation Trust
BSI	British Standard Institute
BTO	British Trust for Ornithology
CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW Act	Countryside and Rights of Way Act 2000
DEFRA	Department for the Environment, Food and Rural Affairs
EcIA	Ecological Impact Assessment
EPS	European Protected Species
EPSL	European Protected Species Licence
GCN	Great Crested Newt
Habitat Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HAP	Habitat Action Plan
Hedgerow Regulations	Hedgerow Regulations 1997
HPI	Habitat(s) of Principal Importance
HRA	Habitats Regulations Assessment
JNCC	Join Nature Conservation Committee
LBAP	Local Biodiversity Action Plan
LERC	Local Ecological Record Centre
LNR	Local Nature Reserve
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
Natura 2000 site	A European site designated for its nature conservation value
NE	Natural England
NERC Act	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
PEA	Preliminary Ecological Appraisal
RPR	Rare Plant Register
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SAP	Species Action Plan
SINCs	Sites of Importance for Nature Conservation
SPA	Special Protection Area
SSSI	Site(s) of Special Scientific Interest
W&CA	Wildlife & Countryside Act 1981 (as amended)

1.0 Introduction

1.1 Background

WYG was commissioned by Ward Williams Associates (on behalf of Whitbread Group) on 8th May 2019 to undertake an Ecological Appraisal of the site known as Premier Inn, Euston.

This report has been prepared by WYG Project Ecologist Georgia Alfreds BSc MSc ACIEEM and the conditions pertinent to it are provided in Appendix A.

1.2 Site Location

The site is located at 1 Duke's Road, WC1H 9PJ in London and is centred at Ordnance Survey National Grid Reference TQ 29884 82639 (see Figure 1). It is situated in a heavily urbanised location, immediately south of the A501 Euston Road and east of Duke's Road. Urban development surrounds the site in all directions. The site comprises one building, a hardstanding car park and one tree.

1.3 Development Proposals

Proposals include a seven-storey rear car park extension and two-storey rooftop extension to the existing Premier Inn at Euston. The project will also re-configure the entire ground floor of the hotel extending and re-branding the existing restaurant, and re-positioning the reception.

1.4 Purpose of the Report

The purpose of this report is to complete:

- A desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- An extended Phase 1 habitat survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species;
- An assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and (if possible) any recommendations for any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

A summary of the key legislation is also provided in Appendix B.

2.0 Methodology

2.1 Desk Study

2.1.1 Local Ecological Records Centre

Information was requested from the Greenspace Information for Greater London (GiGL) eCountability for information on any nature conservation designations and protected or notable species records within 2km of the site.

The data search covered:

- Statutory designated sites for nature conservation, namely SACs, SPAs, Ramsar sites, SSSIs, NNRs and LNRs;
- Non-statutory designated sites for nature conservation, namely SINC;
- Legally protected species, such as great crested newts *Triturus cristatus*, badger *Meles meles* and bats;
- Notable habitats and species, such as those listed as Habitats or Species of Principal Importance (HPIs or SPIs); and,
- Priority habitats or species within the London BAP.

The data search did not cover:

- Tree Preservation Orders (TPOs); or
- Conservation Areas designated for their special architectural and historic interest.

2.1.2 Online Resources

A search for relevant information was also made on the following websites:

- MAGIC www.magic.gov.uk - DEFRA's interactive, web-based database for statutory designations and information on any EPSL applications that have been granted in the local area since 2015.

2.2 Field Surveys

The following methodologies have been used to identify the ecological receptors present on or near the site, which are relevant to the proposed development.

2.2.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on 23rd May 2019 by WYG Project Ecologist Georgia Alfreds BSc MSc ACIEEM. The weather conditions were dry and partly cloudy.

The vegetation and broad habitat types within the site were noted during the survey in accordance with the categories specified for a Phase 1 Vegetation and Habitat Survey (JNCC, 2010). Dominant plant species were recorded for each habitat present using nomenclature according to Stace (2019). The site was also appraised for its suitability to support notable flora, with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017).

2.2.2 Protected & Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations, Schedule 5 of the W&CA, the CRoW Act, those given extra protection under the NERC Act, and species included in the London BAP.

Great Crested Newt

The site was appraised for its suitability to support GCN. The assessment was based on Guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Becket & Foster, 2001).

Bats

Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) – hereafter referred to as the 'BCT Guidelines'. The following system has therefore been used to categorise the bat roost suitability of any features found:

Table 1: Categories of Bat Roost Suitability (BCT Guidelines)

Suitability	Typical Roosting Features
Negligible	Negligible habitat feature on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis & potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

Foraging/commuting Bats

The BCT Guidelines use the following criteria to categorise the potential value of habitats and features for use by foraging and commuting bats and these have been used to characterise the value of this site:

Table 2: Categories of Habitat Suitability (BCT Guidelines)

Suitability	Typical Foraging & Commuting Features
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

Reptiles

The site was appraised for its suitability to support reptiles. The assessment was based on guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003).

Badgers

The site was surveyed for evidence of badger setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to published criteria (Harris, Cresswell & Jefferies, 1989).

Hazel Dormice

The site was surveyed for its suitability to support hazel dormice. The assessment was based on guidance outlined in Bright, Morris and Mitchell-Jones (2006).

Other Species

The site was also appraised for its suitability to support other protected or notable fauna including mammals, amphibians, birds and invertebrates with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017) and *BS42020:2013 Biodiversity – Code of Practice for Planning and Development* (BSI, 2013). Evidence of any current or historical presence of such species was recorded.

2.2.3 Invasive Species

The site was searched for evidence of invasive plant species, such as Japanese knotweed *Reynoutria japonica* (formerly *Fallopia japonica*), Indian (Himalayan) balsam *Impatiens glandulifera*, giant hogweed *Heracleum mantegazzianum*, wall cotoneaster *Cotoneaster horizontalis* and rhododendron

Rhododendron ponticum × *Rhododendron maximum.* A full list of all invasive plant species is provided in Appendix B.

2.3 Limitations

The optimal period to undertake an extended Phase 1 habitat survey is April-September. The survey was completed in May which is inside the optimal survey window. As such this is not considered to be a limitation to the accurate assessment of the habitats and the dominant species of the respective vegetation types were visible and identifiable.

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

The details of this report will remain valid for a period of two years from the date of the survey (until May 2020) as per industry guidance standards (CIEEM, 2019), after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

3.0 Baseline Conditions

3.1 Designated Sites

Designated sites within 2km of the site are detailed in Table 3.

The eCountability desk study returned 37 SINCs. There are three tiers of sites:

- Sites of Metropolitan Importance (x3 sites included in this data search)
- Sites of Borough Importance (borough I (x4) and borough II (x6))
- Sites of Local Importance (x24 sites)

Table 3 below includes the three sites of Metropolitan importance and those sites of Borough and Local importance within 1km.

The search returned no sites with European or National statutory designation within the search area. The closest SSSI is Hampstead Heath Woods, 5km north-west of the site. The closest SAC is Epping Forest, 11km north-east of the site. The closest SPA is Lee Valley, 7km north-east of the site.

Table 3: Designated Sites Within 2km

Designation	Site Name	Distance & Direction	Summary of features
SINC (Local)	(CaL13) Gordon Square	0.3km south-west of the site	This is a small (0.92ha) but very well used and typically urban, London square with numerous trees. The square's edges have dense shrubberies, of mostly non-native species. Wild flowers planted in the flower beds include primrose (*Primula vulgaris*) and bluebell (*Hyacinthoides non-scripta*). Breeding birds include wren, robin, blackbird, blue tit, mistle and song thrush.
SINC (Local)	(CaL09) St George's Gardens	0.5km south-east of the site	This is an old churchyard site that is now managed as a public park (10.6ha). It contains many mature trees. There are areas of shrubbery which contain insect-attracting plants such as buddleia (*Buddleja davidii*), rose (*Rosa* sp.) and lavender (*Lavandula* sp.), as well as providing nesting cover for blackbirds and wrens.
SINC (Local)	(CaL14) Coram's Fields	0.6km south-east of the site	This area (2.7ha) is currently grazed by goats and includes several raised beds and fruit trees. To the east an area is being developed as a wildlife garden with a small pond supporting frogs and newts.

Designation	Site Name	Distance & Direction	Summary of features
LNR	Camley Street Nature Park	0.7km north-east of the site	This site (0.8ha) is an urban wild space containing a range of habitat examples created on former vacant land. The wildlife interest is of high local educational and social value owing to the severe deficiency of wildlife sites in Greater London. The site is primarily an educational resource and a means of increasing local community awareness of the natural environment.
SINC (Local)	(CaL05) Calthorpe Community Garden	0.7km south-east of the site	The site (0.44ha) contains a number of scattered trees. There is an artificial stream planted with yellow iris (*Iris pseudacorus*) and hard rush (*Juncus inflexus*).
SINC (Metropolitan)	(M095) Camley Street Natural Park	0.7km north-east of the site	This site (0.8ha) is one of the oldest and most influential of urban ecology parks and is home to many frogs, toads and newts and sees an abundance of wild flowers in summer.
SINC (Metropolitan)	(M006) London's Canals	0.8km north-east at its closest point	London's canals (188ha) support a wide range of aquatic flora, amongst which are found a number of locally uncommon species. These include; narrow-leaved water plantain *Alisma lanceolatum*, rigid hornwort *Ceratopyllum demersum* and shining pondweed *Potomageton lucens*, all species of clean, clear waters.
SINC (Local)	(CaL08) St Andrew's Gardens	0.8km south-east of the site	This former churchyard (0.66ha) is now managed as a small public park. Lawns, flower beds and shrubberies combine to make this a particularly attractive site.
SINC (Borough Grade II)	(CaBII07) St Pancras Gardens	0.8km north of the site	This old churchyard (2.11ha) has had many headstones moved to the perimeter and only the larger important monuments left in situ. A few of these have a sparse covering of lichens and mosses. The site contains some fine mature trees and diverse planted shrubberies. There is a hedge of young yew (*Taxus baccata*) near the railway.
SINC (Metropolitan)	(M097) Regent's Park	1.3km west of the site	This historic Royal Park (131ha) is probably the best placed site for breeding and migrant birds in central London. Its famous heronry is one of London's largest.

