

Former CSM Site, Holborn

Southampton Row, Holborn – Preliminary Ecological Appraisal



SECTION A.A



Ecology Consultancy

Southampton Row, Holborn / Preliminary Ecological Appraisal / **Globalgrange Hotels Ltd.**



Southampton Row, Holborn

Preliminary Ecological Appraisal

Report for Globalgrange Hotels Ltd.

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Summary of key issues

The Ecology Consultancy was commissioned to carry out a Preliminary Ecological Appraisal (PEA), comprising a Phase 1 habitat survey, protected species assessment and ecological evaluation of the existing buildings and surrounding land at Southampton Row, Holborn, London. The main findings of the PEA are as follows:

- The site comprised several connected buildings, with an internal hardstanding courtyard, and semi-mature and mature street-side trees. These trees were considered to be of site value only.
- The site is not subject to any statutory or non-statutory nature conservation designations. There are no statutory designated sites within a 1km radius. The nearest non-statutory designated site is Lincoln's Inn Fields Site of Local Importance for Nature Conservation located approximately 0.41km south-east.
- **Breeding birds** – breeding birds were confirmed as being present on site, with a feral pigeon nest noted on a ledge of the building. The mature and semi-mature street-side trees also have low potential to support nesting birds. Removal of trees and buildings should be carried out in September to February inclusive. If this is not possible and trees are to be removed during the main breeding season, this must be preceded by a nesting bird check completed by a suitably qualified ecologist within 48 hours of the works commencing. Vigilance should be maintained for breeding feral pigeon outside the main breeding season, and if any active nests are discovered during site clearance or construction, works must stop immediately and advice sought from a suitably qualified ecologist on how to proceed.
- **Other protected species** – The site was considered to have negligible potential for other protected species, including bats.
- Recommendations to enhance the biodiversity value of the site in accordance with national and local planning policies comprise the inclusion of a biodiverse green roof, flowering lawn, wildlife planting and the provision of bird nesting opportunities.

1 Introduction

BACKGROUND TO COMMISSION

- 1.1 The Ecology Consultancy was commissioned on behalf of Globalgrange Hotels Ltd. on 9 July 2018, to carry out a Preliminary Ecological Appraisal (PEA) of land and buildings at Southampton Row, Holborn. The appraisal was carried out in order to provide ecological information to inform an application for full planning permission for a proposed redevelopment of the site. This appraisal considers land within the planning application site boundary (hereon referred to as ‘the site’) as indicated on the plan provided by the client (Greenhatch Group, Central St Martins, Southampton Row, London, 2009).

SCOPE OF THE REPORT

- 1.2 The aim of this appraisal is to provide baseline ecological information about the site. This will be used to identify any potential ecological constraints associated with the proposed development and/or to identify the need for additional survey work to further evaluate any impact that may risk contravention of legislation or policy relating to protected species and nature conservation. Where necessary, avoidance, mitigation/compensation and/or enhancement measures have been recommended to ensure compliance.
- 1.3 This appraisal is based on the following information sources:
- a desk study of the site and land within a 1km surrounding radius;
 - a Phase 1 habitat survey (JNCC, 2010) of the site to identify and map the habitats present;
 - a protected species assessment of the site to identify features with potential to support legally protected species; and
 - an evaluation of the site’s importance for nature conservation.
- 1.4 This appraisal has been prepared with reference to best practice guidance published by the Chartered Institute for Ecology and Environmental Management (CIEEM, 2013) and as detailed in British Standard 42020:2013 *Biodiversity - Code of Practice for Biodiversity and Development* (BSI, 2013).

- 1.5 The survey, assessment and report were conducted and written by Gemma Watkinson MBiolsci ACIEEM, an Ecologist with over three years' experience who is competent in carrying out Phase 1 habitat surveys and protected species assessments.

SITE CONTEXT AND STATUS

- 1.6 The proposed development site is 0.639 hectares (ha) in size and is centred on Ordnance Survey National Grid reference TQ 3052 8166. The site lies within the London Borough of Camden and is not subject to any nature conservation designations. It is located within an urban area, bordered by Southampton Row at the west, the A40 at the north-west, Proctor Street at the east, and Fisher Street to the south. The small urban greenspace of Red Lion Square Gardens is located adjacent to the east of Proctor Street. The land adjacent to the south of Fisher Street was under construction at the time of the survey.

DEVELOPMENT PROPOSALS

- 1.7 The development proposals for the site, based on current plans provided by the client (Orms, 2019a) are as follows:
- 1.8 External alterations and internal refurbishment to the Grade II* Lethaby Building and the partial demolition and extensions of the existing buildings to create a new hotel facility (Use Class C1). Flexible ground floor and basements uses including retail uses (Use Class A1/A3/A4/D1), office (Use Class B1), and a range of D1 / D2 uses including exhibition hall, lecture hall, screening room, spa and swimming pool. Two restaurant spaces (Use Class A3 /A4) at first floor level and a restaurant (Use Class A3 /A4) at thirteenth and fourteenth level with access to a public terrace area. Creation of a new stand-alone block (Theobald's building) and re-instatement of former Orange Street which leads diagonally north-westwards from Red Lion Square. The Theobald's building will provide a cultural use (Use Class D1 / A1) at ground and first floor level and residential (Use Class C3) above, together with associated highway improvements, public realm, landscaping, cycling parking, bin storage and other associated works.
- 1.9 Listed Building Consent is sought for the following works to the Lethaby Building: Internal and external refurbishment and restoration of the Lethaby Building including externally: window repair / replacement and installation of secondary glazing, façade stone repairs, repair and reinstatement of roof form, new lift overruns and two new skylights; and internally: refurbishment and repair of stair cores, demolition of existing lift shaft, refurbishment and amends to doors and openings, installation of new

mechanical ventilation and service routes, installation of new riser access, removal of modern partitions and installation of new partitions, refurbishment and waterproofing of vaults and other associated works.

