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Report prepared for: Nicky Sofroniou

For the Site of: Land to the rear of 17 Frognal, NW3 6AR

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Cherryfield Ecology has prepared this report for the named clients use only.

Ecological reports are limited in shelf life, Natural England usually expect reports for licenses to be no more than 12 months old and therefore should the project not proceed within 12 months of this report an updated survey should be undertaken in order to check for changes that may have occurred on site. Information is believed to be accurate at the time of survey; recommendations are made without bias based on good practice guidelines within the industry. However, species presence and ecological parameters can change over time.

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GCN level 1

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Ecological Appraisal (EA)

0.0 Non Technical Summary

0.1 Background -

This report follows national guidelines JNCC (2010) allowing for a day-time inspection and recommends for further surveys if considered necessary. If a deviation from the guidelines has been made this will be detailed in the Method Section.

The following report details the findings and recommendations for the site of land to the rear of 17 Frognal, NW3 6AR.

The client commissioned Cherryfield Ecology to undertake an EA as the proposals include for the development of a one-storey dwelling with associated hard and soft landscaping.

0.2 Results and Findings -

The site consists of bare ground, artificial turf, short perennial, scrub, trees and a metal shed. The scrub and trees provide suitable habitat for nesting birds and one tree (T6) provides high potential for roosting bats.

0.3 Impact Assessment and Recommendations -

Bats - a further endoscope survey will be needed to assess the potential of T6 for bat roosts.

Breeding birds - No further survey is necessary; however, works will have to take place outside of the nesting season (March to August). If this is not possible, a qualified ecologist would be needed to supervise clearance of scrub and trees.

1.0 Introduction

1.1 Aim

The aim of this report is to inform of ecological constraints that may affect the development proposals and recommend to the client if further surveys are required for protected species. An impact assessment is undertaken at this stage, however if further surveys are required additional and unexpected impacts may result.

1.2 Background information

The client, Nicky Sofroniou, has commissioned Cherryfield Ecology to undertake an EA for the site of land to the rear of 17 Frognal, NW3 6AR. Planning permission is being sought to develop a one-storey dwelling with associated hard and soft landscaping.

This survey has checked all habitats, buildings, trees (from ground level only) or structures due to be affected by the proposals on site, it includes checking for protected species, signs of protected species or habitat value e.g. crevices, badger setts, ponds etc. as well as mapping the habitats on site.

The inspection was conducted on the 15/10/2019.

The survey can only ever provide a 'snap shot' of the site at the time of the survey and circumstances may change following this report. Health and Safety restrictions or obstructions may limit the ability to find evidence.

Biological records have been requested to give the report context and allow a study of the surrounds. The information is often sensitive and therefore a synopsis is provided.

The survey can be conducted year round with the optimal period between mid-March and mid-October (south)/1st April and 30th September (north). However it can be limited due to bad weather and in the winter, when some species are not as active, thus evidence and species are often not found. During these periods habitat value (likely presence) becomes more important to the assessment of the site.

Summary of legislation and National Planning Policy that protects wildlife in England:

- Conservation of Habitats and Species Regulations 2017.
- Wildlife and Countryside Act 1981 as amended.

- Countrywide and Rights of Way Act 2000.
- Natural Environment and Rural Communities Act 2006.
- National Planning Policy Framework (“NPPF”).
- Circular 06/05.

This legislation makes it illegal to:

- Intentionally or deliberately kill, injure or capture a protected species.
- Deliberately disturb a protected species, whether at rest or not.
- Damage, destroy or obstruct access to a resting place.
- Possess or transport a protected species or any part of that species, unless acquired legally.
- Sell, barter or exchange a protected species, or any part of a species.

1.3 Species Specific information: -

All EU protected species have the same protection and the detail under Bats also applies to GCN, Dormouse, Otters and the two EU protected reptiles.

1.3.1 Breeding birds

All nesting birds are protected under the Wildlife and Countryside Act (as amended) 1981, which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs. Furthermore a number of birds enjoy further protection under that Act and are listed on Schedule 1 of the Act. These further protected birds are also protected from disturbance and it may be necessary to operate a “no-go” buffer zone around such nests - typically out to 5m.

1.3.2 Bats

All 18 species of bat common in the UK (17 known to be breeding) are fully protected under the Wildlife and Countryside Act (as amended) 1981 through inclusion in Schedule V of the Act. All bat species in the UK are also included in Schedule II of the Habitats Regulations 2017 which transpose Annex II of the Council Directive 92/43/EEC 1992 on

the Conservation of Natural Habitats and of Wild Fauna and Flora (“EC Habitats Directive”) which defines European protected species of animals.

Bats species are afforded further protection by the Countryside and Rights of Way Act 2000; and the Natural Environment and Rural Communities Act 2006.

This combined legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture bats.
- Deliberately disturb bats, whether at roost or not.
- Damage, destroy or obstruct access to bat roosts.
- Possess or transport bats, unless acquired legally.
- Sell, barter or exchange bats.

1.3.3 Reptiles

There are six species of reptiles in Great Britain (Edgar *et al.* 2010) and four of these are commonly found; the grass snake (*Natrix natrix*) and/or the barred grass snake, (*Natrix Helvetica*), adder (*Vipera berus*), common lizard (*Zootoca vivipara*) and slow worm (*Anguis fragilis*).

All native British species of reptiles are legally protected through their inclusion in Schedule V of the Wildlife and Countryside Act 1981. As such, all species are protected from deliberate killing or injury. Therefore, where development is permitted, and there will be a significant change in land use, a reasonable effort must be undertaken to avoid committing an offence. The same act makes the trading of native reptile species a criminal offence without appropriate licensing.

Two species of reptile; the smooth snake (*Coronella austriaca*) and sand lizard (*Lacerta agilis*), are further protected through their inclusion in Schedule II of the Habitats Regulations 2017 which transposes Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (“EC Habitats Directive”), which defines European protected species of animals (“rare reptiles.”)