Designation	Site Name	Distance & Direction	Summary of features
LNR	Barnsbury Wood	1.7km north-east of the site	Barnsbury Wood (0.32ha) is a broad-leaved semi-natural woodland, with a glade comprised of semi-improved neutral grassland. The site has a good range of fungi and good populations of invertebrates and birds. It is currently used by schools; public access is restricted to informal open days.

3.2 Habitats

The following habitats have been identified through our assessment, with detailed Target Notes included in Appendix D, as appropriate. (See Figure 2 for Phase 1 Habitat Plan).

3.2.1 Scattered tree

One semi-mature Italian alder *Alnus cordata* tree (TN16) is located within the north-western corner of the site (NGR: TQ 29877 82635). The tree had no lifted bark or apparent holes.

3.2.2 Ephemeral/Short Perennial

The hardstanding surrounding the south-eastern building elevations in the car park has been frequently colonised by early successional plants (TN9) such as mosses *Bryophyta* sp, red maple saplings *Acer rubrum*, occasional lady fern *Athyrium filix-femina*; broad-leaved willowherb *Epilobium montanum*; wild strawberry *Fragaria vesca*; herb-Robert *Geranium robertianum*; and chickweed *Stellaria media*.

A small patch of white jasmine *Jasminum polyanthum* has been planted on the south-west frontage of B1 on Duke's Road (TN17).

3.2.3 Hardstanding

Hardstanding is present across the southern and western sections of the site in the form of an access road and car parking and is in good condition with no plant species present (TN18).

3.2.4 Buildings

The is one building on site which is surrounded to the east and south by three buildings (B2, B3 & B4), as described in Table 4 below and seen on Figure 2.

Table 4: Building Descriptions

Building	Description
B1 – Premier Inn (on-site)	B1 is a lower ground plus six storeys building situated on the corner of Euston Road and Duke's Road (TN1). The roof is flat and comprises bitumen felt roofing material (TN8). The north west elevation adjacent to Euston Road comprises of concrete and cladding with PVC surrounding the windowsills. The south-west

	elevation adjacent to Duke's Road and the south-east elevation, adjacent to the car park (TN4) share a similar design and consist of similar material. One of the north-east elevations contains a protruding concrete and brick fire escape stairwell (TN2). The brick structure contains regular large gaps and is covered by a material mesh netting, thought to prevent nesting birds. Part of the netting is missing in sections. A structure situated adjacent to the staircase on the north-eastern elevation (TN3) comprises of wooden slats and a corrugated metal roof. The structure contains large gaps between the walls and roof.
B2 (off-site)	B2 is building located outside of the site, immediately adjacent to the eastern site boundary. The western boundary of B2 consists of a tall brick wall with two bricks missing (TN10). No other obvious cracks or entry points are present.
B3 (off-site)	B3 is located outside of the site boundary, adjacent to the south-eastern corner. A three storey brick built structure of modern construction. The wall contains several regular holes in the brick wall thought to be for air conditioning/ventilation purposes. This brick surface was flush. Tight, metal flush soffits with no gaps.
B4 (off-site)	B4 is a two storey building located adjacent to the southern site boundary which appears to be older in age when compared to B3. The brickwork contains one hole and a narrow gap under the concrete windowsill (TN15).

Buildings are discussed further with reference to their potential to support notable and protected species in Section 3.3.3, Table 5.

The car park at TN6 is located on the lower ground floor and contains a number of garages. These garage are located underneath the entrance to the hotel which is on the ground floor above. One of the garages consists of a wooden frame, of which part is lifted and peeling away (TN7). It is thought that the gap leads to the garage space behind which appears to be in regular use, therefore minimising the potential to support roosting bats.

3.3 Protected & Notable Species

3.3.1 Great Crested Newts and other amphibians

The desk study found no GCN records within 2km of the site, however it did contain records for a number of other amphibians. The data search returned a total of 31 returned records of common toad *bufo bufo*, the closest of which was 0.8km north of the site. The search also included one record of palmate newt, *Lissotriton helveticus* 0.8km north of the site and 58 records of common frog *Rana temporaria* the closest of which was 0.7km east of the site. Camley Street Natural Park LNR & SINC, located 0.7km north-east of the site, is home to many frogs, toads and newts (see Table 3).

There are approximately 7 waterbodies within 2km of the site, including the Grand Union Canal and a number of waterbodies situated in Regents Park, 1.6km west of the site. There are no waterbodies within 500m of the site (see Figure 1).

The habitat surrounding the site is highly urbanised and intersected by busy roads. There is no suitable habitat on site to support GCN or amphibians as it consists of buildings and hard standing, therefore the site is assessed as having **negligible** potential to support GCN and other amphibians and are not considered further in this report.

3.3.2 Reptiles

The desk study returned no records of reptiles within 2km of the site.

The habitats within and surrounding the site provide no foraging opportunities for reptiles and there are no suitable habitats present. The site is therefore assessed as having **negligible** potential to support reptiles and are not considered further in this report.

3.3.3 Bats

Multiple records for bats were returned by the desk study including daubenton's bat *Myotis daubentonii*, noctule bat *Nyctalus noctula,* common pipistrelle *Pipistrellus pipistrellus,* nathusius's pipistrelle *Pipistrellus nathusii* and soprano pipistrelle *Pipistrellus pygmaeus.* The closest of which was nathusius's pipistrelle and common pipistrelle both located 0.3km SW of the site.

Three EPSL were found within 2km of the site; One was for the destruction of a resting place for soprano pipistrelle granted in 2017, located 0.6km west of the site; whilst two were for destruction of a resting place for common pipistrelle granted in 2015, located 0.8km south-west of the site.

Roosting Bats

The single tree on-site (TN16) has no lifted bark or features of importance for roosting bats. Therefore the tree has been assessed as having **negligible** suitability to support roosting bats.

The building on site (B1) does not contain potential roosting features. However the elevations of buildings adjacent to the site (B2, 3 & 4) contain a number of potential roosting features (PRFs) for bats, as detailed in Table 5 below.

Table 5: Buildings and associated potential to support roosting bats

Building	Potential
B1 – Premier Inn (on-site)	The building is tightly sealed and contains no gaps. The underground car park ceiling tiles (TN5) consisted of plasterboard and contained small gaps, though they did not appear to lead anywhere where a bat could roost. The Premier Inn building itself (B1) has **negligible** suitability to support roosting, commuting or foraging bats.
B2	A brick wall with two bricks missing (TN10). It is uncertain whether these lead anywhere as they were too high to inspect. They might provide suitable habitat for roosting bats. B2 has **low** suitability to support roosting bats.
B3	The brick wall to the south-east of the site contains a number of regular small holes (TN11, TN12, TN13 & TN14) thought to be used for ventilation purposes. They might provide suitable habitat for roosting bats. B3 has **low** suitability to support roosting bats.

B4	One hole in the brickwork and narrow gaps under windowsill (TN15) within which bats could roost. B4 has **low** suitability to support roosting bats.

The building on site is assessed as having negligible suitability to support roosting bats, whereas those adjacent to the site have been assessed as having **low** suitability for roosting bats.

Foraging and commuting Bats

The site has negligible potential to support foraging bats, due to the lack of any suitable habitat on site or nearby trees and other suitable habitat.

3.3.4 Badger

One badger record was included in the data search within 2km of the site, however due to the confidentiality of the records the exact location cannot be disclosed.

The site consists of hardstanding and a building and is surrounded by heavily urbanised areas and busy infrastructure. No evidence of badger was found either in the form of setts or other evidence, such as snuffle holes and latrines. As no suitable habitat is present on-site, the site is assessed as having **negligible** potential to support badgers and are not considered further in this report.

3.3.5 Hazel Dormice

The desk study found no hazel dormice records within 2km of the site.

The site consists of hardstanding and a building, therefore the site has no suitable habitat to support dormice. For this reason the site is assessed as having **negligible** potential to support dormice and are not considered further in this report.

3.3.6 Otter & Water Vole and Other Mammals

One otter *Lutra lutra* record was returned, located 0.9km north-east of the site. No records were returned for water voles *Arvicola amphibius*. The site has no suitable habitat to support otters or water voles as it consists of hardstanding and buldiungs, and is not connected to any major waterbodies. For this reason the site is assessed as having **negligible** potential to support otters and water voles and these species are not considered further in this report.

The desk study returned five records of West European hedgehog *Erinaceus europaeus,* the most recent of which (2018) was 1.7km NW of the site. The closest record was from 1994, 0.5km E of the site. The site is assessed as having **negligible** potential to support hedgehogs and this species is not considered further in this report.

3.3.7 Birds

The data search found multiple records of birds, the closest of which was for house sparrow *Passer domesticus*, located 0.2km north of the site. Schedule 1 W&CA species included in the returned data search include: little gull *Hydrocoloeus minutus*, osprey *Pandion haliaetus*, black redstart *Phoenicurus ochruros*, redwing *Turdus iliacus*, and lapwing *Vanellus vanellus*; and 15 NERC species including tree pipit *Anthus trivialis* and skylark *Alauda arvensis*.

Regent's Park SINC is located 1.3km west of the site and is said to be the best place site for breeding and migrant birds in central London. Its famous heronry is one of London's largest.

Habitats of most value to birds on site are the single tree within the western corner of the site, the building rooftop and the stairwell attached to B1 which consisted of bricks with regular large gaps (TN2). The bricks were covered with mesh netting which is likely to have been used to restrict access for birds, however gaps in the netting were present in places through which birds could gain access.

The building roof was flat and consisted of bitumen felt and could be used by nesting birds, however at the time of the survey the roof was inspected and no evidence of nesting birds was found.

Overall, the site is assessed as having **moderate** potential to support nesting and foraging common bird species.

3.3.8 Invertebrates

The desk study returned records for the invasive zebra mussel *Dreissena polymorpha* and signal crayfish *Pacifastacus leniusculus,* both recorded in the Grand Union Canal 0.9km north-east of the site. Oak processionary moth, *Thaumetopoea processionea* is located 1.6km north-west of the site.