RELEVANT LEGISLATION AND PLANNING POLICY

1.10 The following key pieces of nature conservation legislation are relevant to this appraisal. A more detailed description of legislation is provided in Appendix 5:

- The Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations);
- Wildlife and Countryside Act 1981 (as amended);
- Natural Environment and Rural Communities Act 2006;
- Protection of Badgers Act 1992; and
- Wild Mammals (Protection) Act 1996.

1.11 The National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2019) requires local authorities to avoid and minimise impacts on biodiversity and should provide net gains in biodiversity when taking planning decisions.

1.12 The London Plan: The Spatial Strategy for Greater London (GLA, 2016) deals with matters of strategic importance for spatial development in London, including policies regarding protection, enhancement, creation, promotion and management of biodiversity and green infrastructure in support of the Mayor's Biodiversity Strategy (GLA, 2002), and urban greening to mitigate the effects of climate change. Consultation on a new London Plan (GLA, 2017) closed on 2 March 2018 and is due for publication in Spring 2020. The new London Plan contains greater emphasis on green infrastructure and proposes that new developments achieve quantifiable net gain using the 'Urban Greening Factor[1]' tool to achieve a 0.4 (housing) or 0.3 (commercial) increase. The new London Plan is subject to amendment prior to publication.

1.13 Other planning policies at the local level which are of relevance to this development include the Camden Local Plan (2017). Further information is provided in Appendix 5.

[1] <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/draft-new-london-plan/chapter-8-green-infrastructure-and-natural-environment/policy-g5-urban>

2 Methodology

DESK STUDY

2.1 The following data sources were reviewed to provide information on the location of statutory designated sites¹, non-statutory designated sites², legally protected species³, Species and Habitats of Principal Importance⁴ and other notable species⁵ and notable habitats⁶ that have been recorded within a 1km radius of the site:

- Greenspace Information for Greater London (GiGL), the local Biological Records Centre, principally for species records and information on non-statutory sites;
- MAGIC (<http://www.magic.gov.uk/>) - the Government's on-line mapping service; and
- Ordnance Survey mapping and publicly available aerial photography.

2.2 Records provided by the desk study are provided in Section 3 of this report. Records for relevant protected or noteworthy species have been used to inform the assessment of the potential for protected species at the site and to provide a preliminary view of the site's ecological value but are not presented in the report.

HABITAT SURVEY

2.3 A habitat survey of the site was carried out on the 17 July 2018 in warm, clear, dry conditions. It covered the entire site including boundary features. Habitats were described and mapped following standard Phase 1 habitat survey methodology (JNCC, 2010). Habitats were marked on a paper base map and subsequently digitised using

¹ Statutory designations include Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites, National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR).

² Non-statutory sites are designated by local authorities (e.g. Sites of Importance for Nature Conservation or Local Wildlife Sites).

³ **Legally protected species** include those listed in Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981; Schedule 2 of the Conservation of Habitats and Species Regulations 2017; or in the Protection of Badgers Act 1992 (as amended).

⁴ **Species of Principal Importance** are those listed on Section 41 of the Natural Environment and Rural Communities Act, 2006.

⁵ **Notable species** include Species of Principal Importance under the Natural Environment and Rural Communities Act 2006; Local Biodiversity Action Plan (LBAP) species; Birds of Conservation Concern (Eaton *et al.*, 2015); and/or Red Data Book/nationally notable species (JNCC, undated).

⁶ **Notable habitats** include Habitats of Principal Importance under the Natural Environment and Rural Communities Act, 2006; those included in an LBAP; Ancient Woodland Inventory sites; and Important Hedgerows as defined by the Hedgerow Regulations 1997.

ESRI ArcGIS software. Habitats were also assessed against descriptions of Habitats of Principal Importance as set-out by the JNCC (BRIG, 2008)⁷.

- 2.4 Records for dominant and notable plants are provided, as are incidental records of birds and other fauna noted during the course of the habitat survey.
- 2.5 Common names are used where widely accepted – for amphibians, birds, fish, mammals, reptiles and vascular plants. Scientific names are provided for other groups but at first mention only if there is also an accepted common name.
- 2.6 The site was also surveyed for the presence of invasive plant species as defined by Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). However, detailed mapping of such species is beyond the scope of this commission and the locations on the habitat plan are indicative only.
- 2.7 Target notes are used to provide information on specific features of ecological interest (e.g. a badger sett) or habitat features that were too small to be mapped.

PROTECTED AND INVASIVE SPECIES ASSESSMENT

- 2.8 The suitability of the site for legally protected species was assessed on the basis of relevant desk study records⁸ combined with field observations from the habitat survey. The likely value of habitat for protected species occurrence was ranked on a scale from 'negligible' to 'present' as described in Table 2.1.
- 2.9 The assessment of habitat suitability for protected or notable species was based on professional judgement drawing on experience of carrying out surveys of a large number of urban and rural sites and best practice survey guidance on habitat suitability and identifying field signs. Further information is provided in CIEEM's Sources of Survey Methods⁹.

⁷ Data required to confirm that certain habitats (including rivers and ponds) meet criteria for Habitats of Principle Importance is beyond that obtained during a Phase 1 habitat survey. In these cases the potential for such habitats to meet relevant criteria is noted but further surveys to confirm this assessment may be recommended

⁸ Primarily dependent on the age of the records, distance from the site and types of habitats at the site.

