PRELIMINARY ECOLOGY APPRAISAL & POTENTIAL BAT ROOST ASSESSMENT

TYLER GRANGE

247 TOTTENHAM COURT ROAD

JULY 2020

Prudential UK Real Estate Nominee 1
Limited and Prudential Real Estate Nominee
2 Limited

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29th July 2020

247 Tottenham Court Road and Morwell Street Properties

Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment

Report Number:13175_R01d_RB_MM

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Summary

S.1. This report has been prepared by Tyler Grange Group Ltd on behalf of Prudential UK Real Estate Nominee 1 Limited and Prudential UK Real Estate Nominee 2 Limited. It sets out the findings of a Preliminary Ecological Appraisal (PEA) and Potential Bat Roost Assessment (PBRA) at a parcel of land that comprises the following five buildings (OS Grid Reference TQ 29736 81583), hereinafter referred to as the "site":

1. 247 Tottenham Court Road, London, W1T 7HH;
2. 3 Bayley Street, London, WC1B 3HA;
3. 1 Morwell Street, London, WC1B 3AR;
4. 2-3 Morwell Street, London, WC1B 3AR; and
5. 4 Morwell Street, London, W1T 7QT.

S.2. The purpose of this report is to set out the ecological baseline for the site and outline any further ecological considerations that are required in the context of future development at the site.

S.3. The site is currently made up of five buildings that are in active use for a mix of residential, commercial and educational purposes, and is situated on Tottenham Court Road and Morwell Road in Central London.

S.4. The site is not covered by nor adjacent to any sites that are subject of statutory or non-statutory protection and no such sites are likely to be affected by development at the site.

S.5. The only habitat currently found on site is building and hardstanding, which is considered to be of **negligable ecological importance**. The proposed loss of all of this habitat, therefore, presents no constraint and no mitigation will be required.

S.6. Three onsite buildings were considered to have **negligable potential for roosting bats** and two buildings were considered to have **low potential for roosting bats**. As these buildings are scheduled for demolition, in line with best practice guidance, the two low potential buildings will require one emergence/re-entry survey during the bat active season (May-August, inclusive).

S.7. Precautionary checks for nesting birds, are recommended by an Ecological Clerk of Works (ECoW), if buildings are removed during the core nesting bird season (March – August, inclusive), to prevent death or injury of individual by the proposed works. However, it should be noted that nests may be found at any time of year. Should nesting birds be present with young or eggs, an appropriate buffer should be erected, and the nest checked periodically by an ECoW until it is clear the young have fledged.

S.8. The proposals present the opportunity to incorporate ecological enhancements and improve the biodiversity at an otherwise innocuous urban site. Creating new habitat and improving opportunities for fauna which may be at the site, such as establishing green wall and roof planting, will be in line with the London Plan (2016), the draft London Plan (2019) and the London Borough of Camden Local Plan (2017). New flora planted should preferably be native and of local stock where possible. In addition, enhancements for specific species groups could be provided post-construction including bird and bat boxes to increase the number of nesting and roosting sites across the site, respectively.

Section 1: Introduction, Context and Purpose

Introduction

1.1. This report has been prepared by Tyler Grange Group Ltd on behalf of Prudential UK Real Estate Nominee 1 Limited and Prudential UK Real Estate Nominee 2 Limited. It sets out the findings of a Preliminary Ecological Appraisal (PEA) and Potential Bat Roost Assessment (PBRA) at a parcel of land that comprises the following five buildings (OS Grid Reference TQ 29736 81583), hereinafter referred to as the "site":

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3. 1 Morwell Street, London, WC1B 3AR;
4. 2-3 Morwell Street, London, WC1B 3AR; and
5. 4 Morwell Street, London, W1T 7QT.

1.2. The purpose of this report is to set out the ecological baseline for the site, outline any further ecological considerations that are required in the context of future development at the site and has been produced in support of an application for full planning permission for the demolition of 247 Tottenham Court Road, 3 Bayley Street, 1 Morwell Street, 2-3 Morwell Street and 4 Morwell Street and the erection of a mixed use office led development comprising ground plus five storey building for office (Class B1) use, flexible uses at ground and basement (Class A1/A2/A3/B1/D1/D2), residential (Class C3) use, basement excavation, provision of roof terraces, roof level plant equipment and enclosures, cycle parking, public realm and other associated works.

Context

1.3. The site 0.19ha in size and currently comprises five buildings which are mixture of residential, educational and commercial units. The southern boundary is directly adjacent to the neighbouring buildings, Tottenham Court road runs along the western site boundary, Bayley street along the northern boundary, and Morwell Street on the eastern boundary. The surrounding area is built up and urban, with a mixture of residential and commercial units and a private garden to the far east of the site boundary.

1.4. The proposals are for the demolition of 247 Tottenham Court Road, 3 Bayley Street, 1 Morwell Street, 2-3 Morwell Street and 4 Morwell Street and the erection of a mixed use office led development comprising ground plus five storey building for office (Class B1) use, flexible uses at ground and basement (Class A1/A2/A3 /B1/D1/D2), residential (Class C3) use, basement excavation, provision of roof terraces, roof level plant equipment and enclosures, cycle parking, public realm works including new hard and soft landscaping and works to the public highway, relocation of the existing Santander cycles from Bayley Street to create a pocket park and other associated works.

Purpose

1.5. This report:

- Uses available background data and results of field surveys, to describe and evaluate the ecological features present within the likely 'zone of influence' (ZoI)[1] of the proposed development;
- Describes the actual or potential ecological issues and opportunities that might arise as a result of the site's future development for; and
- Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation.

1.6. This assessment and the terminology used are consistent with the 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (CIEEM, 2018).

[1] Defined as the area over which ecological features may be subject to significant effects as a result of activities associated with a project (CIEEM, 2018)

Section 2: Methodology

Data Search

2.1. The aim of the data search is to collate existing ecological records for the site and adjacent areas. Obtaining existing records is an important part of the assessment process as it provides information on issues that may not be apparent during a single survey, which by its nature provides only a 'snapshot' of the ecology of a given site.