As the site consists of hardstanding and one building, it is assessed as having **negligible** potential to support terrestrial invertebrates. The site is assessed as having negligible potential to support aquatic invertebrates due to the absence of aquatic habitat present on site or adjacent to the site.

3.3.9 Notable plants

The desk study returned records of Schedule 8 WCA plants within 2km of the site, including creeping marshwort *Apium repens* (most recent record from 2002), stinking goosefoot *Chenopodium vulvaria* (1914) Deptford pink *Dianthus armeria* (1941), bluebell *Hyacinthoides non-scripta* (2010) and pennyroyal *Mentha pulegium* (2002).

No notable or invasive plant species were recorded on site. The habitats within the site were considered unlikely to support rare / notable plants.

3.4 Importance of Ecological Features

In line with the CIEEM PEA Guidelines, and based on the above baseline information, each ecological feature recorded within the study area is considered to have the following importance, using the Methodology as defined in Section 4 of the CIEEM EcIA Guidelines (2018):

Table 6: Importance of Ecological Features

Feature	Importance	Rationale
Camley Street Nature Park (LNR)	County	Designated for various features of local level importance.
Barnsbury Wood (LNR)	County	Designated for various features of local level importance.
x37 SINCs	County	These sites are designated for various features of county level importance.
Buildings	Negligible	They are of negligible ecological value in themselves.
Hardstanding	Negligible	Negligible ecological value.
Ephemeral/Short Perennial	Negligible	Negligible ecological value. Habitat is small in extent and includes common plant species.
Scattered tree	Local	The semi-mature tree provides local ecological value.
Great crested newts and other amphibians	Negligible	No suitable habitat on site.
Reptiles	Negligible	No suitable habitat on site.
Roosting bats	Negligible (on-site) Unknown (off-site)	Small holes in walls surrounding the site provide suitable habitat to support roosting bats.
Commuting and Foraging bats	Negligible	No suitable habitat on site..
Badger	Negligible	No suitable habitat on site.
Hazel dormice	Negligible	No suitable habitat on site.
Otter & water vole	Negligible	No suitable habitat on site.
Other mammals	Negligible	No suitable habitat on site.
Birds	Negligible	Likely to be small numbers of common breeding species.
Invertebrates	Negligible	No suitable habitat on site.
Notable Plants	Negligible	None on site.
Either: International (incl. European) / National / Regional / County / Local / Negligible **Or:** Unknown (i.e. further surveys/information needed)		

The potential for the proposals to have adverse or beneficial impacts on these features, along with the need for any mitigation or enhancement measures are discussed in detail below.

4.0 Relevant Planning Policy & Legislation

4.1 Revised National Planning Policy Framework

A revised NPPF was issued on 19th February 2019 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular *06/2005, Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 170 of the NPPF also states that:

`*Planning policies and decisions should contribute to and enhance the natural environment by:*

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The conservation and enhancement of wildlife is also specifically reference re: development within the National Parks or the Broads.

Paragraph 174 then goes on to confirmed that:

When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

Regarding EcIA's and HRA's – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the pSPA's and cSAC's themselves. In addition, when an application is being determined, Paragraph 177 clarifies that:

"*The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.*"

Paragraph 180 is also relevant as;

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:…

c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

4.2 Biodiversity 2020: A strategy for England's Wildlife & Ecosystem Services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act (see Appendix B for further details).

4.3 Local Biodiversity Action Plan

Local Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The London BAP is the relevant document for this site and it contains the following Habitat & Species Action Plans.

London Biodiversity Partnership identified a total of 214 priority species that are under particular threat in London. Planning decisions must take these species into account. Eight of these species (or species groups) were identified as needing targeted action to secure their future in London, and these have their own SACs.

Table 7: LBAP SAPs

Species Action Plans	
Bats	Sand martin *Riparia riparia*
Black poplar *Populus nigra*	Stag beetle *Lucanidae*
House sparrow	Water vole
Mistletoe *Viscum album*	Reptiles
Other Important Species	
Black redstart *Phoenicurus ochruros*	Otter
Common dormouse *Muscardinus avellanarius*	Peregrine falcon *Falco peregrinus*
Grey heron *Ardea cinerea*	

The London BAP identifies priority habitats that are of particular importance for biodiversity in London. Many of these habitats are covered by HAPs. The London BAP has 11 HAPS. Nine of these are for named habitat types, while another two are for land uses.

Table 8: LBAP HAPs

Habitats Action Plans	
Acid grassland	Rivers & streams
Chalk grassland	Standing water
Heathland	Tidal Thames
Parks & urban green spaces	Wasteland
Private gardens	Woodland
Reedbeds	
Other Important Habitats	
Built structures	Fen, marsh and swamp
Meadows and pastures	Open landscapes with ancient/old trees

It should be noted that the existence of a SAP or HAP does not always infer an elevated level importance for those features. These plans may be designed to encourage an increase in these habitats/species, rather than to protect a county-scarce feature (for example).

The Camden BAP (2013-2018)

"In 2013 we completed a review of Camden's Sites of Importance of Nature (SINC) Conservation as part of the new draft Local Plan, which evidenced the strength of Camden's planning policies in protecting the extent of the SINC network since the previous survey in 2002.

We have distributed advice notes on 'landscaping for biodiversity' and 'living roofs and walls' to developers and to the Camden Climate Change Alliance.

Camden has installed 11 living roofs on housing estates across the borough, and we have included green roofs as an option for all roof replacement by incorporating them into our Better Homes technical standards."

4.4 Local Plan

London Plan

Policy 7.19, part C of the London Plan (2016), Biodiversity and access to nature, states;

"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), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites
c) not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP…"

Camden Local Plan (2017) states:

Policy A3 Biodiversity

"The Council will protect and enhance sites of nature conservation and biodiversity. We will:

a) designate and protect nature conservation sites and safeguard protected and priority habitats and species;
b) grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species;
c) seek the protection of other features with nature conservation value, including gardens, wherever possible;
d) biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development, proportionate to the scale of development proposed;
e) secure improvements to green corridors, particularly where a development scheme is adjacent to an existing corridor;

f) seek to improve opportunities to experience nature, in particular where such opportunities are lacking;
g) require the demolition and construction phase of development, including the movement of works vehicles, to be planned to avoid disturbance to habitats and species and ecologically sensitive areas, and the spread of invasive species;
h) secure management plans, where appropriate, to ensure that nature conservation objectives are met; and
i) work with The Royal Parks, The City of London Corporation, the London Wildlife Trust, friends of park groups and local nature conservation groups to protect and improve open spaces and nature conservation in Camden.

Trees and vegetation

The Council will protect, and seek to secure additional, trees and vegetation. We will:

j) resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation;
k) require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout;
l) expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development;
m) expect developments to incorporate additional trees and vegetation wherever possible."

4.5 Legislation

Full details of the UK legislation and offences which are relevant to the ecological receptors identified are included in Appendix B. However, based on the findings of our assessment, it is considered that the proposals will need to consider the following legal provisions:

- Disturbance or killing of an EPS
- Disturbance of nesting wild birds

5.0 Discussion

5.1 Designated Sites

Sites of Importance for Nature Conservation

A total of 34 SINCs and two LNRs (Camley Street Nature Park and Barnsbury Wood) are located within 2km of the site. Of those designated as having Metropolitan Importance, Camley Street Natural Park SINC and LNR is located the closest at 0.7 km north-east of the site. The proposals are unlikely to cause any direct or indirect effects on any of the SINCs in the area due to the small scale and localised nature of the works. Furthermore, the site is isolated in an urban environment with no hydrological links or green links to the designated sites. Nonetheless, as a matter of best practice, pollution prevention measures should be adopted, including:

- Measures to minimise dust arising, when necessary;
- machinery and wet machinery;
- Measures to prevent pollution / contamination events through surface run-off; and
  Measures to minimise other pollution events such as noise, vibration and wind-blown litter.

Upon completion of the proposals, despite the hotel being able to accommodate more people, it is considered unlikely to cause any increased recreational pressure on the designated sites within 2km of the site due to the highly urban location of the site and temporary stays of overnight guests (many of which will be on business trips). Furthermore, the majority of London LNRs and SINCs are managed for recreational activity and form part of London's open green spaces.

5.2 Habitats

The hardstanding and ephemeral/short perennial are of no ecological value and their removal is insignificant in relation to ecology.

No buildings will be removed however see bat and bird section below for recommendations.

One tree (TN16) is located in the north-western corner of the site and this will be retained. The tree is located on the pavement, therefore it is unlikely that any for root damage or damage from machinery would occur. The lighting surrounding the tree is unlikely to change during construction or operation. Nonetheless, the tree should be protected in line with the *British Standards BS 5837 2012: Trees in Relation to Construction. Recommendations.*

5.3 Protected & Notable Species

Only those species which could be adversely impacted by the proposals are discussed in this section.

5.3.1 Bats

All species of British bats and their roosts are fully protected under the W&CA and Habitat Regulations.

Roosting Bats

B1 has negligible suitability for roosting bats therefore no further survey is required. However, the missing bricks of B2, ventilation holes of B3 and hole in brickwork and gap under the windowsill of B4

have been assessed as having a low suitability to support roosting bats. The proposals will not remove these features however the footprint of the seven storey rear car park extension will be located very close to these features and would be highly likely to disturb / change the nature of the bat roost (should one be present). As such, a further survey of the features in B2, B3 & B4 is required to ascertain whether roosting bats are present. In line with the BCT guidance, one dusk emergence survey is required between the months of May to August inclusive.

5.3.2 Birds

All bird's eggs and active nests are protected from damage and destruction under the Wildlife and Countryside Act 1981 (as amended).

Habitats of most value to birds on site are the single tree within the western corner of the site (TN16), the building rooftop (TN8) and the stairwell attached to B1 which consisted of bricks with regular large gaps (TN2).