⁹ <http://www.cieem.net/sources-of-survey-methods-sosm->

Table 2.1: Protected species assessment categories

Category	Description
Present	Presence confirmed from the current survey or by recent, confirmed records.
High	Habitat present provides all of the known key requirements for a given species/species group. Local records are provided by desk study. The site is within or close to a national or regional stronghold for a particular species. Good quality surrounding habitat and good connectivity.
Moderate	Habitat present provides all of the known key requirements for a given species/species group. Several desk study records and/or site within national distribution and with suitable surrounding habitat. Factors limiting the likelihood of occurrence may include small habitat area, barriers to movement and disturbance.
Low	Habitat present is of relatively poor quality for a given species/species group. Few or no desk study records. However, presence cannot be discounted on the basis of national distribution, nature of surrounding habitats or habitat fragmentation.
Negligible	Habitat is either absent or of very poor quality for a particular species or species group. There were no desk study records. Surrounding habitat unlikely to support wider populations of a species/species group. The site may also be outside or peripheral to known national range for a species.

2.10 The findings of this assessment establish the need for protected species surveys that are required to achieve compliance with relevant legislation. Surveys are commonly required for widespread species such as bats, great crested newt, reptiles and badger; but may be necessary for other species if suitable habitat is present.

2.11 Surveys may be required where a site is judged to be of low suitability for a particular species/species group. However, in some cases there may be opportunities to comply with legislation, without further survey, through precautionary measures prior to and during construction.

SITE EVALUATION

2.12 The site's ecological value has been evaluated broadly following guidance issued by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2016) which ranks the nature conservation value of a site according to a geographic scale of reference: international, national, regional, county/metropolitan, district/borough, local/parish or of value at the site scale. In evaluating the nature conservation value of the site the following factors were considered: nature conservation designations; species/habitat rarity; naturalness; fragility and connectivity to other habitats.

2.13 An initial assessment of the site's contribution to green infrastructure and ecosystem services, as recommended by *BS 42020:2013 Biodiversity. Code of practice for planning and development*, is also included.

DATA VALIDITY AND LIMITATIONS

2.14 Every effort has been made to provide a comprehensive description of the site, however, the following limitations apply to this assessment.

- The protected species assessment provides a preliminary view of the likelihood of protected species occurring on the site. It should not be taken as providing a full and definitive survey of any protected species group. Additional surveys may be recommended if on the basis of the preliminary assessment or during subsequent surveys it is considered reasonably likely that protected species may be present.
- There was a limited view of the roofs and upper parts of the existing buildings from ground level, as a result of the mature and semi-mature trees adjacent to the buildings.
- The ecological evaluation is preliminary and may change subject to the findings of further ecological surveys (should these be required).
- Even where data for a particular species group is provided in the desk study, a lack of records for a defined geographical area does not necessarily mean that there is a lack of ecological interest, the area may simply be under-recorded.
- Where only four figure grid references are provided for protected species by third parties, the precise location of species records can be difficult to determine and they could potentially be present anywhere within the given 1km x 1km square. Equally six figure grid references may be accurate to the nearest 100m only.
- The Phase 1 habitat survey does not constitute a full botanical survey or provide accurate mapping of invasive plant species.
- Ecological survey data is typically valid for two years unless otherwise specified.

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

3 Results

DESIGNATED SITES

Statutory designated nature conservation sites

- 3.1 The proposed development site is not subject to any statutory nature conservation designations. There are no European or national statutory sites within a 1km radius of the site.
- 3.2 The site lies within the Impact Risk Zone (IRZ) of Hampstead Heath Site of Special Scientific Interest (SSSI), located approximately 6km north-west of the site. IRZs are intended as a tool for local planning authorities to identify when specific types of development may require consultation with Natural England regarding their potential impact on statutory designated sites. The Proposed Development does not however fall into any of the categories where the local planning authority would need to consult with Natural England.

Non-statutory designated nature conservation sites

- 3.3 The proposed development site is not subject to any non-statutory nature conservation designations. Twelve non-statutory sites designated as Sites of Interest for Nature Conservation (SINC) are present within 1km of the site (see Table 3.1). There are three tiers of sites; sites of metropolitan importance (SMINC), sites of borough importance (SBINC) and sites of local importance (SLINC).

Table 3.1: Non-Statutory Designated Sites

Site Name	Distance from site and orientation	Reason for designation
River Thames and tidal tributaries (SMINC)	980m south	The River Thames and the tidal sections of creeks and rivers which flow into it comprise a number of valuable habitats not found elsewhere in London. It supports many species from freshwater, estuarine and marine communities and is of particular importance for wildfowl and wading birds.
Temple Gardens (SBINC)	960m south-east	One of the largest areas of green space in the City, comprising open lawns with a variety of mature trees, small areas of shrubbery and attractive flower beds. Nesting birds including spotted flycatchers.
Middle Temple Garden (SBINC)	975m south-east	One of the largest areas of green space in the City, comprising open lawns with a variety of mature trees, small areas of shrubbery and attractive flower beds.