2.2. The data search has been undertaken for a 10km radius around the site for European statutory sites, a 2km radius for national statutory, a 1km radius for non-statutory sites and a 1km radius for protected and priority[2] species records.

2.3. The following organisations and individuals have been contacted and, where relevant, the information provided has been incorporated with acknowledgement within this report:

- Greenspace Information for Greater London (GiGL) was contacted for details of protected and priority species and non-statutory sites. The information from GiGL was received on 28th April 2020. Where relevant records were identified, the information provided has been incorporated into the report with due acknowledgement;
- The Multi-Agency Geographic Information for the Countryside website[3] was accessed for information on the location of statutory designated nature conservation sites within a 10km and 2km of the site;
- The London council and London Borough of Camden website were consulted for details of relevant local planning policies and supplementary planning guidance; and
- The London Biodiversity Action Plan (BAP) and Camden BAP was consulted for priority habitats and species subject to conservation action, to assist with the evaluation of ecological features and to inform site enhancement strategies.

Extended Phase I Habitat Survey

2.4. An 'extended' Phase I habitat survey was undertaken on 1st May 2020 by Rebekah Baker, an experienced field ecologist and qualifying member of the Chartered Institute of Ecology and Environmental Management (CIEEM). The technique was based upon Phase I survey methodology (JNCC, 2010). This 'extended' Phase I technique provides an inventory of the habitat types present and dominant species.

2.5. The weather conditions for the survey were; mostly dry and sunny with a short bout of rain, little cloud cover and a temperature of 12°C.

[2] UK priority species and habitats are those subject to conservation action and referred to as Species of Principal Importance (SoPIs) or Habitats of Principal Importance (HoPIs). They are listed at Section 41 [42 in Wales] of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act states that local planning authorities must have regard for the conservation of both SoPIs and HoPIs.
[3] http://www.natureonthemap.naturalengland.org.uk/MagicMap.aspx

Preliminary Bat Roost Assessment – Buildings & Trees

2.6. A preliminary assessment of the buildings present within the site was undertaken to assess their potential to support roosting bats. This survey was undertaken alongside the 'extended' Phase 1 habitat survey. The surveys followed standard methodologies (Mitchell-Jones, A.J., 2004; Mitchell-Jones, A.J. and McLeish, A.P., 2004; Collins, 2016) which are described below.

2.7. The PBRA comprised an external inspection of all buildings present on-site to assess their potential to support roosting bats. In summary, this required the following:

- A visual inspection of the exterior of the buildings on site was undertaken on the 1st May 2020, examining features such as brickwork, lead flashing, and tiles for evidence of use by bats, including the presence of bat droppings and staining from fur-oil or urine; and
- A number of factors were considered including the presence of features suitable for use by crevice dwelling bats, proximity to foraging habitats or cover, and potential for disturbance from lighting and other sources.

2.8. Evidence of the presence of bat roosts was also sought. These signs include:

- Bat droppings in, around or below a PRF;
- Odour emanating from a PRF;
- Audible squeaking at dusk or in warm weather; and
- Visible staining below a PRF.

2.9. The potential of each building at the site and immediately adjacent to the site to support roosting bats has been categorised against the criteria described in Table 2.1.

Suitability	Description of Roosting Habitats
Negligible	Negligible habitat features on-site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection conditions and surrounding habitat.

Table 2.1 – Roost Assessment Criteria (adapted from Collins 2016)

Evaluation

2.10. The evaluation of habitats and species is defined in accordance with published guidance (CIEEM, 2018). The level of importance of specific ecological features is assigned using a geographic frame of reference, with international being most important, then national, regional, county, borough, local and lastly, within the site boundary only.

2.11. Evaluation is based on various characteristics that can be used to identify ecological features likely to be important in terms of biodiversity. These include site designations (such as Sites of Species Scientific Interest (SSSIs)), or for undesignated features, the size, conservation status (locally, nationally or internationally), and the quality of the ecological feature. In terms of the latter, quality can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

Limitations

2.12. A small section of the buildings was not accessible to survey (see TN1 on the Habitat Features Plan 13175/P01a). As much of the area was surveyed as possible from the limited view available. Due to current Covid-19 guidance, an internal inspection of the buildings was not undertaken. However, considered the built-up urban landscape and the fact that the majority of the roof space found on all five buildings contains no roof voids, it is considered that these factors did not present a significant limitation on the survey.

Quality Control

2.13. All ecologists at Tyler Grange Ltd are members of CIEEM and abide by the Institute's Code of Professional Conduct

Section 3: Ecological Features and Evaluation

Context

3.1. The site is 0.19ha site is made up of a range of active residential, commercial, and educational units and a sealed underground car park. The site consists of building and hardstanding and is surrounded by urban infrastructure, typical of central London.

Protected Sites

Statutory Designated Sites

3.2. There is one European Designated site, Lee Valley Special Protection Area (SPA) which is located 8km north east of the site. Lee Valley is designated for its wintering populations of Annex 1 species, bittern *Botarus stellaris* and migratory species, shoveler *Anas clypeata* and Gadwall *Ana strepera* and is of **International Importance**.

3.3. The site does not site within an identified impact risk zone for any SSSIs.

Non-Statutory Designated Sites

3.4. Throughout London, non-statutory designated sites are known as Sites of Importance for Nature Conservation (SINCs), which are recognised by the Greater London Authority and London Borough Councils as important wildlife sites. There are five such sites within the study area (1km) which are listed in **Table 3.1**.

3.5. SINCs are selected on the basis that they meet the criteria for SINC selection. There are three tiers for grading for sites, given below in order of highest to lowest importance.

- Sites of Metropolitan Importance;
- Sites of Borough Importance (Grade I and Grade II); and
- Sites of Local Importance.