Where removal of bird breeding habitats is required (particularly the roof (TN8), clearance of this habitat should be carried out outside of the bird breeding season, which is generally considered to extend between March and September inclusive (i.e. habitat should be cleared between October and February). If this timing is not possible, then a suitably experienced ecologist should check for active bird nests immediately prior to demolition or clearance of vegetation or buildings (within 48 hours).

If an active nest is discovered, then works in that area should cease and an appropriate buffer zone be installed around the nest site where no works are undertaken until such a time that the young have fledged, and the nest is no longer in use. The extent of this buffer zone will depend on the nature of the works to be undertaken and the species of bird nesting, but this would be advised by an ecologist (as a minimum this would be 5m).

5.4 Ecological Enhancements

An assessment of the existing rooftop structure (B1) was carried out by the client to consider the viability of providing a two storey extension over the roof. The assessment indicated that the capacity of the existing frame can only sustain the loading from a lightweight construction of new bedrooms. Therefore, in regards to ecological enhancements, it is recommended that a lightweight green sedum roof is installed on both the rear car park extension and the area of roof between the Somerton House residential and the new rooftop extension (B1).

The installation of planters along Dukes Road (number & design to be confirmed in detailed design) is also recommended.

6.0 Summary

6.1 Designated Sites

No adverse impacts are likely from the proposed development.

6.2 Habitats

Habitats on site include: Building, hard standing, ephemeral/short perennial and one scattered tree. The most ecological valuable habitat is the tree (TN16). The Premier Inn building itself (B1) has negligible potential to support roosting bats but could support nesting birds. The elevations of the surrounding buildings (B2, B3, B4) could support roosting bats.

The tree will be retained and should be protected in accordance with *British Standards BS 5837 2012: Trees in Relation to Construction.*

6.3 Protected & Notable Species

Where removal of bird breeding habitats is required or where there is an impact to potential nesting features and clearance of this habitat cannot be carried out outside of the bird breeding season, a suitably experienced ecologist should check for active bird nests immediately prior to demolition or clearance of vegetation or buildings (within 48 hours).

Further survey of the features in B2, B3 & B4 is required to ascertain whether roosting bats are present. In line with the BCT guidance, one dusk emergence survey is required between the months of May to August inclusive.

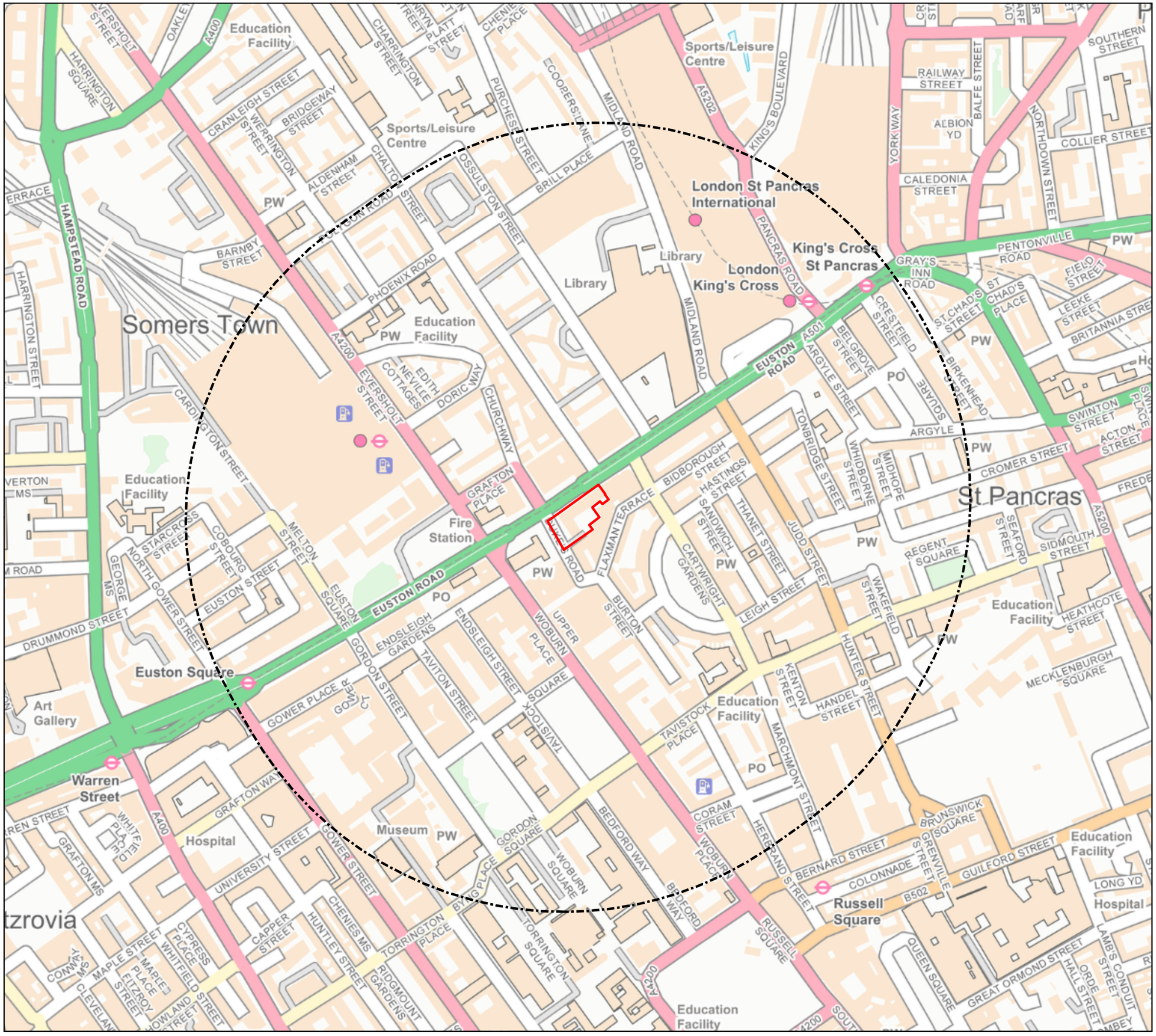
7.0 References

- Bright, P.W., Morris, P.A. and Mitchell-Jones, A., (2006), Dormouse Conservation Handbook, 2nd Edition, English Nature: Peterborough.
- British Standards BS 5837 (2012) Trees in Relation to Design, Demolition and Construction.
- BSI Group, (2013), BS 42020 – a code of practice for biodiversity in planning and development, [online] Available at https://www.bsigroup.com/LocalFiles/en-GB/biodiversity/BS-42020-Smart-Guide.pdf, Accessed June 2019.
- Camden Biodiversity Action Plan (2013-18) Interim Report, online Available at: https://www.camden.gov.uk/documents/20142/2205931/Camden+Biodiversity+action+plan+interim+review.pdf/3b370f31-2758-1276-792d-10419f6cfe3b Accessed June 2019.
- Camden Local Plan (2017), online Available at: https://www.camden.gov.uk/documents/20142/4820180/Local+Plan.pdf/ce6e992a-91f9-3a60-720c-70290fab78a6 Accessed June 2019.
- CIEEM (April 2017) Advice Note: On the Lifespan of Ecological Reports & Surveys [online] Available at https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf Accessed June 2019.
- CIEEM, (2017), Guidelines for Preliminary Ecological Appraisal, 2nd Edition, CIEEM: Winchester.
- CIEEM, (2018), Guidelines for Ecological Impact Assessment, CIEEM: Winchester.
- Collins, J. (ed.), (2016), Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition, The Bat Conservation Trust: London.
- DEFRA, (2011), Biodiversity 2020: A strategy for England's wildlife and ecosystem services, [online] Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf, Accessed June 2019.
- Eaton, M., Aebischer, N., Brown, A., Hearn, R. Lock, L. Musgrove, A., Noble, D. Stround, D. and Gregory, R. (2015) Birds of conservation concern 4: the population status of birds in the UK, channel islands and isle of man. British birds, 108:708-746.
- Gent, T. & Gibson, S. (2003). Herpetofauna Workers' Manual. JNCC, Peterborough.
- Harris, S., Cresswell, P. and Jeffries, D., (1989), *Surveying badgers. An occasional publication of the mammal society – No. 9.*, Mammal Society: London.
- JNCC, (2010), Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit, JNCC: Peterborough.
- Langton, T.E.S., Beckett, C.L. and Foster, J.P., (2001), *Great Crested Newt Conservation Handbook*, Froglife: Halesworth.
- Ministry of Housing Communities and Local Government, (2019), *National Planning Policy Framework*, [online] Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf, Accessed June 2019.
- ODPM, (2005), Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System, [online] Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf, Accessed June 2019.
- Oldham R.S., Keeble J., Swan M.J.S. and Jeffcote M., (2000), Evaluating the Suitability of Habitat for the Great Crested Newt *Triturus cristatus*, *Herpetological Journal*, 10 (4), 143-155.
- Stace, C., (2019), *New Flora of the British Isles*, 4th Edition, C&M Floristics Middlewood Green, Suffolk.

Please note that the legislation which is relevant to this report is not included in the list above, but details are included in Appendix B below.