Table 3.1: Non-Statutory Designated Sites

Site Name	Distance from site and orientation	Reason for designation
Lincoln's Inn Fields (SLINC)	410m south-east	Large square with many trees, including some of great antiquity. Extensive shrubberies line the perimeter. The trees and shrubs provide nest sites for common bird species.
Russel Square (SLINC)	425m north-west	One of the largest square's in central London and contains many mature trees and a number of shrubberies.
Coram's Fields (SLINC)	615m north	Sizeable park primarily aimed at providing sports facilities for children. There are numerous trees and the eastern area is being developed as a wildlife garden. Site also includes a city farm.
Phoenix Garden (SLINC)	680m south-west	Attractive community garden with an open meadow area, rockery and pond. There are dense shrubberies with young trees and many native wildflowers have been planted. The pond has diverse vegetation, and the site supports small birds, particularly tits and finches.
St George's Gardens (SLINC)	710m north	Old churchyard site now managed as a public garden. It contains many mature trees and areas of shrubbery with insect-attracting plants, as well as providing nesting cover for blackbirds and wrens.
Gordon Square (SLINC)	850m north-west	Small but well-used square with numerous London Plane. The square's edges have dense shrubberies and wildflowers are planted in the flower beds. Supports breeding by common bird species.
Calthorpe Community Garden (SLINC)	915m north	Garden located in a very built up area of London. Contains a number of scattered trees, and artificial stream and rockery gardens.
St Andrew's Gardens (SLINC)	960m north-east	Former churchyard now managed as a small public park, with lawns, flowerbeds and shrubberies. Mature trees line the paths and boundaries.
Victoria Embankment Gardens: Temple Section	990m south	Tiny park supports a good range of common birds. It has several mature trees, a small lawn and flower beds.

PHASE 1 HABITAT SURVEY

Overview

- 3.4 The site consists of five main buildings which are adjacent and form an internal courtyard. There is also a single-storey detached building within the internal courtyard. The surrounding areas are dominated by hardstanding, with street-side trees comprising 2 mature and 11 semi-mature London plane.

3.5 Phase 1 habitats types are mapped in Figure 1, areas are given in Table 3.2. A description of dominant and notable species and the composition of each habitat is provided below.

Table 3.2: Phase 1 Habitat Areas

Phase 1 Habitat	Extent (ha)	%
Buildings	0.3687	57.7
Hardstanding	0.2703	42.3
Total	0.6390	100

Habitat description

Buildings

3.6 Five buildings were situated on the site and are described below.

- Building 1 was the Grade II* listed Lethaby Building. The street-facing northern and western elevations (Appendix 2, photograph 1) were constructed of stone and marble, and the southern and eastern elevations were part brick and part rendered (Appendix 2, photograph 2). There were no gaps within the structure of the walls or any cracks in the render. All windows were intact, and there were no gaps noted between the walls and the frames. There was limited visibility of the roof of the building, which was obscured by the street-side trees. There was a mansard roof (Appendix 2, photograph 3), with a dome in the north-western corner. The roof is covered with lead, which appeared to be in good condition with no areas of lifted lead noted.
- Building 2 (Link bridge) was located adjacent to the south-east of Building 1. It was constructed of concrete and rendered walls, with a flat roof (Appendix 2, photograph 4). There were no gaps within the structure of the walls, or between the frames of the windows and the walls.
- Building 3 (Red Lion building) located at the east of the site. It was constructed of concrete and brick, and had a flat roof (Appendix 2, photograph 5). There were timber and metal frame windows, and no gaps were noted in the structure of the building.
- Building 4 (Cochrane Theatre) was located at the north of the site, adjoining Building 1 and Building 3. The northern and eastern elevations (street-facing) were constructed of concrete and glass or were rendered (Appendix 2, photograph 6), and no gaps were noted. The southern elevation was constructed of concrete with metal frame windows (Appendix 2, photograph 7). The building had a flat roof.

- Building 5 (Innovation Centre) was located within the courtyard area of the site (Appendix 2, photograph 8), adjacent to Building 2 and Building 3. It was constructed of concrete walls, with a flat roof. There were metal frame windows, with glazing intact, and timber doors. No gaps were noted within the structure of the building.

Hardstanding

- 3.7 The areas around the existing buildings comprised hardstanding. The internal courtyard was formed of hardstanding, with an upper and lower level (Appendix 2, photograph 9). There were ephemeral plant species noted at the edges. Species noted rarely were willowherb species, creeping thistle, butterfly bush, wall lettuce and Canadian fleabane. A self-seeded sapling ‘tree of heaven’ tree was recorded growing within the courtyard area.

Scattered trees

- 3.8 There were mature and semi-mature London plane trees within the areas of hardstanding at the west, north and east of the existing buildings.

PROTECTED AND INVASIVE SPECIES ASSESSMENT

- 3.9 The potential for the site to support protected species has been assessed using criteria provided in Table 3.3, based on the results of the desk study and observations made during the site survey of habitats at the site. Other legally protected species are not referred to as it is considered that the site does not contain habitats that would be suitable to support them. The following species/species groups are potentially present at the site:

- bats;
- breeding birds.

- 3.10 The table also summarises relevant legislation and policies relating to protected and invasive species. Key pieces of statute are summarised in Section 1 and set-out in greater detail in Appendix 5.