1.3.4 Badgers

Badgers (*Meles meles*) Both the badger and its habitat are protected under The Protection of Badgers Act 1992, Schedule V of the Wildlife and Countryside Act 1981, and Appendix III of the Bern Convention 1979.

This legislation makes it an offence to:

- Kill, injure, take or possess a badger.
- Interfere with, damage or destroy a badger sett including e.g. obstruct access to a badger sett.
- Cruelly treat or harm a badger.
- Disturb a badger in a sett.

1.3.5 Great Crested Newts

Great crested newts (GCN) *Triturus cristatus* are listed in both Annex IV of the EC Habitats Directive and in Schedule V of the Wildlife and Countryside Act 1981.

GCN are afforded further protection by the Countryside and Rights of Way Act 2000; and the Natural Environment and Rural Communities Act 2006.

2.0 Methods

The survey follows the national guidelines JNCC (2010) and the following equipment is available for the inspection:

- Torches (e.g. LED Lensar type).
- Ladders (Standard 4m telescopic surveying ladder).
- Endoscope where holes, cracks and crevices are accessible.
- Mirrors (extendable and movable mirror face).
- Binoculars (Pentax close focus).
- Thermometer/hygrometer.
- Camera.
- Sample bags for collecting dropping and feeding evidence.

Target notes are made when appropriate to highlight e.g. protected species or an ‘other feature(s)’ of ecological note.

If a deviation from the guidelines has been made the reason and justification will be explained below: -

No deviation from the standard guidelines has been made for this survey.

2.2 Limitations

This survey provides a snap -shot of the site at the time of the survey(s) only. Species are highly mobile and can and do turn-up from time to time unexpectedly. All care has been taken to ensure the results and recommendations are suitable to the context of the development and the information gathered on surveys.

Table 1: Habitat value (likelihood) of protected species presence assessed against Collis (2016), Edgar *et al* (2010) and NE (2007) etc.

Likelihood of species presence (Habitat Value)	Features that species can and will use, regardless of evidence being present.
Confirmed Presence	Species are found to be present during the survey. Evidence of species is found to be present during the survey.
Higher likelihood of presence.	Buildings, trees or other structures with features of particular significance for use by protected species e.g. nesting habitat, roosting opportunities, and ponds. Habitat of high quality for foraging e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting species e.g. river and or stream valleys and hedgerows. Site is close to known locations of records for protected species.
Moderate and Lower likelihood of species presence.	Several potential habitat opportunities in buildings, trees or other habitats. Habitat could be used for foraging e.g. trees, shrub, grassland or water. Site is connected with the wider landscape by linear features that could be used by commuting species e.g. lines of trees and scrub or linked back gardens. A small number of less significant habitat opportunities. Isolated habitat for foraging e.g. a lone tree or patch of scrub. An isolated site not connected by prominent linear landscape features.
Negligible likelihood of species presence.	No features suitable for roosting, minor foraging or commuting.

3.0 Results

The following section details the results of the desk study, inspection and survey, it includes MAGIC information, biological records data and map/aerial photo information. The results detail the building, structure or tree (numbered for reference) description of any evidence found and habitat value if no evidence has been located.

3.1 Desk Study

The desk study is centred on Grid Ref - TQ262851 and postcode - NW3 6AR.

Table 2: Weather records -

Temperature	14°C
Cloud cover	100
Precipitation	none
Wind	2/8

3.2 Magic:

The following statutory sites have been located on the search (2km) see Figure 1 -

- Hampstead Heath Woods SSSI is located approx. 1.8km northeast of the site.
- Belsize Wood LNR is located approx. 1.3km east of the site.
- Westbere Copse LNR is located approx. 1.7km west of the site.
- Four European Protected Species Licences for bats - Common Pipistrelle *Pipistrellus pipistrellus* and Soprano Pipistrelle *Pipistrellus pygmaeus* - have been granted within the search area, with the closest situated 300m south of the site.

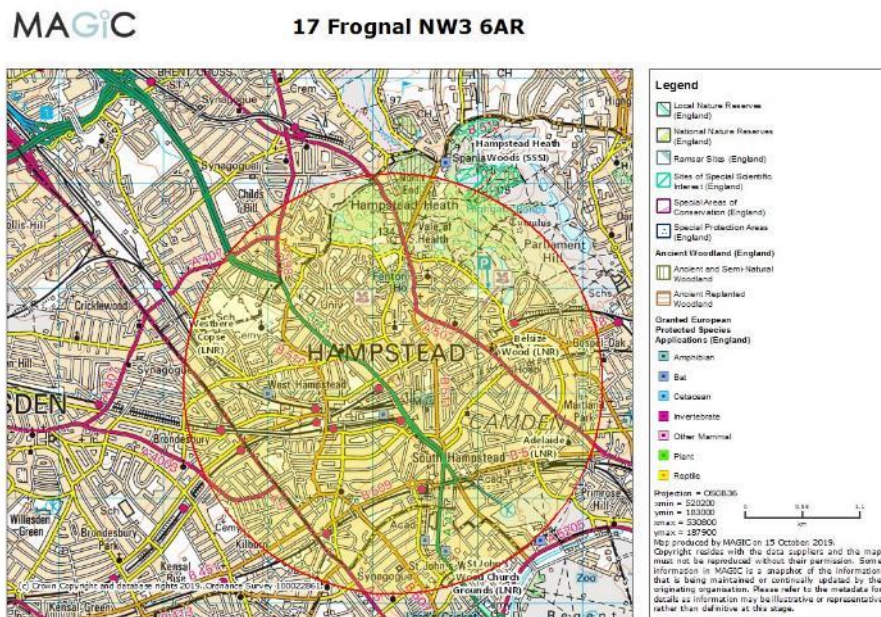


Figure 1: Magic Map Search

3.3 Biological Records Data:

A standard 1km data search of existing records for protected species and nature reserves has been commissioned, below details the results and site context:

Biological records were obtained from Greenspace Information for Greater London (GIGL, 2019). 519 records are supplied and range in date from 1840 to 2019 with a large amount of records for invertebrates, flora, and bird species. Records include for amphibian species such as the common frog *Rana temporaria* and the great crested newt *Triturus cristatus* (found approx. 919m south west). Records also contain entries for mammal species such as the European hedgehog *Erinaceus europaeus* as well as a number of bat species. Bat species include common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *P. pygmaeus*, brown long eared *Plecotus auritus*, noctule *Nyctalus noctula*, vesper bat *Vespertilionidae* and a few unidentified species records. There are no records from the site itself. The biological records also showed 10 Sites of Importance for Nature Conservation (SINCs) within the search area and are described below along with location map.