FIGURES

Figure 1 – Site Location Plan
Figure 2 – Phase 1 Habitat Plan



Rev	Date	Notes
A	13/06/19	Initial map production

Legend

Site boundary

500m buffer

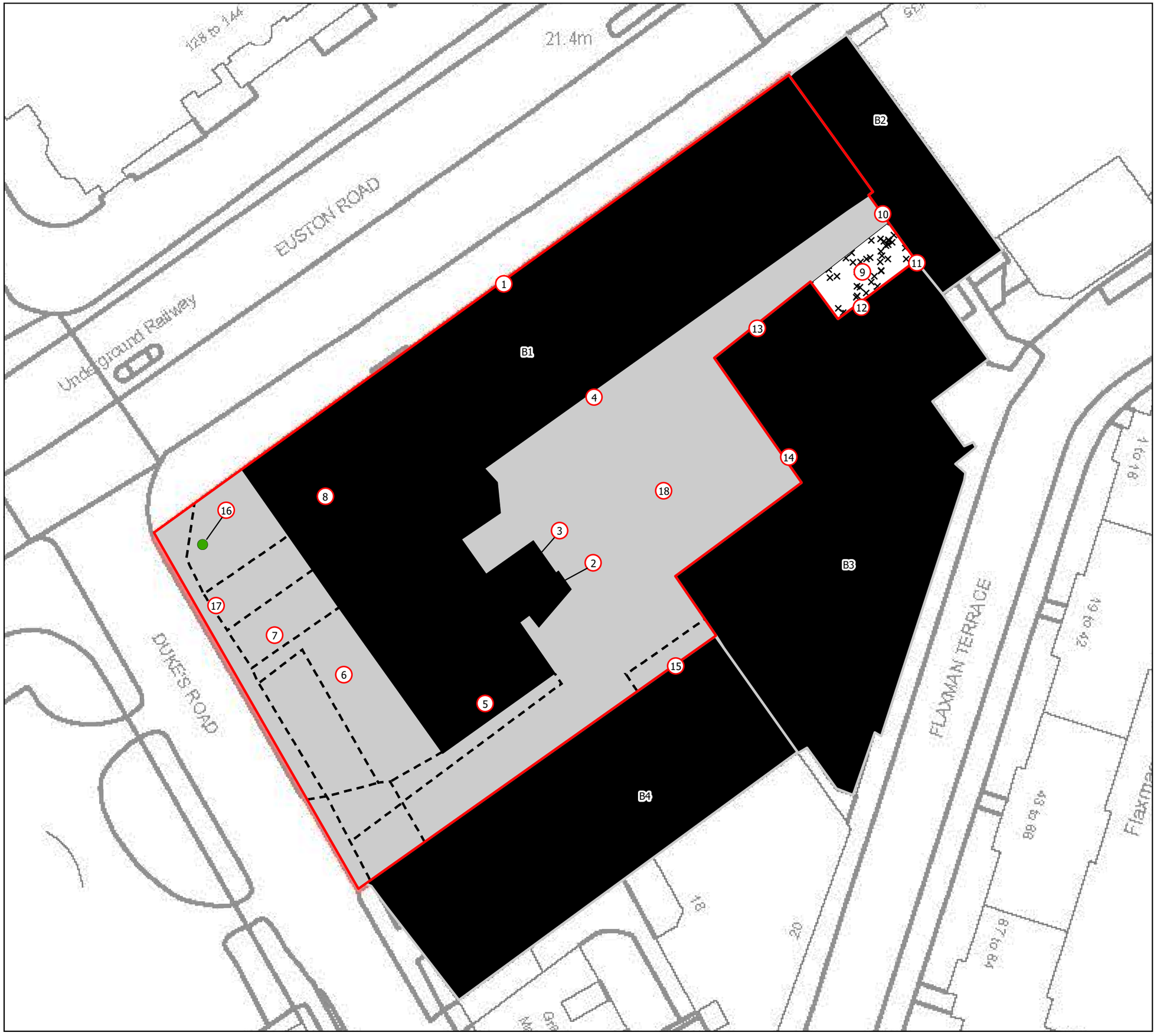
0 25 50 100 150 Metres

Site Location Plan

Premier Inn, Euston
Whitbread Group

Scale at A3:	Project No:	Drawing No:	Revision:
1:5,000	A113580	Figure 1	A

Drawn by:	Drawn date:	Approved by:
Maddie Errington	13/06/2019	Georgia Alfreds



Rev	Date	Notes
A	13/06/19	Initial map production

Legend

- Site boundary
- Ephemeral / short perennial
- Buildings
- Hardstanding
- Garage footprint
- Scattered tree
- Target note

Site Location Plan
Drawn Date: March 2019
Provided by: CHQ Architects Ltd.

0 2.5 5 10 15 Metres

N

Phase 1 Habitat Plan

Premier Inn, Euston
Whitbread Group

Scale at A3:	Project No:	Drawing No:	Revision:
1:400	A113580	Figure 2	A

Drawn by:	Drawn date:	Approved by:
Maddie Errington	13/06/2019	Georgia Alfreds

Appendix A – Report Conditions

This Report has been prepared using reasonable skill and care for the sole benefit of Whitbread Group ("the Client") for the proposed uses stated in the report by WYG Environment Planning Transport Limited ("WYG"). WYG exclude all liability for any other uses and to any other party. The report must not be relied on or reproduced in whole or in part by any other party without the copyright holder's permission.

No liability is accepted or warranty given for; unconfirmed data, third party documents and information supplied to WYG or for the performance, reliability, standing etc of any products, services, organisations or companies referred to in this report. WYG does not purport to provide specialist legal, tax or accounting advice.

The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections'. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The "shelf life" of the Report will be determined by a number of factors including; its original purpose, the Client's instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.

Appendix B – Key Legislation

Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Fora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

Birds Directive

The EC Directive on the Conservation of Wild Birds (791409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by the European Commission, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

https://www.legislation.gov.uk/uksi/2018/1307/note/made

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5 - see below:

Schedule 2 – European Protected Species of Animals	**Schedule 5 – European Protected Species of Plants**
Horseshoe bats *Rhinolophidae* - all species	Shore dock *Rumex rupestris*
Common bats *Vespertilionidae* - all species	Killarney fern *Trichomanes speciosum*
Large Blue Butterfly *Maculinea arion*	Early gentian *Gentianella anglica*
Wild cat *Felis sylvestris*	Lady's-slipper *Cypripedium calceolus*
Dolphins, porpoises and whales *Cetacea* – all sp.	Creeping marsh-wort *Apium repens*
Dormouse *Muscardinus avellanarius*	Slender naiad *Najas flexilis*
Pool frog *Rana lessonae*	Fen orchid *Liparis loeselii*
Sand lizard *Lacerta agilis*	Floating-leaved water plantain *Luronium natans*
Fisher's estuarine moth *Gortyna borelii lunata*	Yellow marsh saxifrage *Saxifraga hirculus*
Great crested newt *Triturus cristatus*	
Otter *Lutra lutra*	
Lesser whirlpool ram's-horn snail *Anisus vorticulus*	
Smooth snake *Coronella austriaca*	
Sturgeon *Acipenser sturio*	
Natterjack toad *Epidalea calamita*	
Marine turtles *Caretta caretta, Chelonia mydas, Lepidochelys kempii, Eretmochelys imbricata, Dermochelys coriacea*	

Wildlife & Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use; or
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to:

- intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant;
- unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or
- sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

Schedule 1 - Birds which are protected by special penalties			
Avocet	*Recurvirostra avosetta*	Osprey	*Pandion haliaetus*
Bee-eater	*Merops apiaster*	Owl, Barn	*Tyto alba*
Bittern	*Botaurus stellaris*	Owl, Snowy	*Nyctea scandiaca*
Bittern, Little	*Ixobrychus minutus*	Peregrine	*Falco peregrinus*
Bluethroat	*Luscinia svecica*	Petrel, Leach's	*Oceanodroma leucorhoa*
Brambling	*Fringilla montifringilla*	Phalarope, Red-necked	*Phalaropus lobatus*
Bunting, Cirl	*Emberiza cirlus*	Plover, Kentish	*Charadrius alexandrinus*
Bunting, Lapland	*Calcarius lapponicus*	Plover, Little Ringed	*Charadrius dubius*
Bunting, Snow	*Plectrophenax nivalis*	Quail, Common	*Coturnix coturnix*
Buzzard, Honey	*Pernis apivorus*	Redstart, Black	*Phoenicurus ochruros*
Capercaillie	*Tetrao urogallus*	Redwing	*Turdus iliacus*
Chough	*Pyrrhocorax pyrrhocorax*	Rosefinch, Scarlet	*Carpodacus erythrinus*
Corncrake	*Crex crex*	Ruff	*Philomachus pugnax*
Crake, Spotted	*Porzana porzana*	Sandpiper, Green	*Tringa ochropus*
Crossbills (all species)	*Loxia*	Sandpiper, Purple	*Calidris maritima*
Curlew, Stone	*Burhinus oedicnemus*	Sandpiper, Wood	*Tringa glareola*
Divers (all species)	*Gavia*	Scaup	*Aythya marila*
Dotterel	*Charadrius morinellus*	Scoter, Common	*Melanitta nigra*
Duck, Long-tailed	*Clangula hyemalis*	Scoter, Velvet	*Melanitta fusca*
Eagle, Golden	*Aquila chrysaetos*	Serin	*Serinus serinus*
Eagle, White-tailed	*Haliaetus albicilla*	Shorelark	*Eremophila alpestris*
Falcon, Gyr	*Falco rusticolus*	Shrike, Red-backed	*Lanius collurio*
Fieldfare	*Turdus pilaris*	Spoonbill	*Platalea leucorodia*
Firecrest	*Regulus ignicapillus*	Stilt, Black-winged	*Himantopus himantopus*
Garganey	*Anas querquedula*	Stint, Temminck's	*Calidris temminckii*