Table 3.3: Protected and Invasive Species Assessment

Habitat/ species	Status 10, 11	Likelihood of occurrence
Bats	HR WCA S5	<p>NEGLIGIBLE: The existing buildings on site do not have any potential roosting features for bats, and no access points were noted.</p> <p>The semi-mature and mature London plane trees adjacent to the building did not have any potential roosting features for bats.</p> <p>The site has poor connectivity to suitable foraging habitats. The Red Lion Square Gardens to the east of the site is a small isolated green space comprising mature and semi-mature trees, shrubs and amenity grass.</p> <p>There are 22 desk study records of three species of bats within 1km of the site including soprano pipistrelle, pipistrelle species and brown long-eared bats. The majority of the records are old (from before 2002) and located at least 0.33km from the site.</p> <p>As the buildings and trees on site have negligible bat roosting potential, they are not discussed further in this report.</p>
Breeding birds	WCA S5	<p>PRESENT: A disused feral pigeon nest was noted on a ledge on the southern elevation of Building 2, at the entrance to the courtyard area (Appendix 2, photograph 10). Feral pigeon were also noted on site during the survey.</p> <p>The mature and semi-mature street trees also have potential to support nesting birds. The sapling tree within the courtyard area has low potential to be used by nesting birds, as it is located adjacent to a door and walkway which is still in use.</p> <p>It is likely that breeding birds will occur at the site in low numbers and as such they are considered further in Section 4 of this report.</p>
Invasive species	WCA S9	<p>NEGLIGIBLE: There are several desk study records for invasive species within 1km of the site, including some listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). No species occurring on Schedule 9 were recorded during the survey.</p> <p>As there is a negligible likelihood of presence, invasive species listed on Schedule 9 are not considered further in this report.</p>

¹⁰ The following abbreviations have been used to signify the legislation regarding different species: HR = Conservation of Habitats and Species Regulations 2017 (as amended); WCA S1 = Schedule 1 of the Wildlife and Countryside Act 1981 (as amended); WCA S5 = Schedule 5 of the Wildlife and Countryside Act 1981 (as amended); WCA S9 = Schedule 9 of the Wildlife and Countryside Act 1981 (as amended); PBA = Protection of Badgers Act, 1992.

¹¹ The following abbreviations have been used to signify the policy of conservation assessments applying to notable species: SPI = Species of Principal Importance under the NERC Act 2006; LBAP = Local Biodiversity Action Plan species; BoCC = Birds of Conservation Concern - amber list / red list (Eaton *et al.*, 2015); and/or RD/NN = red data book/nationally notable species (JNCC, undated).

NATURE CONSERVATION EVALUATION

- 3.11 The site comprised a limited range of commonly occurring and widespread habitats, including mature and semi-mature trees which are considered to be of site value only.
- 3.12 The habitats on site were suitable for protected and notable species, as follows:
- widespread and common species of bird.
- 3.13 If present, any populations of these species are unlikely to exceed local value, but this can only be confirmed through further survey. Measures to mitigate potential impacts on them are recommended. It is considered unlikely that the site would support any other protected or rare species, or diverse assemblages or large populations of these species.
- 3.14 Records for soprano pipistrelle and brown long-eared bats, which are both Species of Principal Importance, were provided in the desk study.

4 Potential Impacts and Recommendations

- 4.1 This section summarises the potential impacts on habitats and notable species that may be present at this site. The impact assessment is preliminary and further detailed assessment and surveys will be required to assess impacts and design suitable mitigation, where appropriate.
- 4.2 The following key ecological issues have been identified:
- habitat suitable for breeding birds is present – measures must be taken to avoid killing birds or destroying their nests;
 - a range of measures should be undertaken to satisfy the requirement for ecological enhancement included in planning policy.

CONSTRAINTS AND MITIGATION/COMPENSATION

Designated Nature Conservation Sites

- 4.3 No impacts are envisaged on statutory or non-statutory designated sites due to the distance of the site from any designated site. Therefore, there are no constraints to the proposed development in this regard.

Habitats

- 4.4 There are scattered mature and semi-mature street trees on site. This habitat is common and widespread in the area and of site value only. No constraints were identified in relation to the intrinsic value of the habitats present, but mature and semi-mature trees should be retained within the development where possible.
- 4.5 Best environmental practice measures should be implemented to protect all retained street-side trees.

Breeding birds

- 4.6 All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). The site supports at least one common species of breeding bird and has potential to support others.
- 4.7 Where the proposed works require the removal of trees and buildings with potential to support breeding birds, this must be carried out September to February inclusive, to avoid any potential offences relating to breeding birds during their main breeding

season (Newton *et al.*, 2011). If this is not possible and trees and buildings are to be removed during the main breeding season, this must be preceded by a nesting bird check completed by a suitably qualified ecologist within 48 hours of the works commencing. If any active nests are found, the nest and a suitable buffer of habitat around it must be retained until the young have left the nest.

- 4.8 Feral pigeon are known to breed outside of the main breeding season. Vigilance should be maintained for breeding birds and if any nesting birds are discovered during site clearance or construction outside the breeding season, works must stop immediately and advice sought from a suitably qualified ecologist on how to proceed.

Other protected species

- 4.9 In the unlikely event that any protected species are found during site clearance or construction, works must stop immediately and advice sought from a suitably qualified ecologist on how to proceed.

Environmental best practice

- 4.10 Retained trees should be protected in accordance with British Standards Institution (2012) guidelines.

FURTHER SURVEY REQUIREMENTS

- 4.11 Table 4.1 lists further survey requirements as recommended in the constraints section.

Table 4.1: Further survey requirements

Species/ Habitat	Survey Requirement	Number of surveys and seasonal considerations
Breeding birds	Breeding bird check	Removal of trees and buildings should be carried out in September to February inclusive. If this is not possible and trees are to be removed during the main breeding season, this must be preceded by a nesting bird check completed by a suitably qualified ecologist within 48 hours of the works commencing. Vigilance should be maintained for breeding birds (including feral pigeon) outside of the main breeding season. If any nesting birds are discovered during site clearance or construction, works must stop immediately and advice sought from a suitably qualified ecologist on how to proceed.