Metropolitan

Site Reference:	M072
Site Name:	Hampstead Heath
Summary:	One of London's best loved open spaces, the Heath's remarkable range of habitats so close to central London includes one of the capital's few bogs, as well as wide expanses of grassland and ancient woodland.
Grid ref:	TQ 273 866
Area (ha):	317.63
Borough(s):	Barnet, Camden
Habitat(s):	Acid grassland, Ancient woodland, Bog, Pond/Lake
Access:	Free public access (all/most of site)
Ownership:	City of London and English Heritage

Site Description:

Just over six kilometres from central London, this extensive site is well known for its unique mix of semi-natural and formal habitats. Ancient woodlands contain an exceptional number of old and over-mature trees, providing dead wood habitat for a range of specialist invertebrates, including the nationally rare jewel beetle *Agilus pannonicus*. Another important habitat is the small wet flush (or bog) containing several species of bog-mosses (*Sphagnum* spp.) and water horsetail (*Equisetum fluviatile*), all very rare in London. Acid grassland occurs on the upper slopes, supporting heath bedstraw (*Galium saxatile*), pill sedge (*Carex pilulifera*), pignut (*Conopodium majus*) and other characteristic plants. In several places heathland restoration is being attempted, using heathers (*Calluna vulgaris*, *Erica* spp.). Relict heathland invertebrates include the tube-web spider (*Atypus affinis*) at its only known London site. The many ponds and watercourses on the site are of further botanical, entomological and ornithological interest. Other rare plants include creeping willow (*Salix repens*), lemon-scented fern (*Oreopteris limbosperma*) and hard fern (*Blechnum spicant*). One of north London's most popular open spaces, the Heath has been skillfully managed to integrate wildlife and recreation over the last decade. Owned by the City of London with the exception of the Kenwood Estate, which is owned by English Heritage; part Site of Special Scientific Interest. Hampstead Heath won a Green Flag Award again for 2006/7.

Site first notified:	19/09/1988	Boundary last changed:	01/01/1993
Citation last edited:	14/08/2006	Mayor Agreed:	25/11/2002
Defunct:	N		
Last Updated:	14/03/2007		

Borough Grade I

Site Reference:	CaBI02
Site Name:	Branch Hill
Summary:	Areas of woodland and grassland that include the private grounds of three houses.
Grid ref:	TQ 259 860
Area (ha):	3.72
Borough(s):	Camden
Habitat(s):	Allotments, Planted shrubbery, Scattered trees, Scrub, Secondary woodland, Semi-improved neutral grassland, Tall herbs
Access:	Free public access (all/most of site)
Ownership:	London Borough of Camden and Private

Site Description:

Branch Hill consists of several individual blocks of woodland, interposed with small areas of grassland. It also incorporates the private grounds of three large houses: Combe Lodge, Oak Hill House and Heysham House. Branch Hill Allotments are also included in the site. The largest individual block of woodland is Oak Hill Wood, this is secondary woodland which includes sweet chestnut (*Castanea sativa*), horse-chestnut (*Aesculus hippocastanum*), sycamore (*Acer pseudoplatanus*), oak (*Quercus* sp.), white poplar (*Populus alba*), common lime (*Tilia x europaea*) and holly (*Ilex aquifolium*). Other species have colonised, including silver birch (*Betula pendula*), downy birch (*B. pubescens*), elm (*Ulmus* sp.), ash (*Fraxinus excelsior*) and elder (*Sambucus nigra*). Connected to Oak Hill Wood by wide wooded avenues of common lime, poplar (*Populus* sp.) and yew (*Taxus baccata*) is a smaller area of woodland and scrub in the north-west corner of the site. To the south is the wooded ground of Oak Hill House (mostly composed of sycamore and oak). To the north-east is another large house and wooded grounds and a high density of mature trees. This connects with the private wooded area (chiefly composed of sycamore, oak, yew and lime) aside Firecrest Drive. Adjacent to Frogna Rise and Oak Hill Way are the well-used Branch Hill Allotments.

A good number of birds visit the site including jay, great spotted woodpecker, tawny owl, nuthatch, goldcrest, long-tailed tit and kestrel.

There is de facto access to most of the site, which it is an extremely popular recreational resource for many local people.

Site first notified:	01/01/1993	Boundary last changed:	01/01/1993
Citation last edited:	09/12/2005	Mayor Agreed:	
Defunct:	N		
Last Updated:	09/12/2005		

Borough Grade I

Site Reference:	CaBI06
Site Name:	West Hampstead Railsides, Medley Orchard and Westbere Copse
Summary:	These wooded railsides include a nature reserve and an old orchard.
Grid ref:	TQ 249 845
Area (ha):	7.94
Borough(s):	Camden
Habitat(s):	Orchard, Scattered trees, Scrub, Secondary woodland, Semi-improved neutral grassland, Tall herbs
Access:	Free public access (part of site)
Ownership:	Network Rail (Ownership of Medley Orchard unknown)

Site Description:

This site is composed of a number of sections of railside, an old orchard at Medley Gardens, and Westbere Copse in West Hampstead.