Godwit, Black-tailed	*Limosa limosa*	Swan, Bewick's	*Cygnus bewickii*
Goshawk	*Accipiter gentilis*	Swan, Whooper	*Cygnus cygnus*
Grebe, Black-necked	*Podiceps nigricollis*	Tern, Black	*Chlidonias niger*
Grebe, Slavonian	*Podiceps auritus*	Tern, Little	*Sterna albifrons*
Greenshank	*Tringa nebularia*	Tern, Roseate	*Sterna dougallii*
Gull, Little	*Larus minutus*	Tit, Bearded	*Panurus biarmicus*
Gull, Mediterranean	*Larus melanocephalus*	Tit, Crested	*Parus cristatus*
Harriers (all species)	*Circus*	Tree-creeper, Short-toed	*Certhia brachydactyla*
Heron, Purple	*Ardea purpurea*	Warbler, Cetti's	*Cettia cetti*
Hobby	*Falco subbuteo*	Warbler, Dartford	*Sylvia undata*
Hoopoe	*Upupa epops*	Warbler, Marsh	*Acrocephalus palustris*
Kingfisher	*Alcedo atthis*	Warbler, Savi's	*Locustella luscinioides*
Kite, Red	*Milvus milvus*	Whimbrel	*Numenius phaeopus*
Merlin	*Falco columbarius*	Woodlark	*Lullula arborea*
Oriole, Golden	*Oriolus oriolus*	Wryneck	*Jynx torquilla*
Animal (Vertebrate) Species Listed in Schedule 5 (full legal protection at all times)			
Horseshoe Bats (all species)	*Rhinolophidae*	Newt – Great Crested	*Triturus cristatus*
Typical Bats (all species)	*Vespertilionidae*	Snake – Smooth	*Coronella austriaca*
Dolphin – Bottle-nosed	*Tursiops truncatus (tursio)*	Toad, Natterjack	*Epidalea calamita*
Dolphin – Common	*Delphinus delphis*	Turtles – All Species	*Cheloniidae & Dermochelyidae*
Dormouse – Hazel	*Muscardinus avellanarius*	Basking Shark	*Cetorhinus maximus*
Pine Marten	*Martes martes*	Burbot	*Lota lota*
Porpoise – Harbour	*Phocaena phocaena*	Goby – Giant	*Gobius cobitis*
Otter – Eurasian	*Lutra lutra*	Goby – Couch's	*Gobius couchii*
Squirrel – Red	*Sciurus vulgaris*	Seahorse – Short-snouted[1]	*Hippocampus hippocampus*
Walrus	*Odobenus rosmarus*	Seahorse – Spiny	*Hippocampus guttulatus*
Water Vole	*Arvicola amphibia*	Sturgeon	*Acipenser sturio*
Whales – All Species	*Cetacea*	Vendace	*Coregonus albula*
Wildcat	*Felis sylvestris*	Whitefish	*Coregonus lavaretus*
Lizard – Sand	*Lacerta agilis*		
Animal (Vertebrate) Species Protected under Section 9 (1) part: Killing and Injuring & Section 9 (5) Sale			
Adder	*Vipera berus*	Slow-worm	*Anguis fragilis*
Lizard – Viviparous	*Zootoca vivipara*	Snake – Grass	*Natrix helvetica (natrix)*
Animals (Vertebrate) Species Protected under Section 9 (5) Sale only			
Frog – common	*Rana temporaria*	Newt – Smooth	*Lissotriton vulgaris*
Newt – Palmate	*Lissotriton helvetica*	Toad – Common	*Bufo bufo*
Animals (Vertebrate) Species Protected under Section 9 (1) (4)(a): Killing, Injuring &Taking and Damage / Destruction of place of shelter / protection only			
Allis Shad	*Alosa alosa*	Shark – Angel	*Squatina squatina*
Twaite Shad	*Alosa fallax*		
Butterflies & Moths – Full Protection under Schedule 5[2] at all times			
High brown fritillary	*Argynnis adippe*	Fisher's Estuarine Moth	*Gortyna borelii*
Large Blue	*Maculinea arion*	Barberry Carpet	*Pareulype berberata*

[1] Both sea horse species are protected in England only.

[2] Viper's Bugloss Moth *Hadena irregularis* was removed from Schedule 5 in 1996 as it is believed to be extinct.

Heath Fritillary	*Mellicta athalea*	Black-veined Moth	*Siona lineata*
Marsh Fritillary	*Eurodryas aurinia*	Sussex Emerald	*Thalera fimbrialis*
Swallowtail	*Papilio machaon britannicus*	Essex Emerald	*Thetidia smaragdaris*
Large Copper	*Lycaena dispar*	Fiery Clearwing	*Bembecia chrysidiformis*
Reddish-buff Moth	*Acosmetia caliginosa*	New-Forest Burnet	*Zygaena viciae*
Butterflies – Protected under Section 9 (5) Sale Only			
Purple Emperor	*Apatura iris*	Adonis Blue	*Lysandra bellargus*
Northern Brown Argus	*Aricia artaxerxes*	Chalkhill Blue	*Lysandra coridon*
Pearl-bordered Fritillary	*Boloria euphrosyne*	Glanville Fritillary	*Melitaea cinxia*
Chequered Skipper	*Carterocephalus palaemon*	Large Tortoiseshell	*Nymphalis polychloros*
Large Heath	*Coenonympha tullia*	Silver-studded Blue	*Plebejus argus*
Small Blue	*Cupido minimus*	Black Hairstreak	*Strymonidia pruni*
Mountain Ringlet	*Erebia epiphron*	White-letter Hairstreak	*Strymonidia w-album*
Duke of Burgundy	*Hamearis lucina*	Brown Hairstreak	*Thecla betulae*
Silver-spotted Skipper	*Hesperia comma*	Lulworth Skipper	*Thymelicus acteon*
Wood White	*Leptidea sinapis*		
Other Invertebrates – Full Protection under Schedule 5 at all times			
Rainbow Leaf-beetle	*Chrysolina cerealis*	Tadpole Shrimp	*Triops cancriformis*
Spangled Diving-beetle	*Graphopterus zonatus*	Trembling Sea-mat	*Victorella pavida*
Lesser Silver Water-beetle	*Hydrochara caraboides*	De Folin's Lagoon Snail	*Caecum armoricum*
Moccas Beetle	*Hypebaeus flavipes*	Sandbowl Snail	*Catinella arenaria*
Violet Click-beetle	*Limoniscus violaceus*	Freshwater Pearl Mussel	*Margaritifera margaritifera*
Bembridge Beetle	*Parcymus aeneus*	Glutinous Snail	*Myxas glutinosa*
New Forest Cicada	*Cicadetta montana*	Lagoon Snail	*Paludinella littorina*
Wart-Biter	*Decticus verrucivorus*	Lagoon Sea Slug	*Tenellia adspersa*
Mole-Cricket	*Gryllotalpa gryllotalpa*	Northern Hatchet-shell	*Thyasira gouldi*
Field-Cricket	*Gryllus campestris*	Tentacled Lagoon-worm	*Alkmaria romijni*
Norfolk Hawker Dragonfly	*Aeshna isosceles*	Lagoon Sand-worm	*Armandia cirrhosa*
Southern Damselfly	*Coenagrion mercuriale*	Medicinal Leech	*Hirudo medicinalis*
Fen Raft Spider	*Dolomedes fimbriatus*	Marine Hydroid	*Clavopsella navis*
Ladybird Spider	*Eresus niger (cinaberinus)*	Ivell's Sea Anemone	*Edwardsia ivelli*
Fairy Shrimp	*Chirocephalus diaphanus*	Starlet Sea Anemone	*Nematosella vectensis*
Lagoon Sand Shrimp	*Gammarus insensibilis*	Atlantic Stream (White-clawed) Crayfish	*Austropotamobius pallipes*
Other Invertebrates Protected under Section 9 (1) Possession & 9 (2) (5) Sale only			
Stag Beetle	*Lucanus cervus*	Roman Snail[3]	*Helix pomatia*
Fan Mussel	*Atrina fragilis*	Pink Sea-fan	*Eunicella verrucosa*
Other Invertebrates Protected under Section 9 (4) (a) Damage / Destruction of Place of Shelter / Protection only			
Mire Pill Beetle	*Curimopsis nigrita*		
Vascular Plant Species - Full Protection under Schedule 8 at all times (previous Scientific name in brackets)			
Adder's-tongue Least	*Ophioglossum lusitanicum*	Lily – Snowdon	*Gagea serotina (Lloydia serotina)*
Alison- Small	*Alyssum alyssoides*	Marsh-mallow – Rough	*Malva setigera (Althaea hirsuta)*

[3] England only

Broomrape – Bedstraw	*Orobanche caryophyllacea*	Milk-parsley – Cambridge	*Selinum carvifolia*
Broomrape – Oxtongue	*Orobanche picridis*	Mudwort – Welsh	*Limosella aquatica*
Broomrape – Thistle	*Orobanche reticulata*[4]	Naiad – Holly-leaved	*Najas marina*
Cabbage – Lundy	*Coincya wrightii (Rhynchosinapis wrightii)*	Orache – Stalked	*Atriplex pedunculata (Halimione pedunculata)*
Calamint – Wood	*Clinopodium menthifolium (Calamintha sylvatica)*	Orchid – Early Spider	*Ophrys sphegodes*
Catchfly – Alpine	*Silene suecica (Lychnis alpina)*	Orchid – Ghost	*Epipogium aphyllum*
Centaury – Slender	*Centaurium tenuiflorum*	Orchid – Lapland Marsh	*Dactylorhiza lapponica*
Cinquefoil – Rock	*Potentilla rupestris*	Orchid – Late Spider	*Ophrys fuciflora*
Clary – Meadow	*Salvia pratensis*	Orchid – Lizard	*Himantoglossum hircinum*
Club-rush – Triangular	*Schoenoplectus triqueter (Scirpus triqueter)*	Orchid – Military	*Orchis militaris*
Colt's-foot – Purple	*Homogyne alpina*	Orchid – Monkey	*Orchis simia*
Cotoneaster – Wild	*Cotoneaster cambricus (C. integerrimus)*	Pear – Plymouth	*Pyrus cordata*
Cotton-grass – Slender	*Eriophorum gracile*	Pennycress – Perfoliate	*Microthlaspi perfoliatum (Thlaspi perfoliatum)*
Cow-wheat – Field	*Melampyrum arvense*	Pennyroyal	*Mentha pulegium*
Crocus – Sand	*Romulus columnae*	Pigmyweed	*Crassula aquatica*
Cudweed – Broad-leaved	*Filago pyramidata*	Pine - Ground	*Ajuga chamaepitys*
Cudweed – Jersey	*Gnaphalium luteoalbum*	Pink – Cheddar	*Dianthus gratianopolitanus*
Cudweed – Red-tipped	*Filago lutescens*	Pink – Childing	*Petrorhagia nanteuilii*
Cut-grass	*Leersia oryzoides*	Ragwort – Fen	*Jacobaea paludosa (Senecio paludosa)*
Deptford Pink	*Dianthus armeria*	Ramping-fumitory – Martin's	*Fumaria reuteri (F. martinii)*
Diapensia	*Diapensia lapponica*	Rampion – Spiked	*Phyteuma spicata*
Eryngo – Field	*Eryngium campestre*	Restharrow – Small	*Ononis reclinata*
Fern – Dickie's-bladder	*Cystopteris dickieana*	Rock-cress – Alpine	*Arabis alpina*
Fleabane – Alpine	*Erigeron borealis*	Rock-cress – Bristol	*Arabis scabra*
Fleabane – Small	*Pulicaria vulgaris*	Sandwort – Norwegian	*Arenaria norvegica*[5]
Galingale – Brown	*Cyperus fuscus*	Sandwort – Teesdale	*Minuartia stricta*
Gentian – Alpine	*Gentiana nivalis*	Saxifrage – Drooping	*Saxifraga cernua*
Gentian - Dune	*Gentianella amarella subsp. occidentalis (Gentianella uliginosa)*	Saxifrage – Tufted	*Saxifraga cespitosa*
Gentian – Fringed	*Gentianopsis ciliata (Gentianella ciliata)*	Solomon's-seal – Whorled	*Polygonatum verticillatum*
Gentian - Spring	*Gentiana verna*	Sow-thistle – Alpine	*Cicerbita alpina*
Germander – Cut-leaved	*Teucrium botrys*	Spearwort – Adder's-tongue	*Ranunculus ophioglossifolius*
Germander – Water	*Teucrium scordium*	Speedwell – Fingered	*Veronica triphyllos*
Gladiolus – Wild	*Gladiolus illyricus*	Speedwell – Spiked	*Veronica spicata*[6]
Goosefoot – Stinking	*Chenopodium vulvaria*	Spike-rush – Dwarf	*Eleocharis parvula*