OPPORTUNITIES FOR ECOLOGICAL ENHANCEMENT

- 4.12 Planning policy at the national and local level and strategic biodiversity partnerships encourage inclusion of ecological enhancements in development projects. Ecological enhancements can also contribute to green infrastructure and ecosystem services such as storm water attenuation and reducing the urban heat island effect. It will also contribute to the implementation of the Camden Biodiversity Action Plan.
- 4.13 The proposals for the site include a public terrace with planting on the roof of the Red Lion building and a biodiverse roof. This would provide a stepping stone between the existing greenspaces of Red Lion Square Gardens and Bloomsbury Square Garden. The following measures would be suitable for integration into the site's design but would require a more detailed design to successfully implement.

Wildlife planting

- 4.14 In any proposed amenity areas of the development ('Square in the sky') it is recommended that wildlife planting should be integral to the soft landscape plans and should include native species and/or species of recognised wildlife value¹². The use of nectar-rich and berry producing plants will attract a wider range of insects, birds and mammals. Trees should also be provided where possible and can be under-planted to improve structure and cover for wildlife.
- 4.15 Good horticultural practice should be utilised, including the use of peat-free composts, mulches and soil conditioners, native plants with local provenance and avoidance of the use of invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
- 4.16 Landscaping should include the use of climbing plants growing on a support structure to provide vertical nesting habitat and foraging resources for birds and invertebrates. The support structure should ideally be placed 50-100mm off the façade. Plants should comprise native species or non-native species of recognised wildlife value and either deciduous or evergreen species depending on the specification.

¹² For example The Royal Horticultural Society (RHS) Perfect for Pollinators Scheme <https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/encourage-wildlife-to-your-garden/plants-for-pollinators> and the joint RHS/Wildlife Trust's Gardening With Wildlife In Mind Database <http://www.joyofplants.com/wildlife/home.php>

Flowering lawn

- 4.17 It is recommended that where any amenity grass is included in the public terraces, a flowering lawn such as WFT-Species-Rich-265 (Wildflower Turf Ltd, 2018) is used. Flowering lawns contain low growing, hardy native wildflower species and provide a higher biodiversity value than traditional amenity grassland but also provides the resistance to footfall and regular management that is required for amenity lawns.

Biodiverse green roof

- 4.18 The aspiration should be to install a biodiverse roof on one of the new buildings as they deliver multiple green infrastructure benefits, including being of high wildlife value.
- 4.19 A biodiverse green roof would provide additional benefits such as protecting and prolonging the life of the roof membrane, reducing building energy use by insulating the building in winter and keeping it cooler in summer, providing a SuDS function by reducing storm water run-off from the roof, reducing the urban heat island effect and local air/noise pollution. Combining a biodiverse roof with PV panels (biosolar roof) would also provide further benefits, such as the cooling effect the vegetation has on the PV cells, increasing their productivity in hot weather, as well as resulting in a more efficient use of roof space.
- 4.20 Professional advice should be sought (e.g. The Green Infrastructure Consultancy - <https://greeninfrastructureconsultancy.com/>) and the green roof should follow UK standards published by the Green Roof Organisation (GRO, 2014) and include additional habitat features such as deadwood, varying substrate depths and areas of bare rocky substrate. Further information can also be found in the Camden Biodiversity Advice Note: Living Roofs and Walls (London Borough of Camden, 2013).

Provision of bird nesting opportunities

- 4.21 The provision of bird boxes would be appropriate at this site. Many different designs are available including boxes to support colonial species such as house sparrow and swifts. Woodcrete bird boxes (Schwegler, 2011) are recommended as they are long lasting compared to wooden boxes, insulate occupants from extremes of temperature and condensation and are available in a broad range of designs.

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Appendix 1: Habitat Map

Figure 1: Habitat Survey Map



Appendix 2: Photographs

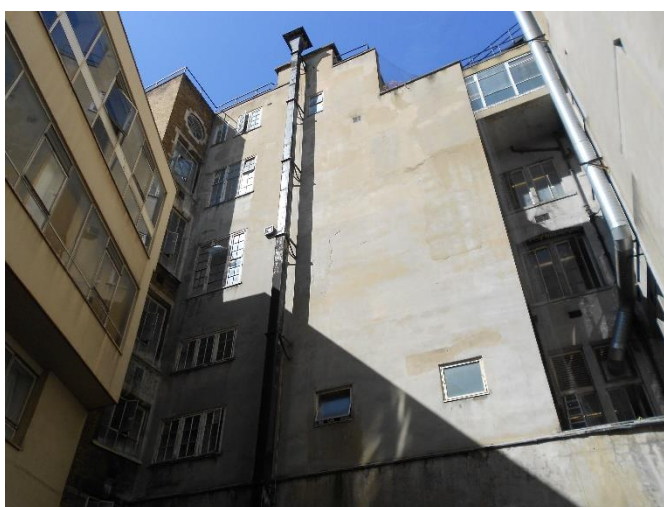
Photograph 1

Building 1 (Lethaby Building) street-facing western elevations, with adjacent London plane trees. Building to be retained and refurbished.



Photograph 2

Eastern elevation of Building 1. This building is due to be retained.



Photograph 3

North-western corner of Building 1, with dome roof.



Photograph 4

Northern elevation of Building 2 (background) and Building 5 (foreground).



Photograph 5

Eastern elevation of Building 3. Viewed from the eastern side of A40.



Photograph 6

Northern elevation of Building 4.



Photograph 7

Southern elevation of Building
4.



Photograph 8

Northern and western
elevations of Building 5, within
hardstanding courtyard area.