Site Name	Designation	Distance and Direction from Site (km - N/S/W/E)	Description/Summary of Reason for Designation
Phoenix Garden	Site of local importance	0.3km south east	Designated for its amenity grassland, flower beds, planted shrubbery, pond, scattered trees and tall herbs.
Russell Square	Site of local importance	0.52km north east	One of the largest London squares, with good numbers of mature trees. It is designated for its amenity grassland, hedges, planted shrubbery and scattered trees
Gordon Square	Site of local importance	0.8km north	A well-treed London square with a good range of birds. It is designated for its amenity grassland, planted shrubbery, scattered trees and tall herbs.
Lincoln's	Site of local	0.95km south	The largest of the London squares well known

Inn Fields	importance	east	for its magnificent old plane trees, some of the first to be planted in Britain. It is designated for its amenity grassland, hedges, planted shrubbery and scattered trees.
Coram's Fields	Site of local importance	1.0km north east	A well-treed London square with a good range of birds. It is designated for its acid grassland, amenity grassland, hedges, planted shrubbery, pond and scattered trees. The pond supports a population of frogs and newts.

Table 3.1: Non-Statutory protected sites within 1km of the site

Habitats and Flora

3.6. The site supports the following habitats:

- Buildings and Hardstanding

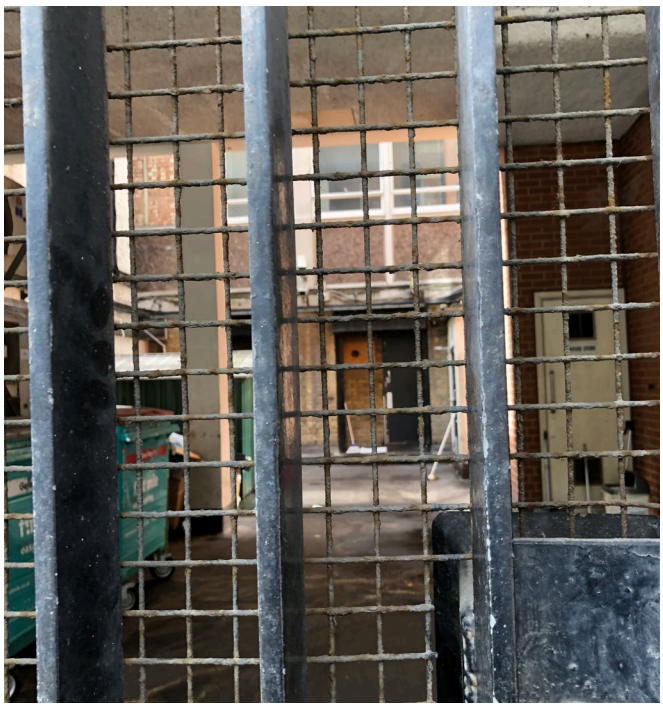
3.7. All the features described are shown on the Habitat Features Plan **13175/P01a**.

Buildings and Hardstanding

3.8. The site entirely consists of building and hardstanding which make up the five buildings found within the redline boundary. There are also two areas of hardstanding which make up a waste storage area and entrance into a sealed underground car park. The building and hardstanding that makes up the entirety of the site is considered to be of **negligable ecological importance.**

Photograph 3.1: Building B5 (247 Tottenham Court Road)

Photograph 3.2: Area of hardstanding found between buildings B1 (4 Morwell Street), B2 (2 Morwell Street) and B5 (247 Tottenham Court Road) which includes a path into a sealed underground parking lot



Photograph 3.3: small waste storage area that could not be accessed.

Fauna

Bats

3.9. The data search returned records of three species of bat, including one record of Nathusius's Pipistrelle *Pipistrellus nathusii* approximately 0.7km north from site, 15 records of common pipistrelle *Pipistrellus pipistrellus* with the closest record being approximately 0.2km north west from site and the most recent being in 2018, and four records of soprano pipistrelle *Pipistrellus pygmaeus* with the nearest record being approximately 0.4km south east from site and the most recent in 2013. The data search also returned six records of unknown bat species with the most recent record from 2016 and the nearest record being approximately 0.4km south east from site.

3.10. Three European Protected Species Licences (EPSL) have been granted for bats within a 2km radius and are listed in **Table 3.2.**

Case reference of licence	Species to which the licence relates	Start and end date	Notes or description of licence
2014-6253-EPS-MIT	Common pipistrelle	19/02/2015-31/03/2020	License allows destruction of a roosting place.
2014-6253-EPS-MIT-1	Common pipistrelle	11/09/2015-01/03/2020	License allows destruction of a roosting place.
2017-30911-EPS-MIT	Soprano pipistrelle	11/09/2017-04/09/2022	License allows destruction of a roosting place

3.11. The licence referenced 2014-6253-EPS-MIT was granted approximately 0.47km north from site and ran from 2015 to 2020.

3.12. It is considered unlikely that foraging and commuting bats are using the site due to the lack of suitable foraging and commuting habitat, and the fact it is well lit, which is likely to deter light-sensitive species of bat. There is, however, a small private garden approximately 0.06km east from site and a line of London planes adjacent to the western site boundary, which could provide foraging habitat for bats that could use the site as a roosting space.

3.13. The buildings within the site were assessed for the potential to support roosting bats; the results of this PBRA are set out in Section 4.

Birds

3.14. The data search returned 335 records of birds, include species red listed species according to the Birds of Conservation Concern (BoCC) criteria[4], including house sparrow *Passer domesticus,* starling *Stunrus vulgaris* and black redstart *Phoenicurus ochruros* and amber listed species including swift *Apus apus*.

3.15. Given the lack of suitable habitats, the site is considered unlikely to support a notable breeding bird assemblage and only common and widespread species are likely to be present. As such, any bird assemblage at the site is considered to be of **negligible ecological importance**.