[4] The Weeds Act 1959 does not apply to thistles *Cirsium* & *Carduus* species supporting this broomrape.

[5] All subspecies occurring in the UK

[6] Both subspecies: *spicata* & *hybrida*

Grass-poly	*Lythrum hyssopifolia*	South-stack Fleawort	*Tephroseris integrifolia ssp. maritima*
Hare's-ear – Sickle-leaved	*Bupleurum falcatum*	Star-of-Bethlehem – Early	*Gagea bohemica*
Hare's-ear – Small	*Bupleurum baldense*	Starfruit	*Damasonium alisma*
Hawk's-beard – Stinking	*Crepis foetida*	Strapwort	*Corrigiola littoralis*
Hawkweed – Northroe	*Hieracium northroense*	Violet – Fen	*Viola persicifolia*
Hawkweed – Shetland	*Hieracium zetlandicum*	Viper's-grass	*Scorzonera humilis*
Hawkweed – Weak-leaved	*Hieracium attenuatifolium*	Water-plantain – Ribbon-leaved	*Alisma gramineum*
Heath – Blue	*Phyllodoce caerulea*	Wood-sedge – Starved	*Carex depauperata*
Helleborine – Red	*Cephalanthera rubra*	Woodsia – Alpine	*Woodsia alpina*
Horsetail – Branched	*Equisetum ramosissimum*	Woodsia – Oblong	*Woodsia ilvensis*
Hound's-tongue – Green	*Cynoglossum germanicum*	Wormwood – Field	*Artemisia campestris*
Knawel – Perennial	*Scleranthus perennis*[7]	Woundwort - Downy	*Stachys germanica*
Knot-grass – Sea	*Polygonum maritimum*	Woundwort – Limestone	*Stachys alpina*
Leek – Round-headed	*Allium sphaerocephalon*	Yellow-rattle – Greater	*Rhinanthus angustifolius*
Lettuce – Least	*Lactuca saligna*		
Vascular Plant Species – Partial Protection under Section 13 (2) Protection from commercial exploitation and sale			
Bluebell	*Hyacinthoides non-scripta*		
Bryophytes – Full Protection under Schedule 8 at all times			
Anamodon – Long-leaved	*Anomodon langifolius*	Flamingo Moss	*Desmatodon cernuus*
Blackwort	*Southbya nigrella*	Frostwort	*Gymnomitrion apiculatum*
Crystalwort – Lizard	*Riccia bifurca*	Glaucous Beard Moss	*Barbula glauca*
Earwort – Marsh	*Jamesoniella undulifolia*	Green Shield Moss	*Buxbaumia viridis*
Feathermoss – Polar	*Hygrohypnum polare*	Hair Silk Moss	*Plagiothecium piliferum*
Flapwort – Norfolk	*Leiocolea rutheana*	Knothole Moss	*Zygodon forsteri*
Grimmia – Blunt-leaved	*Grimmia unicolor*	Large Yellow Feather Moss	*Scorpidium turgescens*
Petalwort	*Petalophyllum ralfsii*	Millimetre Moss	*Micromitrium tenerum*
Lindenberg's Leafy-Liverwort	*Adelanthus lindenbergianus*	Multi-fruited River Moss	*Cryphaea lamyana*
Feather-moss Slender Green	*Drepanocladus vernicosus*	Nowell's Limestone Moss	*Zygodon gracilis*
Alpine Copper-Moss	*Mielichoferia meilicoferia*	Rigid Apple Moss	*Bartramia stricta*
Baltic Bog-Moss	*Sphagnum balticum*	Round-leaved feather Moss	*Rhynchostegium rotundifolium*
Blue Dew-Moss	*Saelania glaucescens*	Schleicher's Thread Moss	*Bryum schleicheri*
Blunt-leaved bristle-Moss	*Orthotrichum obtusifolium*	Triangular Pygmy Moss	*Acaulon triquetrum*
Bright-Green Cave-Moss	*Cyclodictyon laetevirens*	Turpswort	*Geocalyx graveolens*
Cordate Beard Moss	*Barbula cordata*	Vaucher's Feather Moss	*Hypnum vaucheri*
Cornish Path Moss	*Ditrichum cornubicum*	Western Rustwort	*Marsupella profunda*
Derbyshire Feather Moss	*Thamnobryum angustifolium*		

[7] Includes both subspecies: *perennis* & *prostratus*

Stoneworts – Full Protection under Schedule 8 at all times			
Bearded Stonewort	*Chara canescens*	Foxtail Stonewort	*Lamprothamnium papullosum*
Lichens – Full Protection under Schedule 8 at all times			
New Forest Beech Lichen	*Enterographa elaborata*	Forked Hair Lichen	*Bryoria furcellata*
Snow Caloplaca	*Caloplaca nivalis*	Golden Hair Lichen	*Teloschistes flavicans*
Tree Catapyrenium	*Catapyrenium psoromoides*	Orange-fruited Elm Lichen	*Caloplaca luteoalba*
Laurer's Catillaria	*Catillaria laurei*	River Jelly Lichen	*Collema dichotomum*
Convoluted Cladonia	*Cladonia convoluta*	Starry Breck Lichen	*Buellia asterella*
Upright Mountain Cladonia	*Cladonia stricta*	Caledonia Pannaria	*Pannaria ignobilis*
Goblin Lights	*Catolechia wahlenbergii*	New Forest Parmelia	*Parmelia minarum*
Elm Gyalecta	*Gyalecta ulmi*	Oil Stain Parmentaria	*Parmentaria chilensis*
Tarn Lecanora	*Lecanora archariana*	Southern Grey Physcia	*Physcia tribacioides*
Copper Lecidea	*Lecidea inops*	Ragged Pseudo-cyphellaria	*Pseudocyphellaria lacerata*
Arctic Kidney Lichen	*Nephroma arcticum*	Rusty Alpine Psora	*Psora rubiformis*
Ciliate Strap Lichen	*Heterodermia leucomelos*	Rock Nail	*Calicium corynellum*
Coralloid Rosette Lichen	*Heterodermia propagulifera*	Serpentine Selanopsora	*Selanopsora liparina*
Ear-lobed Dog Lichen	*Peltigera lepidophora*	Sulphur Tresses	*Alectoria ochroleuca*
Lichens – Partial Protection under Section 13 (2) Commercial Exploitation and Sale Only			
Tree Lungwort	*Lobaria pulmonaria*		
Fungi – Full Protection under Schedule 8 at all times			
Royal Bolete	*Boletus regius*	Oak Polypore	*Buglossosporus pulvinus*
Hedgehog Fungus	*Hericium erinaceum*	Sandy Stilt Ball	*Battaria phalloides*
Invasive plant species listed in Schedule 9			
Australian swamp stonecrop or New Zealand pygmyweed	*Crassula helmsii*	Japanese rose	*Rosa rugosa*
Californian red seaweed	*Pikea californica*	Japanese seaweed	*Sargassum muticum*
Curly waterweed	*Lagarosiphon major*	Laver seaweeds (except native species)	*Porphyra* spp
Duck potato	*Sagittaria latifolia*	Parrot's-feather	*Myriophyllum aquaticum*
Entire-leaved cotoneaster	*Cotoneaster integrifolius*	Perfoliate alexanders	*Smyrnium perfoliatum*
False Virginia creeper	*Parthenocissus inserta*	Pontic rhododendron	*Rhododendron ponticum*
Fanwort or Carolina water-shield	*Cabomba caroliniana*	Purple dewplant	*Disphyma crassifolium*
Few-flowered garlic	*Allium paradoxum*	Red algae	*Grateloupia luxurians*
Floating pennywort	*Hydrocotyle ranunculoides*	Rhododendron	*Rhododendron ponticum* × *Rhododendron maximum*
Floating water primrose	*Ludwigia peploides*	Small-leaved cotoneaster	*Cotoneaster microphyllus*
Giant hogweed	*Heracleum mantegazzianum*	Three-cornered garlic	*Allium triquetrum*
Giant kelp	*Macrocystis* spp.	Variegated yellow archangel	*Lamiastrum galeobdolon* subsp. *argentatum*
Giant knotweed	*Fallopia sachalinensis*	Virginia creeper	*Parthenocissus quinquefolia*
Giant rhubarb	*Gunnera tinctoria*	Wakame	*Undaria pinnatifida*
Giant salvinia	*Salvinia molesta*	Wall cotoneaster	*Cotoneaster horizontalis*
Green seafingers	*Codium fragile*	Water fern	*Azolla filiculoides*

Himalayan cotoneaster	*Cotoneaster simonsii*	Water hyacinth	*Eichhornia crassipes*
Hollyberry cotoneaster	*Cotoneaster bullatus*	Water lettuce	*Pistia stratiotes*
Hooked asparagus seaweed	*Asparagopsis armata*	Water primrose	*Ludwigia grandiflora*
Hottentot fig	*Carpobrotus edulis*	Water primrose	*Ludwigia uruguayensis*
Hybrid knotweed	*Fallopia japonica* × *Fallopia sachalinensis*	Waterweeds	*Elodea* spp.
Indian (Himalayan) balsam	*Impatiens glandulifera*	Yellow azalea	*Rhododendron luteum*
Japanese knotweed	*Reynoutria japonica*		

Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger"

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.
- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.