Photograph 9

View of lower hardstanding
courtyard area.



Photograph 10
Disused feral pigeon nest on
exterior of Building 2.



Appendix 3: Plant Species List

Plant Species List for Southampton Row, Holborn compiled from Phase 1 habitat survey carried out on the 17 July 2018.

Scientific nomenclature and common names for vascular plants follow Stace (2010). Please note that this plant species list was generated as part of a Phase 1 habitat survey, does not constitute a full botanical survey and should be read in conjunction with the associated results section of this PEA.

Abundance was estimated using the DAFOR scale and additional notes taken as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, L = locally
c=clumped, e=edge only, g=garden origin, p=planted, y = young, s=seedling or sucker,
t=tree, h=hedgerow, w=water

SCIENTIFIC NAME	COMMON NAME	ABUNDANCE	QUALIFIER
<i>Ailanthus altissima</i>	Tree of heaven	R	y
<i>Buddleia davidii</i>	Butterfly bush	R	
<i>Cirsium arvense</i>	Creeping thistle	R	
<i>Conyza canadensis</i>	Canadian fleabane	R	
<i>Epilobium sp.</i>	Willowherb species	R	
<i>Mycelis muralis</i>	Wall lettuce	R	
<i>Platanus x hispanica</i>	London plane	F	p

Appendix 4: Target Notes

Target Notes List for Southampton Row, Holborn from the Phase 1 habitat survey and protected and notable species assessment carried out on the 17 July 2018.

Target note (TN)	Description
1	Disused feral pigeon nest

Appendix 5: Legislation and Planning Policy

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

A NATIONAL LEGISLATION AFFORDED TO SPECIES

The objective of the EC Habitats Directive¹³ is to conserve the various species of plant and animal which are considered rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2017 (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

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

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

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

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

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

¹³ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora

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

Explanatory notes relating to species protected under The Conservation of Habitats and Species Regulations 2017 (which includes smooth snake, sand lizard, great crested newt and natterjack toad), all bat species, otter, dormouse and some plant species) are given below. **These should be read in conjunction with the relevant species sections that follow.**

- In the Directive, the term ‘deliberate’ is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.
- The Conservation of Habitats and Species Regulations 2017 does not define the act of ‘migration’ and therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.
- In order to obtain a European Protected Species Mitigation (EPSM) licence, the application must demonstrate that it meets all of the following three ‘tests’: i) the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment; ii) that there is no satisfactory alternative and iii) that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

Bats

All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats)
- Deliberate disturbance of bat species as:
 - a) to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young;
 - (ii) to hibernate or migrate³
 - b) to affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

Bats are also currently protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

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

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

Though there is no case law to date, the legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded de facto protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost¹⁴.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). Among other things, this makes it an offence to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy an egg of any wild bird;
- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.

Certain species of bird, for example the barn owl, black redstart, hobby, bittern and kingfisher receive additional special protection under Schedule 1 of the Act and Annex 1 of the European

¹⁴ Garland & Markham (2008) Is important bat foraging and commuting habitat legally protected? Mammal News, No. 150. The Mammal Society, Southampton.

Community Directive on the Conservation of Wild Birds (2009/147/EC). This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young;
- Intentional or reckless disturbance of dependent young of such a bird.

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

To avoid contravention of the Wildlife and Countryside Act 1981 (as amended), works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird breeding season which typically runs from March to August¹⁵. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

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

Herpetofauna (Amphibians and Reptiles)

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita* and great crested newt *Triturus cristatus* receive full protection under The Conservation of Habitats and Species Regulations 2017 through their inclusion on Schedule 2. The pool frog *Pelophylax lessonae* is also afforded full protection under the same legislation. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of species listed on Schedule 2
- Deliberate disturbance of any Schedule 2 species as:
 - a) to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young;
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate

¹⁵ It should be noted that this is the main breeding period. Breeding activity may occur outwith this period (depending on the particular species and geographical location of the site) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

b) to affect significantly the local distribution or abundance of the species

- Deliberate taking or destroying of the eggs of a Schedule 2 species
- Damage or destruction of a breeding site or resting place
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

With the exception of the pool frog, these species are also currently listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of herpetofauna are protected solely under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). Species such as the adder *Vipera berus*, grass snake *Natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis* are listed in respect to Section 9(1) & (5). For these species, it is prohibited to:

- Intentionally (or recklessly in Scotland) kill or injure these species
- Sell, offer or expose for sale, possess or transport for purpose of sale these species, or any part thereof.

Common frog *Rana temporaria*, common toad *Bufo*, smooth newt *Lissotriton vulgaris* and palmate newt *L. helveticus* are listed in respect to Section 9(5) only which affords them protection against sale, offering or exposing for sale, possession or transport for the purpose of sale.

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

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect the breeding sites or resting places of those amphibian and reptile species protected under The Conservation Habitats and Species Regulations 2010 (as amended). A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the Wildlife and Countryside Act 1981 (as amended).

Invasive Plant Species

Certain species of plant, including Japanese knotweed *Fallopia japonica*, giant hogweed *Heracleum mantegazzianum* and Himalayan balsam *Impatiens glandulifera* are listed on Part II of Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in respect to Section 14(2). Such species are generally non-natives whose establishment or spread in the wild may be detrimental to native wildlife. Inclusion on Part II of Schedule 9 therefore makes it an offence to plant or otherwise cause these species to grow in the wild.

How is the legislation pertaining to invasive plants liable to affect development works?