Other species

3.16. The data search retuned one record for badger *Meles meles*, and seven records for stag beetle *Lucanus cervus.* However, due to a lack of suitable habitat on site or within the immediate vicinity of the site, it is considered that these two species are not present at site and such, are **not considered further within this report**.

3.17. No records were returned for hazel dormouse *Muscardinus avellanarius,* great crested newt *Triturus cistatus*, water vole *Arvicola amphibious*, otter *Lutra lutra*, white clawed crayfish *Austropotamobius pallipes* or for any reptiles. Due to the lack of records and lack of suitable habitat on site or in the immediate vicinity of the site, these species are not considered to be present at site and as such, are **not considered further within this report**.

[4] The Bird Species of Conservation Concern (BoCC) categorises bird species into the following classifications:
* Red List species are bird species of high conservation concern, such as those whose population or range is rapidly declining, recently or historically, and those of global conservation concern.
* Amber List species are bird species of medium conservation concern, such as those whose population is in moderate decline, rare breeders, internationally important and localised species, and those of unfavourable conservation status in Europe.
* Green List species are bird species in the least critical group of conservation concern, such as those that occur regularly in the UK but do not qualify under any of the above criteria.

Invasive Species

3.18. Invasive species are those listed under Schedule 9 of the Wildlife and Countryside Act (WCA) 1981. With regards to invasive plant species (listed under Part II of Schedule 9), it is an offence to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9.

3.19. No invasive species were observed during the Phase 1 survey.

Section 4: Preliminary Bat Roost Assessment

Building Assessment

4.1. The PBRA identified five buildings in total, all in use for retail, educational or commercial reasons. It should be noted that the site is also well lit with several street lighting observed (see Habitat Features Plan 13175/P01a). High levels of artificial light may deter bats, especially those species sensitive to light.

Building B1- 4 Morwell Street

4.2. Building B1 is a well maintained and active office and educational space estimated to be around 50 years old. It is constructed from brick and has both flat and pitched roof sections, of which the pitched sections are covered in slate tiles. This building supports no potential bat roost features and is considered to have **negligable potential for roosting bats** (photograph 4.1 and 4.2).

Building B2 – 2 Morwell Street

4.3. Building B2 is estimated to be older than building B1 at around 100 years old, but still well maintained ((photograph 4.3). This active building is constructed out of brick and has a flat roof. The eastern aspect of this building supports two gaps between the brick and sheeting of a ledge on the upper story which could provide roosting space for common and widespread crevice dwelling bat species. The southern aspect of this building was visible from the hardstanding area found between the buildings that leads to an underground car park. This aspect of the building contains a mortar gap and a gap underneath some lead roof sheeting (photograph 4.4), which again could provide roosting space for common and widespread crevice dwelling bat species.

4.4. Considering the built-up urban environment, well-lit conditions, and limited foraging habitat in the surrounding landscape, building B2 is considered to have **low potential for roosting bats**. Some of the western and northern aspect of this building, which is adjacent to a bin store area was not available to survey due to access reason (see TN1 on Habitat Features Plan 13175/P01a). To access any potential roost features within this interior section of the five on site buildings, a bat would have to fly over the buildings and down into this section. This, coupled with the overall potential of the site and the built up urban environment, suggest that this is not likely a significant constraint to the site, moreover a surveyor could be positioned in front of the entrance to this area to observe any emerging bats.

4.5. In line with best practice guidance, building B2 will require one emergence/re-entry survey during the bat active season (May-August, inclusive), and it is considered that this can be covered by one surveyor.

Building B3 – 1 Morwell Street

4.6. Building B3 is of similar age and construction to building B1 and is used for residential purposes. Again, this building is well maintained and in active use. Building B3 contains no potential bat roost features and as such, is considered to have **negligable potential for roosting bats** (photograph 4.5).

Building B4 – 3 Bayley Street

4.7. Building B4 is a well-maintained concrete building that has a flat roof and is actively in use as a residential unit (photograph 4.5 and 4.9). The eastern aspect of this building contains two holes in the concrete wall that may have previously housed a pipe ((photograph 4.7), a gap around an extraction fan towards the top of the building ((photograph 4.6) and at the entrance to building B4, there is a missing outdoor spot light which provides an entrance into a small void where the light fitting used to be (photograph 4.8). These could provide roosting space for common and widespread crevice dwelling bat species. As for building B2, taking into consideration the built-up urban environment, well-lit conditions and limited foraging habitat in the surrounding landscape, building B4 is considered to have **low potential for roosting bats**.

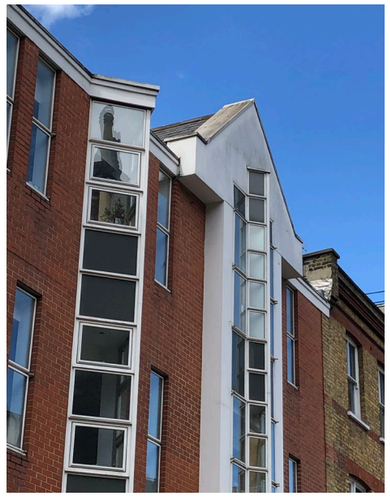
4.8. In line with best practice guidance, building B4 will require one emergence/re-entry survey during the bat active season (May-August, inclusive), and it is considered that this can be covered by two surveyors.

4.9. As was the case for the western and northern aspects of building B2, the southern aspect of building B4 was not entirely visible for survey. However, from as explained above it is considered not to be a significant constraint on the survey results.

Building B5 – 247 Tottenham Court Road

4.10. Building B5 is a large office and retail building that is constructed from concreate, with some areas of pebbledash cladding and a flat roof. The building is well maintained, well-sealed and is in active use. The eastern, northern and western aspects of this building have no potential bat roost features and the southern aspect is attached to the neighbouring building. As such, building B5 is considered to have **negligable potential for roosting bats** (photograph 4.9 and 4,10).The majority of the eastern aspect of B5 was visible from the area that contains the entrance to the underground car park, however as above, a small section of the eastern aspect was not visible due to access reasons.