Land near Brondesbury is covered in a complex of scrub and secondary woodland, mostly sycamore (*Acer pseudoplatanus*) and wild cherry (*Prunus avium*). More open areas support false oat-grass (*Arrhenatherum elatius*), rosebay willowherb (*Chamerion angustifolium*), Michaelmas-daisy (*Aster* sp.) and bramble (*Rubus fruticosus* agg.). Much of the length aside the Thameslink line is densely covered in secondary woodland, bramble scrub and tall herb communities. A small part of this stretch is Westbere Copse, which is managed as a nature reserve. The majority of Westbere Copse is woodland composed of sycamore, oak (*Quercus* sp.), ash (*Fraxinus excelsior*) and aspen (*Populus tremula*). There is an understorey of snowberry (*Symphoricarpos rivularis*), elder (*Sambucus nigra*), elm (*Ulmus* sp.), blackthorn (*Prunus spinosa*) and hawthorn (*Crataegus monogyna*). The ground flora includes shade tolerant species such as cow parsley (*Anthriscus sylvestris*), nettle (*Urtica dioica*), ivy (*Hedera helix*) and bramble. In areas with less shade these are joined by common toadflax (*Linaria vulgaris*), Canadian goldenrod (*Solidago canadensis*) and Michaelmas-daisy (*Aster* sp.). The London notable species common broomrape (*Orobancha minor*) has been recorded here. Common birds include blue tit, great tit, robin, blackbird, wren and dunnock.

The Medley Orchard is an old orchard, immediately adjacent to the railway behind the gardens of Medley Road. Old orchards are a rare habitat in London, and the fruit trees can support important communities of invertebrates. Medley Orchard is now largely secondary woodland of ash, but a few old fruit trees survive.

There is free public access to the northern half of Westbere Copse. The southern part, known as Jenny Wood Nature Reserve, is open every Thursday from 12 noon till 3pm, and every second Sunday in the month between noon and 4pm. Contact the Council on 0207 974 8818 for details of other events at the site. There is currently no access to the Medley Orchard. There is no public access to the railsides, but good views of these can be had from the footpath to the west of West Hampstead (Thameslink) station, and from the road bridges at Mill Lane and Minster Road, as well as from Thameslink trains between West Hampstead and Cricklewood, from Silverlink Metro trains between Finchley Road & Frognal and Brondesbury, or from Jubilee Line trains between West Hampstead and Kilburn.

Site first notified:	01/01/1993	Boundary last changed:	14/08/2004
Citation last edited:	24/01/2006	Mayor Agreed:	
Defunct:	N		
Last Updated:	10/04/2006		

Borough Grade I

Site Reference:	CaBI08
Site Name:	Hampstead Parish Churchyard
Summary:	Fine churchyard where the painter John Constable is buried.
Grid ref:	TQ 262 856
Area (ha):	0.9
Borough(s):	Camden
Habitat(s):	Acid grassland, Planted shrubbery, Scattered trees, Tall herbs, Vegetated wall/tombstones
Access:	Free public access (all/most of site)
Ownership:	Diocese of London

Site Description:

This churchyard contains a good number of fine mature trees including yew (*Taxus baccata*), horse-chestnut (*Aesculus hippocastanum*), holm oak (*Quercus ilex*) and sycamore (*Acer pseudoplatanus*), and dense planted shrubberies. The grassland is interesting. In addition to perennial rye-grass (*Lolium perenne*), sweet vernal-grass (*Anthoxanthum odoratum*), field wood-rush (*Luzula campestre*) and sheep's-sorrel (*Rumex acetosa*) are present. This is indicative of old slightly acidic meadowland. There are patches of diverse and well-established tall herbaceous vegetation, which includes both native species and exotic ones planted on graves. Some of the older tombstones, particularly those composed of limestone, have a covering of various mosses and lichens, as well as a number of types of fern including hart's-tongue (*Phyllitis scolopendrium*) and the uncommon lady-fern (*Athyrium filix-femina*).

The painter John Constable and his wife are buried in the churchyard and many eminent Hampstead residents are buried in the adjoining cemetery, to which there is open access.

Site first notified:	01/11/2003	Boundary last changed:	04/05/2003
Citation last edited:	09/12/2005	Mayor Agreed:	
Defunct:	N		
Last Updated:	06/06/2007		

Borough Grade II

Site Reference: CaBII02

Site Name: Broadhurst Gardens Meadow

Summary: The communal grounds of houses in Broadhurst Gardens, with a good meadow.

Grid ref: TQ 258 845

Area (ha): 0.73

Borough(s): Camden

Habitat(s): Scattered trees, Scrub, Semi-improved neutral grassland

Access: No public access

Ownership: Private

Site Description:

This communal garden consists of a meadow of varying grass heights and a perimeter belt of trees and shrubs. The grassland sward is composed of creeping bent (*Agrostis stolonifera*), timothy (*Phleum sp.*), meadow foxtail (*Alopecurus pratensis*), red fescue (*Festuca rubra*), false oat-grass (*Arrhenatherum elatius*), Yorkshire fog (*Holcus lanatus*) and cocks's-foot (*Dactylis glomerata*). Within the sward, various wildflowers are intermingled, including meadow vetchling (*Lathyrus pratensis*), yarrow (*Achillea millefolium*), cat's-ear (*Hypochaeris radicata*), common sorrel (*Rumex acetosa*), lesser stitchwort (*Stellaria graminea*) and various buttercups (*Ranunculus spp.*).

The trees and shrubs around the edge of the grassland include sycamore (*Acer pseudoplatanus*), wild cherry (*Prunus avium*), elder (*Sambucus nigra*), oak (*Quercus sp.*), ash (*Fraxinus excelsior*) and various willows (*Salix spp.*). Under the trees, bramble (*Rubus fruticosus agg.*) and bindweed (*Calystegia sp.*) scramble over dead logs and fallen branches. The site abounds with insects, including butterflies, beetles, hoverflies, and grasshoppers.