Although it is not an offence to have these plants on your land per se, it is an offence to cause these species to grow in the wild. Therefore, if they are present on site and development activities (for example movement of spoil, disposal of cut waste or vehicular movements) have the potential to cause the further spread of these species to new areas, it will be necessary to ensure appropriate measures are in place to prevent this happening prior to the commencement of works.

Wild Mammals (Protection) Act 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to:

- Mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

B NATIONAL AND EUROPEAN LEGISLATION AFFORDED TO HABITATS

Statutory Designations: National

Nationally important areas of special scientific interest, by reason of their flora, fauna, or geological or physiographical features, are notified by the countryside agencies as statutory **Sites of Special Scientific Interest** (SSSIs) under the National Sites and Access to the

Countryside Act 1949 and latterly the Wildlife & Countryside Act 1981 (as amended). As well as underpinning other national designations (such as **National Nature Reserves** which are declared by the countryside agencies under the same legislation), the system also provides statutory protection for terrestrial and coastal sites which are important within a European context (Natura 2000 network) and globally (such as Wetlands of International Importance). See subsequent sections for details of these designations. Improved provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales).

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

Statutory Designations: International

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

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

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation

and wise use, in particular recognizing wetlands as ecosystems that are globally important for biodiversity conservation. Wetlands can include areas of marsh, fen, peatland or water and may be natural or artificial, permanent or temporary. Wetlands may also incorporate riparian and coastal zones adjacent to the wetlands. Ramsar sites are underpinned through prior notification as Sites of Special Scientific Interest (SSSIs) and as such receive statutory protection under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. This effectively extends the level of protection to that afforded to sites which have been designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs).

Statutory Designations: Local

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

Non-Statutory Designations

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

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

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

C NATIONAL PLANNING POLICY

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) replaced Planning Policy Statement (PPS9) in April 2012 as the key national planning policy concerning nature conservation. The NPPF emphasises the need for suitable development. The Framework specifies the need for protection of designated sites and priority habitats and priority species. An emphasis is also made for the need for ecological networks via preservation, restoration and re-creation. The protection and recovery of priority species – that is those listed as UK Biodiversity Action Plan priority species – is also listed as a requirement of planning policy. In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from adverse harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

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

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

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

D LOCAL PLANNING POLICY

The Camden Local Plan (2017) deals with matters of strategic importance for the London Borough of Camden. Key chapters include Chapter 4 – Health and Wellbeing, Chapter 6 – Protecting Amenity, and Chapter 8 – Sustainability and Climate Change.

Policy C1: Health and Wellbeing

Access to open space and nature – the benefits of open space are seen to be particularly important for physical exercise, relaxation and stress relief, reducing pollutants, cooling the urban heat island and providing areas for local volunteer groups and food growing (Policy A2 Open space). We will protect, maintain and enhance Camden’s parks, open spaces and green corridors and seek to tackle deficiencies and meet increased demand for open space.

Policy A2: Open Space

The Council will protect, enhance and improve access to Camden’s parks, open spaces and other green infrastructure.

To secure new and enhanced open space and ensure that development does not put unacceptable pressure on the Borough’s network of open spaces, the Council will:

- seek developer contributions for open space enhancements using Section 106 agreements and the Community Infrastructure Levy (CIL). The Council will secure planning obligations to address the additional impact of proposed schemes on public open space taking into account the scale of the proposal, the number of future occupants and the land uses involved;*
- apply a standard of 9 sqm per occupant for residential schemes and 0.74 sqm for commercial and higher education developments while taking into account any funding for open spaces through the Community Infrastructure Levy;*
- give priority to securing new public open space on-site, with provision off-site near to the development only considered acceptable where provision on-site is not achievable. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of provision;*
- ensure developments seek opportunities for providing private amenity space;*
- give priority to play facilities and the provision of amenity space which meet residents’ needs where a development creates a need for different types of open space;*
- seek opportunities to enhance links between open spaces recognizing the multiple benefits this may bring;*
- tackle deficiencies to open space through enhancement measures; and*
- seek temporary provision of open space where opportunities arise.*

Policy A3: Biodiversity

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

- *designate and protect nature conservation sites and safeguard protected and priority habitats and species;*
- *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;*
- *seek the protection of other features with nature conservation value, including gardens, wherever possible;*
- *assess developments against their ability to realise benefits for 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;*
- *secure improvements to green corridors, particularly where a development scheme is adjacent to an existing corridor;*
- *seek to improve opportunities to experience nature, in particular where such opportunities are lacking;*
- *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;*
- *secure management plans, where appropriate, to ensure that nature conservation objectives are met; and*
- *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.*

Policy CC2: Adapting to Climate Change

The Council will require development to be resilient to climate change. All development should adopt appropriate climate change adaptation measures such as:

- *the protection of existing green spaces and promoting new appropriate green infrastructure;*
- *not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems;*
- *incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and*
- *measures to reduce the impact of urban and dwelling overheating.*

REGIONAL AND LOCAL BAPS

Many local authorities in the UK have also produced a local Biodiversity Action Plan (LBAP) at the County or District level. The Camden Biodiversity Action Plan 2013-2018 is based on the UK list of Species and Habitats of Principal Importance. Action Plan 2 is for the Built Environment and aims to make a positive contribution to the green infrastructure and biodiversity of the borough. The priority habitats for Camden, relevant to the site are Green Roofs, and an Advice Note is included within the BAP for this habitat.

The target species for Camden which are relevant to the site are bats, butterflies, sparrows and bees.



Ecology Consultancy

The Ecology Consultancy is part of the Temple Group.

Making places better for people and wildlife

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