Photograph 4.1: Exterior of B1 (4 Morwell Street), northern and western aspect



Photograph 4.2: Exterior of B1 (4 Morwell Street), eastern aspect

Photograph 4.3: Exterior of B2 (2 Morwell Street), eastern aspect

Photograph 4.4: Exterior of B2 (2 Morwell Street), gap under roof felt on southern aspect

Photograph 4.5: Exterior of B3 (right – 1 Morwell Street) and B4 (left – 3 Bayley Street), eastern aspect

Photograph 4.6: Exterior of B4 (3 Bayley Street), mortar gap around extractor fan, eastern aspect

Photograph 4.7: Exterior of B4 (3 Bayley Street), mortar gaps on eastern aspect

Photograph 4.8: Exterior of B4 (3 Bayley Street), missing light fitting on eastern aspect

Photograph 4.9: Exterior of B4 (right – 3 Bayley Street) and B5 (left – 247 Tottenham Court Road), northern aspect

Photograph 4.10: Exterior of B5 (247 Tottenham Court Road), western aspect

Section 5: Potential Impacts, Mitigation and Enhancements

Proposed Development

5.1. The proposals are for the demolition of 247 Tottenham Court Road, 3 Bayley Street, 1 Morwell Street, 2-3 Morwell Street and 4 Morwell Street and the erection of a mixed use office led development comprising ground plus five storey building for office (Class B1) use, flexible uses at ground and basement (Class A1/A2/A3/B1/D1/D2), residential (Class C3) use, basement excavation, provision of roof terraces, roof level plant equipment and enclosures, cycle parking, public realm and other associated works.

5.2. The potential consequences with respect to development of the site are set out below, with reference to relevant legislation and planning policy, which is summaries in Appendix 1.

Statutory Sites

5.3. Lee Valley SPA is 8km from site and as there are large areas of open green space available in the close vicinity of the site such as Hyde Park (approximately 1.9km east) and Regents Park (approximately 1.2km north), it is considered that any increase in recreational pressure that may occur as a result of the proposals would not likely have a significant impact on the qualifying features of the SPA. Moreover, as set out in the most up to date draft London Plan Habitat Regulations Assessment Modification Update (2019)[5]. the Lee Valley SPA has undergone various initiatives in the past five to ten years to both promote greater public access and attract more visitors and as of now, there is no evidence that recreational disturbance if impacting wintering numbers of gadwall and shoveler[5]. In addition to these considerations, a small amount of the land use will be for residential purposes, with a total of just eight residential units in total.

Non-statutory sites

5.4. All of the SINCS listed in Table 3.1 are freely accessible to the public and are all currently used as either child friendly play spaces or for general amenity. As the sites are already used for amenity reasons it is considered that the proposals wouldn't have any significant negative impacts on these sites.

Habitats

5.5. The only habitats currently supported by the site are building and hardstanding, which are considered to be of **negligable ecological importance.**

5.6. The proposals will result in the loss of all building and hardstanding. This loss does not require mitigation and as the site in its current condition, contains no habitats of ecological importance, it is considered that the site can be greatly improved for biodiversity by creating new habitats by incorporating ecologically friendly landscaping which could take the form of a green roof or green walls, and through incorporating bat and bird boxes into the scheme design.

5.7. The incorporation of green wall or roof planting could, with preferably some native planting, establish new habitat in an otherwise urban area and add to the green infrastructure of the

[5] https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/intend-publish-london-plan-2019

surrounding area which could provide an important stepping stone or habitat for fauna. Incorporating green infrastructure would be in line with policies 5.10 and 5.11 of the London Plan (2016), policy G1 of the draft London plan (2019) and the Camden Biodiversity SPD (2018).

Fauna

Bats

5.8. In England and Wales, bats and their roosts are fully protected under the Wildlife and Countryside Act (1981) (as amended).

5.9. As stated in Section 4, buildings B1, B3 and B5 are considered to have negligable potential for roosting bats and as such no further survey work is required. Buildings B2 and B4 are considered to have low potential for roosting bats and in line with best practice guidance, require one emergence re-entry surveys during the bat active season (May-August, inclusive). If any roosts are found during the emergence/re-entry survey, a further two surveys will be required to determine the species present and type of roost and a ESPL or Bat Low Impact Class Licence (BLICL) will be required prior to commencement of works.

5.10. The site can be improved for bats by incorporating either external or internal bat boxes into the scheme design to increase roosting opportunities and through green wall and roof planting, which will increase insect abundance on site and provide a greater level of forage for bats.

Birds

5.11. In England and Wales, birds and their nests are protected under the Wildlife and Countryside Act (1981) (as amended)

5.12. The building has the potential to support common and widespread nesting birds. This can be mitigated for by sensitive timing of works, for instance, scheduling any demolition works for outside of the core nesting bird season (March-August, inclusive), although nests can be present at any time of year. If demolition works must take place during the breeding bird season, the buildings must first be checked for nesting birds by a suitably qualified ECoW. Should any active nests be found during works a suitable buffer must be erected around the nest and no works may take place within that buffer until the nest can be confirmed fledged or failed by an ECoW.

5.13. The site currently offers little or no opportunities for foraging birds and offers limited nesting opportunities. The site could be improved greatly for birds by incorporating features such as bird boxes and green wall and roof planting. Nest boxes targeted at species returned in the data search and listed within the London and Camden BAPS such as house sparrows and swifts could be used. Incorporating bird boxes into the scheme will conform with Policy G6 of the draft London Plan (2019) which states that developments should seek opportunities to create artificial features such as nest boxes which is of particular importance in urban settings such as this. Incorporating bird boxes into the scheme design is also recommended within the Camden Planning Guidance: Biodiversity (March 2018).