There is no access to the general public, just the residents who border the garden.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 09/12/2005 **Mayor Agreed:**

Defunct: N

Last Updated: 09/12/2005

Borough Grade II

Site Reference: CaBII03
Site Name: Frogna Court Wood
Summary: Small wood used by local residents.
Grid ref: TQ 262 849
Area (ha): 0.2
Borough(s): Camden
Habitat(s): Secondary woodland
Access: No public access
Ownership: Private

Site Description:

Many different trees make up the canopy of the wood particularly sycamore, but also ash, poplar, wild cherry and lime. There are a variety of shrubs beneath which compose an understorey, including laburnum, hawthorn, elder, buddleia and cherry laurel. The ground flora includes bluebell, bramble, cow parsley, male fern, bittersweet and enchanter's-nightshade.

Many species of bird frequent the wood including long-tailed tit, wren, robin, greenfinch, blue tit, song thrush and blackbird.

Local residents regularly use the site.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993
Citation last edited: 24/01/2006 **Mayor Agreed:**
Defunct: N
Last Updated: 24/01/2006

Borough Grade II

Site Reference: CaBII08

Site Name: Green Triangle

Summary: Excellent organic community garden used by local residents.

Grid ref: TQ 262 843

Area (ha): 0.28

Borough(s): Camden

Habitat(s): Amenity grassland, Planted shrubbery, Pond/lake, Scattered trees, Secondary woodland, Tall herbs

Access: No public access

Ownership: Private

Site Description:

This is an excellent organic community garden with an area of sycamore (*Acer pseudoplatanus*) woodland with a ground cover of ivy (*Hedera helix*). There is an amenity area, well-stocked herb garden beds and parts planted with shrubs and young trees, mostly of native species, including pedunculate oak (*Quercus robur*), rowan (*Sorbus aucuparia*), yew (*Taxus baccata*) and silver birch (*Betula pendula*). Flower and herb beds include species attractive to insects, such as Canadian goldenrod (*Solidago canadensis*), Michaelmas daisy (*Aster* sp.), lemon balm (*Melissa officinalis*), common comfrey (*Symphytum officinale*) and common knapweed (*Centaurea nigra*). There is a wildlife pond with hemp-agrimony (*Eupatorium cannabinum*) at its margins and common frogs. Short lengths of new hedging (of mixed native species) have been planted.

Site first notified: 01/11/2003 **Boundary last changed:** 04/12/2003

Citation last edited: 24/01/2006 **Mayor Agreed:**

Defunct: N

Last Updated: 25/01/2006

Local

Site Reference:	CaL03
Site Name:	160 Mill Lane Community Garden
Summary:	A small community garden with plenty of trees and shrubs and a very attractive pond.
Grid ref:	TQ 253 851
Area (ha):	0.19
Borough(s):	Camden
Habitat(s):	Pond/Lake, Scattered trees, Scrub, Semi-improved neutral grassland
Access:	Free public access (all/most of site)
Ownership:	London Borough of Camden

Site Description:

This small community garden has a good range of scattered trees, including sycamore (*Acer pseudoplatanus*), ash (*Fraxinus excelsior*), holly (*Ilex aquifolium*) and wild cherry (*Prunus avium*). There is a relatively large and well stocked pond, known to harbour a healthy population of smooth newts. Marginal vegetation is plentiful and includes purple loosestrife (*Lythrum salicaria*), water mint (*Mentha aquatica*), yellow iris (*Iris pseudacorus*), water forget-me-not (*Myosotis scorpioides*), brooklime (*Veronica beccabunga*) and mare's-tail (*Hippuris vulgaris*).

Behind the pond is a 'wild area', composed of developing woodland and scrub, including young crack willow (*Salix fragilis*), silver birch (*Betula pendula*), hazel (*Corylus avellana*), elder (*Sambucus nigra*) and hawthorn (*Crataegus monogyna*). Beneath this is a ground flora of cow parsley (*Anthriscus sylvestris*), hogweed (*Heracleum sphondylium*), bramble (*Rubus fruticosus* agg.) and nettle (*Urtica dioica*).

Along the eastern perimeter wall a number of shrubs have been planted, including insect-attracting species such as buddleia (*Buddleja davidii*), lilac (*Syringa vulgaris*) and hedge-veronica (*Hebe* sp.).

The garden is open to the public during daylight hours.

Site first notified:	01/01/1993	Boundary last changed:	01/01/1993
Citation last edited:	10/03/2006	Mayor Agreed:	
Defunct:	N		
Last Updated:	09/02/2007		

Local

Site Reference: CaL07
Site Name: Frogna Lane Gardens
Summary: A small private communal garden with plenty of trees and an attractive pond.
Grid ref: TQ 258 853
Area (ha): 0.55
Borough(s): Camden
Habitat(s): Amenity grassland, Planted shrubbery, Pond/lake, Scattered trees, Scrub
Access: No public access
Ownership: Private

Site Description:

This small communal garden, surrounded by housing, contains a good number of mature trees, beneath which grow a good selection of wild flowers, including red campion (*Silene dioica*), green alkanet (*Pentaglottis sempervirens*) and greater periwinkle (*Vinca major*). A small pond has been planted with various aquatic plants, including soft rush (*Juncus effusus*) and water-starwort (*Callitriche* sp).

The garden is not open to the general public, but is a valuable amenity for residents of the surrounding properties.