Wild Mammals (Protection) Act 1996

This Act offers protects a form of protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.

It's application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.

Appendix C – Relevant Desk Study Data

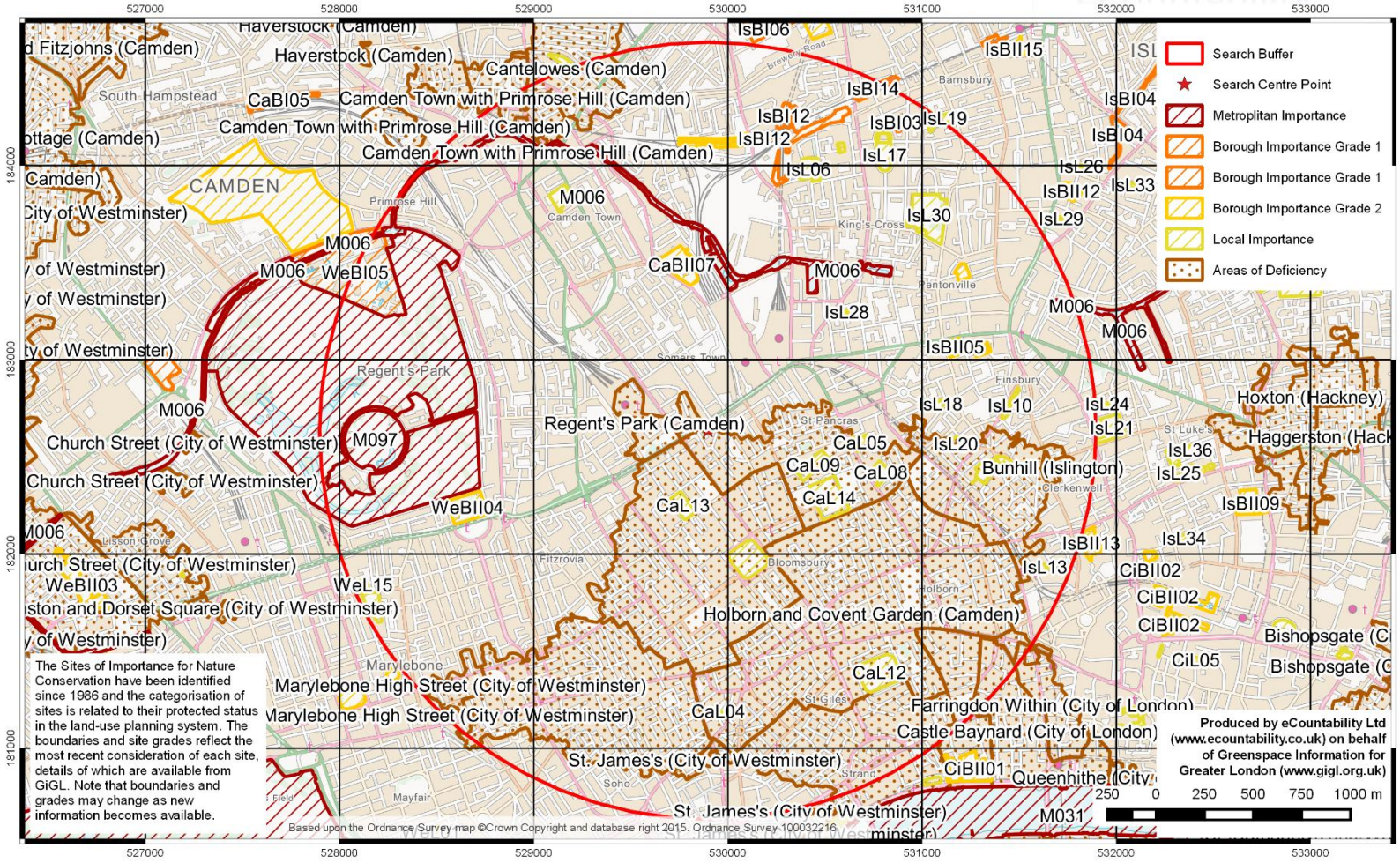
Sites of Importance for Nature Conservation

Ecological Data Search for WYG

E8350 Premier Inn Euston, 26 May 2019

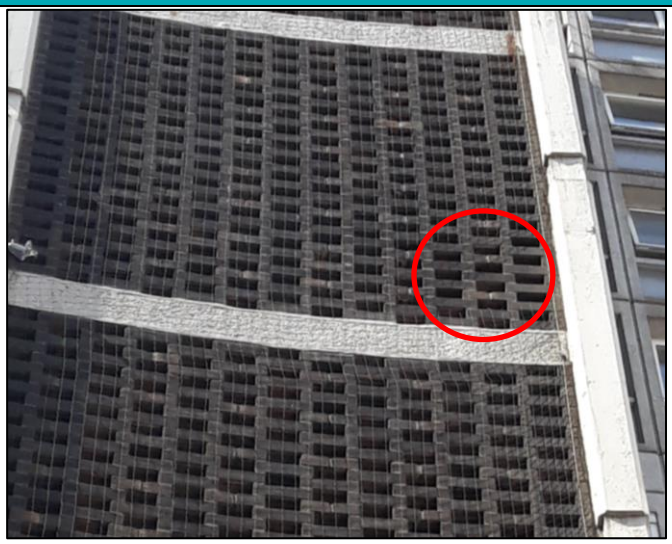
GiGL Greenspace Information for Greater London CIC
the capital's environmental records centre

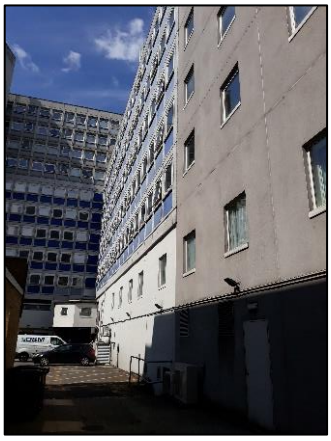
eCountability

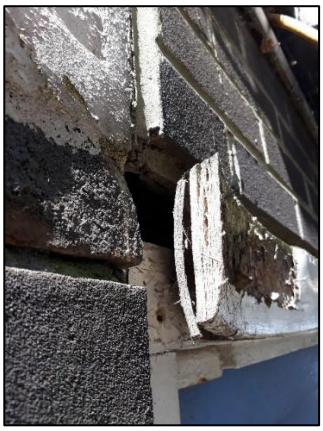


Appendix D – Target Notes

Target Note	Description	Photograph
1	TQ 29884 82639 Building 1 (B1) (For description see Section 3.2.4, Table 4)	
2	TQ 29893 82617 Fire escape stairwell on north east elevation. (For description see Section 3.2.4, Table 4)	

Target Note	Description	Photograph
	Missing netting highlighted with a red circle.	
3	TQ 29891 82621 Wooden construction situated adjacent to the stairwell on the north-eastern elevation. (For description see Section 3.2.4, Table 4)	 

Target Note	Description	Photograph
4	TQ 29908 82646 South-eastern elevation of B1 View of B1 facing east (left photo) and west (right photo)	 
5	TQ 29886 82609 Covered underground car park ceiling to B1.	  

Target Note	Description	Photograph
6	TQ 29871 82609 Car park and garages in west of site.	
7	TQ 29861 82613 Lifted garage wood boarding under entrance to hotel.	 
8	TQ 29898 82649 The roof is flat and comprises bitumen felt roofing material.	

Target Note	Description	Photograph
9	TQ 29927 82652 Patch of ephemeral/short perennial. Species present include: lady fern *Athyrium filix-femina*; broad-leaved willowherb *Epilobium montanum*; wild strawberry *Fragaria vesca*; herb-Robert *Geranium robertianum*; and chickweed *Stellaria media*.	
10	TQ 29938 82661 The boundary of B2. (For description see Section 3.2.4, Table 4)	

Target Note	Description	Photograph
11	TQ 29934 82653 Building in south-eastern corner of site (B3). Small hole in brickwork, does not appear to lead anywhere, covered in cobwebs. (For description see Section 3.2.4, Table 4)	
12	TQ 29929 82649 Building in south-eastern corner of site (B3). Small regular holes in brickwork. (For description see Section 3.2.4, Table 4)	
13	TQ 29916 82646 Building in south-eastern corner of site (B3) Tight, metal flush soffits with no gaps. (For description see Section 3.2.4, Table 4)	

Target Note	Description	Photograph
14	TQ 29916 82634 Building in south-eastern corner of site (B3) Small regular holes in brick work. (For description see Section 3.2.4, Table 4)	 

Target Note	Description	Photograph
15	TQ 29906 82610 B4 is located south of the southern site boundary. A two storey building structure had one hole in the brickwork and narrow gap under windowsill. (For description see Section 3.2.4, Table 4)	  

Target Note	Description	Photograph
16	TQ 29877 82635 One semi-mature Italian alder tree.	  

Target Note	Description	Photograph
17	TQ 29856 82617 A small patch of white jasmine planted on the south-west frontage of B1 on Duke's Road.	

Target Note	Description	Photograph
18	TQ 29906 82630 Hardstanding	

ecology@wyg.com

WYG Environment Planning Transport Limited.

Registered in England & Wales Number: 3050297
Registered Office: Arndale Court, Headingley, Leeds, LS6 2UJ

creative minds safe hands