Section 6: Conclusions

6.1. The site is not covered by nor adjacent to any sites that are subject of statutory or non-statutory protection and no such sites are likely to be affected by development at the site.

6.2. In its current condition the site supports no habitats of ecological importance and the loss of all building and hardstanding, which is of **negligable ecological importance**, that makes up the entirety of the site is not considered to require mitigation.

6.3. Buildings B2 and B4 are considered to have **low potential for roosting** bats and as such require one emergence/re-entry survey during the bat active season (May-August inclusive), which will require three surveyors to cover all potential bat roost features.

6.4. Precautionary checks for nesting breeding birds, are recommended by an Ecological Clerk of Works (ECoW), if buildings are removed during the core nesting bird season (March – August, inclusive), to prevent death or injury of individual by the proposed works. Should nesting birds be present with young or eggs, an appropriate buffer should be erected, and the nest checked periodically by an ECoW until it is clear the young have fledged.

6.5. The site currently offers little ecological value and although may provide some nesting opportunity for birds and potentially roosting opportunity for bats, these opportunities are limited and are of low value. It is considered that the site could be greatly improved for biodiversity through the development of the proposals. Roosting, nesting and foraging opportunities for fauna could be increased by incorporating bat and bird boxes into the scheme design and through including new planting, for example through the provision of a green wall or roof, preferably containing some native species. Green wall and roof planting could be used to increase insect abundance which will in turn increase foraging opportunities for bats and birds and moreover, will increase the amount of green infrastructure within the urban environment which could provide a vital steppingstone for wildlife.

6.6. The existing habitat is of negligable ecological and does not require mitigation for its loss. Moreover, the opportunities for enhancements described above present an opportunity to create valuable habitats on-site in line with local planning policy, the London BAP and London Borough of Camden BAP. For example, incorporating green infrastructure could satisfy policies 5.10 and 5.11 of the London Plan (2016), policy G1 of the draft London plan (2019) and the Camden Biodiversity SPD (2018) and taking the opportunity to create new valuable habitats, that don't already exist at site, will satisfy Policy 7.19 of the London Plan (2016), Policy G6 of the draft London Plan (2019) and Policy A3 of the Camden Plan (2017).

6.7. In conclusion, it is considered that the future development of the site would accord with relevant planning policy and seeks to protect and enhance ecological features that may already be at site. It is also considered that any constraints that may exist at the site relating to bats and nesting birds can be more than mitigated for if necessary, through the provision of new nesting and roosting opportunities and that the proposals offer the opportunity to enhance biodiversity at an otherwise innocuous site by creating new habitats through ecologically minded soft landscaping.

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Appendix 1: Legislation and Planning Policy

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Legislative Context

A1.1. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Countryside and Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992;
- The Natural Environment and Rural Communities Act (NERC) 2006; and
- The Wild Mammals (Protection) Act 1996.

A1.2. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2010 (as amended).

A1.3. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.

A1.4. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

Species and Habitats of Principal Importance and the UK Biodiversity Action Plan

A1.5. The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species and Habitats agreed under the UKBAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A Strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been succeeded, Species Action Plans (SAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.

A1.6. Priority Species and Habitats identified under the UKBAP are also referred to as Species and Habitats of Principal Importance (SoPI/HoPI) for the conservation of biodiversity in England and Wales within Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

National Planning Policy

National Planning Policy Framework (NPPF), February 2019

A1.7. The National Planning Policy Framework (NPPF) was published in February 2019 and sets out the Government's planning policies for England and how these should be applied. It replaces the first National Planning Policy Framework published in March 2012.

A1.8. Paragraph 11 states that:

"Plans and decisions should apply a presumption in favour of sustainable development."

A1.9. Section 15 of the NPPF (paragraphs 170 to 177) considers the conservation and enhancement of the natural environment.

A1.10. Paragraph 170 states that planning and decisions should contribute to and enhance the natural and local environment by:

a) "protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
c) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

A1.11. Paragraph 171 states that plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

A1.12. Paragraph 174 states that in order to protect and enhance biodiversity and geodiversity, plans should:

a) "Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

A1.13. When determining planning applications, Paragraph 175 states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

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

make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons58 and a suitable compensation strategy exists; and*

d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."*

A1.14. As stated in paragraph 176 the following should be given the same protection as habitats sites:

a) *"potential Special Protection Areas and possible Special Areas of Conservation;*

b) *listed or proposed Ramsar sites; and*

c) *sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."*

A1.15. Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

Local Planning Policy

London Plan

A1.16. The London Plan 2016: The Spatial Development Strategy for London[12], consolidated since 2011

A1.17. Relevant policies relating to ecology and nature conservation are set out below.

A1.18. Policy 5.10 'Urban Greening' states:

Strategic

The Mayor will promote and support urban greening, such as new planting in the public realm (including streets, squares and plazas) and multifunctional green infrastructure, to contribute to the adaptation to, and reduction of, the effects of climate change.

The Mayor seeks to increase the amount of surface area greened in the Central Activities Zone by at least five per cent by 2030, and a further five per cent by 2050[1].

Planning decisions

Development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this include tree planting, green roofs and walls, and soft landscaping. Major development proposals within the Central Activities Zone should demonstrate how green infrastructure has been incorporated.

LDF preparation

Boroughs should identify areas where urban greening and green infrastructure can make a particular contribution to mitigating the effects of climate change, such as the urban heat island.

A1.19. Policy 5.11 'Green roofs and development site environs' states:

Planning decisions

Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible, to deliver as many of the following objectives as possible:

- *adaptation to climate change (i.e. aiding cooling)*
- *sustainable urban drainage*
- *mitigation of climate change (i.e. aiding energy efficiency)*
- *enhancement of biodiversity*
- *accessible roof space*
- *improvements to appearance and resilience of the building*
- *growing food.*

LDF preparation

Within LDFs boroughs may wish to develop more detailed policies and proposals to support the development of green roofs and the greening of development sites. Boroughs should also promote the use of green roofs in smaller developments, renovations and extensions where feasible.