Site first notified: 01/01/1993 **Boundary last changed:** 01/01/1993

Citation last edited: 10/03/2006 **Mayor Agreed:**

Defunct: N

Last Updated: 12/02/2007

Local

Site Reference: CaL17
Site Name: Hampstead Green
Summary: A small grassland in urbanized area managed as a wildflower meadow
Grid ref: TQ 271 854
Area (ha): 0.24
Borough(s): Camden
Habitat(s): Hedge, Scattered trees, Semi-improved neutral grassland, Tall herbs
Access: No public access

Ownership:

Site Description:

Hampstead Green is a small triangular grassland area, surrounded by roads and pedestrian paths. The grassland is dominated by Yorkshire fog (*Holcus lanatus*), common bent (*Agrostis capillaris*) meadow foxtail (*Alopecurus pratensis*) and rough meadow-grass (*Poa trivialis*). It is managed as a wildflower meadow and supports a variety of herbs, such as bluebells (*Hyacinthus* sp.), red and white campion (*Silene dioica* and *S. latifolia*), common knapweed (*Centaurea nigra*), common vetch (*Vicia sativa*), yarrow (*Achillea millefolium*), cow parsley (*Anthriscus sylvestris*) and oxeye daisy (*Leucanthemum vulgare*). Mature oak trees grow around the perimeter of grassland.

The site is not open to public, but visitors can observe the grassland from surrounding footpaths.

Site first notified: 03/07/2017 **Boundary last changed:** 24/06/2014

Citation last edited: 24/06/2014 **Mayor Agreed:**

Defunct: N

Last Updated: 24/06/2014

Sites of Importance for Nature Conservation
Ecological Data Search for Cherryfield Ecology
17 Frognal, 23 October 2019

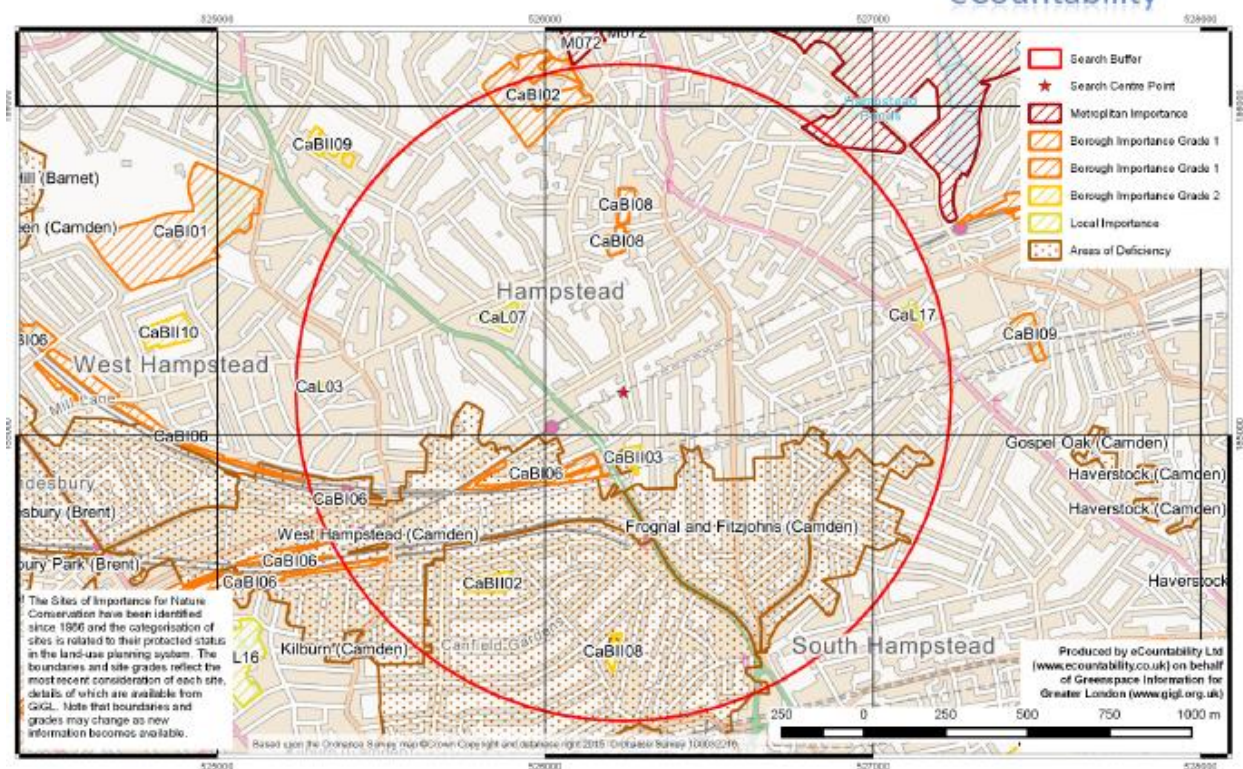


Figure 1a: Non-statutory site location map.

3.4 Site Location and Surrounds:

The site is located in Frognal, Greater London and is surrounded by dense residential housing in the immediate local. Table 3 details the commuting, feeding and habitat features in a 1km radius of the site.

Table 3: Habitat features suitable for use by protected species

Feature	Description
Water course	There are no significant water courses in the search area.
Water bodies	There are no significant water bodies in the search area.
Woodland	There is no significant woodland in the search area.
Linear e.g. hedgerows	Areas of mature trees surround the residential housing.

Pasture/arable/grassland	A sports ground is located approx. 300m west of the site and a small parkland with scattered trees is located approx. 360m northwest of the site.
Other	There are multiple railway lines nearby - approx. 170m southwest, 200m and 400m south of the site.

3.5 Habitat, Building, Tree or Other Structure

This section details the structures/habitat reference and descriptions (see Figure 5 for site plan).

3.5.1 Habitats

3.5.2 Buildings

There is a newly erected metal shed situated at the northwestern corner of the site.

3.5.3 Bare Ground

Bare ground covers most of the site, with associated species including Broad-leaved Plantain *Plantago major* and Dandelion *Taraxacum officianale*. In the centre of the site is a rectangular patch of artificial turf. Also, by the gate in the southeastern corner of the site there are a few paving slabs forming a path.



Figure 2: Example of bare ground and artificial grass patch

3.5.5 Trees

Deciduous trees are scattered throughout the site. The southern boundary is lined with four previously coppiced Lime *Tilia sp.* covered in ivy *Hedera helix*. Two mature Sycamore *Acer pseudoplatanus* trees and several young *Prunus sp.* trees are scattered throughout the site.

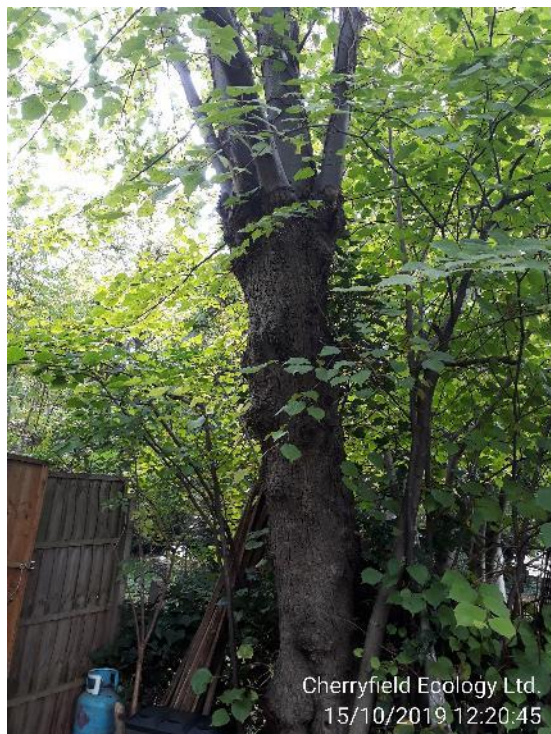


Figure 3: Example of Lime tree on southern boundary



Figure 4: Example of Sycamore tree

3.5.6 Scrub

Small areas of scrub are found at the western edge of the site, mainly comprising Ivy and Elder *Sambucus nigra*.

3.5.7 Short Perennial

An area of short perennials have established on unmaintained bare ground, with species including Bluebell *Hyacinthoides non-scripta*, Nettle *Urtica dioica*, Ragwort *Senecio jacobaea* and Creeping buttercup *Ranunculus repens*.

Table 4: Target notes

Target Note	Description
n/a	

3.6 Species List

Bluebell	<i>Hyacinthoides non-scripta</i>
Bramble	<i>Rubus fruticosus</i>
Broad-leaved Plantain	<i>Plantago major</i>

Cherry
Creeping Buttercup
Daisy
Dandelion
Elder
Garlic Mustard
Green Alkanet
Ground-elder
Ground-ivy
Herb-Robert
Ivy
Lime
Nettle
Prickly Sow-thistle
Ragwort
Sycamore
Wavy Hairgrass
Wild Strawberry
Willowherb
Yellow Corydalis
Yorkshire-fog

Prunus sp.
Ranunculus repens
Bellis perennis
Taraxacum officinale
Sambucus nigra
Alliaria petiolata
Pentaglottis sempervirens
Aegopodium podagraria
Glechoma hederacea
Geranium robertianum
Hedera helix
Tilia sp.
Urtica dioica
Sonchus asper
Senecio jacobaea
Acer pseudoplatanus
Deschampsia flexuosa
Fragaria vesca
Epilobium sp.
Pseudofumaria lutea
Holcus Lanatus



Figure 5: Site Plan

3.7 Evidence or Likelihood of Species Presence

This section details the evidence located and likelihood of species presence.

3.7.1 Bats

Table 5: Bats, evidence or the potential for the species.


Bats found	No bats found
Evidence of bat use	No evidence of bats found.
Potential for bat use	<p>Level of likelihood of presence - T1/12/T3/T4/T5/T7 negligible, T6 - high</p> <p>As described in the Site Plan (Figure 5), T6 has one large decaying cavity and one large open cavity on the northern elevation of its trunk ranging from approx. 2m in height to 4m in height. The open cavity runs up the inside of the tree, making it a prime feature for roosting bats.</p>  <p>Cherryfield Ecology Ltd. 15/10/2019 12:28:57</p>

Figure 6: Cavity on the northern elevation of T6

3.7.2 Badgers

Table 6: Badgers, evidence or the potential for the species

Badgers found	No badgers found.
Evidence of badger use	No evidence of badger use found.
Potential for badger use	Level of likelihood of presence - negligible

3.7.3 Breeding Birds

Table 7: Breeding birds, evidence or potential for the species

Breeding birds found	No breeding birds found.
Evidence of breeding bird use	No evidence of breeding birds found.
Potential for breeding bird use	Level of likelihood of presence - high The trees and scrub provide suitable nesting habitat for breeding birds.

3.7.6 Amphibian

Table 8: Amphibians, evidence or potential for species use.

Amphibians found	No amphibians found.
Evidence of amphibian use	No evidence of amphibians found.
Potential for amphibian use	Level of likelihood of presence - negligible

3.7.7 Reptile

Table 9: Reptiles, evidence or potential for species use.

Reptiles found	No reptiles found.
Evidence of reptile use	No evidence of reptiles found.
Potential for reptile use	Level of likelihood of presence - negligible

3.7.8 Other Species e.g. dormouse

Table 10: Other protected species, evidence or potential for species use.

Species found	N/A
Evidence of species use	N/A
Potential for species use	Level of likelihood of presence - N/A

3.7.9 Invasive Non-Native

No invasive non-native species have been found on site.

4.0 Conclusions, Discussion, Impacts and Recommendations

The following section details the conclusions, discussion, impacts and recommendations in the context of the proposed works.

4.1 Conclusion and Discussion

The development will involve the building of a one-storey dwelling with associated soft and hard landscaping. The bare ground on site does not provide any suitable habitat for protected species. One tree (T6) provides high potential for bats to roost within the cavity visible from ground level, and it is understood this tree will be lost in the development. The trees and scrub provide suitable nesting habitat for breeding birds.