A1.20. Policy 5.3 'Sustainable design and construction' states:

Strategic

The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Planning decisions

Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance and this should be clearly demonstrated within a design and access statement. The standards include measures to achieve other policies in this Plan and the following sustainable design principles:

- *minimising carbon dioxide emissions across the site, including the building and services (such as heating and cooling systems)*
- *avoiding internal overheating and contributing to the urban heat island effect*
- *efficient use of natural resources (including water), including making the most of natural systems both within and around buildings*
- *minimising pollution (including noise, air and urban runoff)*
- *minimising the generation of waste and maximising reuse or recycling*
- *avoiding impacts from natural hazards (including flooding)*
- *ensuring developments are comfortable and secure for users, including avoiding the creation of adverse local climatic conditions*
- *securing sustainable procurement of materials, using local supplies where feasible, and*
- *promoting and protecting biodiversity and green infrastructure.*

LDF preparation

Within LDFs boroughs should consider the need to develop more detailed policies and proposals based on the sustainable design principles outlined above and those which are outlined in the Mayor's supplementary planning guidance that are specific to their local circumstances.

A1.21. *Policy 7.19 'Biodiversity and Access to nature' states:*

Strategic

The Mayor will work with all relevant partners to ensure a proactive approach to the protection, enhancement, creation, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy. This means planning for nature from the beginning of the development process and taking opportunities for positive gains for nature through the layout, design and materials of development proposals and appropriate biodiversity action plans.

Any proposals promoted or brought forward by the London Plan will not adversely affect the integrity of any European site of nature conservation importance (to include special areas of conservation (SACs), special protection areas (SPAs), Ramsar, proposed and candidate sites) either alone or in combination with other plans and projects. Whilst all development proposals must address this policy, it is of particular importance when considering the following policies within the London Plan: 1.1, 2.1-2.17, 3.1, 3.3, 3.7, 5.4A, 5.14, 5.15, 5.17, 5.20, 6.3, 6.9, 7.14, 7.15, 7.25 – 7.27 and 8.1. Whilst all opportunity and intensification areas must address the policy in general, specific locations requiring consideration are referenced in Annex 1.

Planning decisions

C) Development Proposals should: a wherever possible, make:

- *positive contribution to the protection, enhancement, creation and management of biodiversity*
- *prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites*
- *not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP.*

D) On Sites of Importance for Nature Conservation development proposals should:

- *give the highest protection to sites with existing or proposed international designations1 (SACs, SPAs, Ramsar sites) and national designations2 (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations3*
- *give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance*
- *give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.*
- *When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:*
- *avoid adverse impact to the biodiversity interest*
- *minimize impact and seek mitigation*
- *only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.*

LDF preparation

F) In their LDFs, Boroughs should:

- *use the procedures in the Mayor's Biodiversity Strategy to identify and secure the appropriate management of sites of borough and local importance for nature conservation in consultation with the London Wildlife Sites Board.*
- *identify areas deficient in accessible wildlife sites and seek opportunities to address them*
- *include policies and proposals for the protection of protected/ priority species and habitats and the enhancement of their populations and their extent via appropriate BAP targets*
- *ensure sites of European or National Nature Conservation Importance are clearly identified*
- *identify and protect and enhance corridors of movement, such as green corridors, that are of strategic importance in enabling species to colonise, re-colonise and move between sites.*

1) *Designated under European Union Council Directive on the conservation of wild birds (79/409/ EEC) 1992, European Union Council Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC) 1992 and Ramsar Convention on wetlands of international importance especially as waterfowl habitat 197*

2) *Designated under the Wildlife and Countryside Act 1981 as amended by the countryside Right of Way Act 2000*

3) *Conservation of Species and Habitats Regulations (2010) (as amended*

The London Plan, The Spatial Development Strategy for Great London, Draft published in July 2019

A1.22. The London Local Plan (Intend to Publish) December 2019 has yet to be adopted by London Council, however, as the consultation stage has closed and the inspector's comments have been incorporated, it may be a consideration for future developments. Policies relating to ecology and nature conservation can be found in Chapter 8: Green Infrastructure and Natural Environment, which are summarised as follows:

Policy G1 Green infrastructure

A1.23. London's network of green and open spaces, and green features in the built environment should be protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits.

A1.24. Boroughs should prepare green infrastructure strategies that identify opportunities for cross-borough collaboration, ensure green infrastructure is optimised and consider green infrastructure in an integrated way as part of a network consistent with Part A.

A1.25. Development Plans and area-based strategies should use evidence, including green infrastructure strategies, to:

- *identify key green infrastructure assets, their function and their potential function; and*
- *identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions.*
- *Development proposals should incorporate appropriate elements of green infrastructure that are integrated* into London's wider green infrastructure network.

Policy G5 Urban Greening

A1.26. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage;

A1.27. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses); and

A1.28. Existing green cover retained on site should count towards developments meeting the interim target scores set out in (B) based on the factors set out in Table 8.2.

Policy G6 Biodiversity and access to nature

A1.29. Sites of Importance for Nature Conservation (SINCs) should be protected.

A1.30. Boroughs, in developing Development Plans, should:

- *use up-to-date information about the natural environment and the relevant procedures to identify SINCs and ecological corridors to identify coherent ecological networks*
- *identify areas of deficiency in access to nature (i.e. areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them*
- *support the protection and conservation of priority species and habitats that sit outside of the SINC network, and promote opportunities for enhancing them using Biodiversity Action Plans*
- *seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context*
- *ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements.*
- *Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:*
- *avoid damaging the significant ecological features of the site*
- *minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site*
- *deliver off-site compensation of better biodiversity value.*

A1.31. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

A1.32. Proposals which reduce deficiencies in access to nature should be considered positively.