4.2 Potential Impacts

Impact assessments must be proportionate to the scale of the development (CIEEM, 2018) and the following Table 5 details a proportionate impact assessment based on current information -

Table 11: Impact assessment

Impact	Bats - bat roosts may be lost in the development. Breeding birds - Active nests could be lost in the development.
Characterisation of unmitigated impact on the feature	Bats - A low impact at the local level. Breeding birds - A low impact at the local level will occur with the loss of nesting habitat.
Effect without mitigation	Bats and birds could be killed, injured or disturbed during unmitigated works.
Mitigation and/or potential enhancement	Please see tables 12 and 13.
Significance of effects of residual impacts (after mitigation)	If lost roosts are replaced by bat boxes the effects would be negligible. If trees are replaced or bird boxes introduced, the effects would be negligible.

4.3 Recommendations

Bats - a further endoscope survey is recommended to assess the potential of T6 for bat roosts.

Breeding birds - No further survey is necessary; however, works will have to take place outside of the nesting season (March to August). If this is not possible, a qualified ecologist would be needed to supervise clearance of scrub and trees. Should an in use nest be found, a buffer zone of 3 to 5 metres would need to be created around the nest, until it is no longer occupied.

4.4 Recommended Enhancements and Mitigation

Table 12: Mitigation

Work	Specification
General Information	<p>No development will occur until bat surveys consistent with the Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition) (Collins et al. 2016) have been undertaken in the appropriate survey season, May to September (Mid-May to August optimal).</p> <p>An EPS licence must be applied for in order to allow the works to proceed, post-grant of planning.</p> <p>The Three Tests to be answered before planning can be granted (NE, 2017):</p> <p><i>Test 1:</i> Regulation 53(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.</p> <p>Test 1 can be achieved via the ‘imperative reasons of overriding public interest’. Although not for the ecologist to determine the planning officer will on grant of consent.</p> <p><i>Test 2:</i> Regulation 53(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”</p> <p>Test 2 would be achieved on the grant of consent as no other sites have been considered for the development.</p> <p><i>Test 3:</i> Regulation 53(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”</p>




	<p>Test 3 will be achieved once full emergence/re-entry surveys are conducted and full mitigation appropriate to species and population has been designed and implemented via an EPS licence issued from the statutory authority (Natural England), if this becomes necessary following a dusk and pre-dawn survey.</p>
<p>Mitigation and compensation to be installed via an EPS licence application</p>	<p>Demolition of suitable bat roosting features will require the supervision of a bat licensed ecologist.</p> <p>The suitable bat roosting features within the tree will be checked for bats i.e. endoscope (where possible) and via destructive search. If bats are found these will be removed by hand (Ecologist only) and placed in bat boxes that will be in place before works begin.</p> <p>Bat boxes will be installed, there are trees that can be used for this purpose, these will be no less than 3m above ground level and away from any neighbouring ledge to prevent local cats predating on bats using the boxes.</p> <p>A minimum of two Schweglar 1FF or similar boxes (see Figure 7) will be hung on the trees at a minimum of 3m from ground level and face south/southwesterly. These boxes are known to be used by crevice and void dwelling species.</p> <div data-bbox="794 877 1044 1186" data-label="Image">  </div> <p>Figure 7: Schweglar 1FF bat box</p> <p>Commuting bats maybe using the grounds and surrounds - therefore any tree, hedges or linear feature should be retained were possible.</p>
<p>Lighting</p>	<p>Any lighting near or shining onto any trees, especially those with bat boxes in or commuting routes shown to be present at further survey stage should be designed to minimize the impact it has on potential bat roosting and commuting.</p> <p>Lighting should be in-line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat conservation trust, 2018) https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/)</p> <p>This lighting should be of low level, be on downward deflectors and ideally be on PIR sensors. Using LED directional lighting can also be a way of minimizing the light spill affecting the habitat. No up-lighting should be used.</p> <p>This will ensure that the roosting and commuting resources that the bats are likely to be using is maintained.</p>

Table 13: Enhancements: The local authority has a duty to enhance biodiversity in its day to day duties, the following are suggested enhancements that are easily installed into a development and can be cost effective whilst ensuring a gain for local wildlife.

Work	Specification
Bird box enhancement.	<p>A selection of open fronted boxes, and song bird boxes can be installed (see Figures 8 and 9) it is recommended that a minimum of two of each of the boxes are installed.</p> <div data-bbox="750 491 1117 1037" data-label="Image">  <p>A dark brown, cylindrical bird box with a light-colored wooden base. It has a wire loop at the top for hanging. The front is open, showing a dark interior.</p> </div> <p>Figure 8: Robin box</p> <div data-bbox="808 1079 1062 1398" data-label="Image">  <p>A small, light-colored wooden song bird box with a circular entrance hole on the side. It is hanging from a tree trunk by a wire loop.</p> </div> <p>Figure 9: Song bird box</p>
Hedgehog highways and small mammal connectivity.	<p>In order to allow hedgehogs and other small mammals a continuous corridor across the site, thus linking the garden and green spaces.</p> <ul style="list-style-type: none"> • A 13cm by 13cm is sufficient for any hedgehog to pass through. This will be too small for nearly all pets (Figure 13). • Remove a brick from the bottom of the wall, creating a 13cm by 13cm hole. • Cut a small hole in your fence if there are no gaps. • Dig a channel underneath your wall, fence or gate.

- Ideally, rather than walls or fences a hedge will provide foraging, shelter and a route along as well as through the site.



Figure 13: Hedgehog Highway, Source - Wildlife Trust -

[http://7474fab53f1b6ee92458-](http://7474fab53f1b6ee92458-8f3ac932bad207a00c83e77eaae8d15c.r12.cf1.rackcdn.com/Hedgehog%20Highway.jpg)

[8f3ac932bad207a00c83e77eaae8d15c.r12.cf1.rackcdn.com/Hedgehog%20Highway.jpg](http://7474fab53f1b6ee92458-8f3ac932bad207a00c83e77eaae8d15c.r12.cf1.rackcdn.com/Hedgehog%20Highway.jpg)

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