Policy G7 Trees and woodlands

A1.33. London urban forest and woodlands should be protected and maintained, and new trees and woodlands should be planted in appropriate locations in order to increase the extent of London's urban forest –the area of London under the canopy of trees.

A1.34. In their Development Plans, boroughs should:

- *protect 'veteran' trees and ancient woodland where these are not already part of a protected site*

- *identify opportunities for tree planting in strategic locations.*
- *Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments –particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.*

Camden Plan (2017)

A1.35. The Camden Local Plan is the key strategic document in Camden's development plan. It sets out the vision for shaping the future of the Borough and contains policies for guiding planning decisions. The policies relating to ecology are:

Policy A2 Open space

A1.36. The Council will protect, enhance and improve access to Camden's parks, open spaces and other green infrastructure.

Protection of open spaces

A1.37. In order to protect the Council's open spaces, we will:

a. protect all designated public and private open spaces as shown on the Policies Map and in the accompanying schedule unless equivalent or better provision of open space in terms of quality and quantity is provided within the local catchment area;

b. safeguard open space on housing estates while allowing flexibility for the re-configuration of land uses. When assessing development proposals we will take the following into account:

i. the effect of the proposed scheme on the size, siting and form of existing open space and the functions it performs;

ii. whether the open space is replaced by equivalent or better provision in terms of quantity and quality; and

iii. whether the public value of retaining the open space is outweighed by the benefits of the development for existing estate residents and the wider community, such as improvements to thequality and access of the open space.

c. resist development which would be detrimental to the setting of designated open spaces;

d. exceptionally, and where it meets a demonstrable need, support smallscale development which is associated with the use of the land as open space and contributes to its use and enjoyment public;

e. protect non-designated spaces with nature conservation, townscape and amenity value, including gardens, where possible;

f. conserve and enhance the heritage value of designated open spaces and other elements of open space which make a significant contribution to the character and appearance of conservation areas or to the setting of heritage assets;

g. give strong protection to maintaining the openness and character of Metropolitan Open Land (MOL);

h. promote and encourage greater community participation in the management of open space and support communities seeking the designation of Local Green Spaces through the neighbourhood planning process;

i. consider development for alternative sports and recreation provision, where the needs outweigh the loss and where this is supported by an up-to-date needs assessment;

j. preserve and enhance Hampstead Heath through working with partners and by taking into account the impact on the Heath when considering relevant planning applications, including any impacts on views to and from the Heath; and

k. work with partners to preserve and enhance the Regent's Canal, including its setting, and balance the differing demands on the Canal and its towpath

New and enhanced open space

A1.38. 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:

l. seek developer contributions for open space enhancements using Section 106 agreements and the Community Infrastructure Levy (CIL).

A1.39. 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;

m. *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;*

n. 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;

o. ensure developments seek opportunities for providing private amenity space;

p. 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;

q. seek opportunities to enhance links between open spaces recognising the multiple benefits this may bring;

r. tackle deficiencies to open space through enhancement measures; and

s. seek temporary provision of open space where opportunities arise.

Policy A3: Biodiversity

A1.40. The Council will protect and enhance sites of nature conservation and biodiversity. We will:

a. *designate and protect nature conservation sites and safeguard protected and priority habitats and species;*
b. grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species;

c. seek the protection of other features with nature conservation value, including gardens, wherever possible; Camden Local Plan | Protecting amenity 201

d. 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;

e. secure improvements to green corridors, particularly where a development scheme is adjacent to an existing corridor;

f. seek to improve opportunities to experience nature, in particular where such opportunities are lacking;

g. require the demolition and construction phase of development, including the movement of works vehicles, to be planned to avoid disturbance to habitats and species and ecologically sensitive areas, and the spread of invasive species;

h. secure management plans, where appropriate, to ensure that nature conservation objectives are met; and

i. work with The Royal Parks, The City of London Corporation, the London Wildlife Trust, friends of park groups and local nature conservation groups to protect and improve open spaces and nature conservation in Camden.

Trees and vegetation

A1.41. The Council will protect, and seek to secure additional, trees and vegetation We will:

j. *resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation;*

k. require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout;

l. expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development;

*m. expect developments to incorporate additional trees and vegetation wherever possible***.**

Supplementary Planning Documents (SPDs)

Camden Planning Guidance: Biodiversity (March 2018)

A1.42. This SPD was produced to provide guidance for major and minor developments in Camden to support the policies in the Camden Local Plan (2017). The document provides examples of habitat creation and restoration for mitigation and enhancement. The advice relevant for this development is as follows:

A1.43. The SPD recommends the incorporation of ecological features into the scheme design and recommends enhancements such as:

- Green walls

- Bird and bat boxes
- Lighting considerations
- Planting that will attract wildlife
- Deadwood habitats
- Boundary features

Biodiversity Action Plans

A1.44. The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species agreed under the UK BAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been superseded, Species Action Plans (SAPs) and Habitat Action Plans (HAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.

A1.45. Most areas now possess a Local BAP (LBAP) to complement the national strategy where priority habitats and species are identified, and targets set for their conservation. BAP's are the key nature conservation initiative in the UK, working at national, regional and local levels.

The London BAP

A1.46. The London BAP outlines Species Action Plans for the following species and habitats:

A1.47. Species

- Bats
- Black poplar
- House sparrow
- Mistletoe
- Reptiles
- Sand Martin
- Stag Beetle
- Water vole

A1.48. Habitats

- Acid grassland
- Chalk grassland
- Heathland
- Parks and urban green spaces
- Private gardens
- Reedbeds
- Rivers and Streams
- Standing Water
- Tidal Thames
- Wasteland

Camden BAP (2013-2018)

A1.49. The borough of Camden is currently in the process of compiling a new Biodiversity Action Plan, the previous BAP, The Camden BAP 2013-2018 contained the following priority species and habitats:

A1.50. Species:

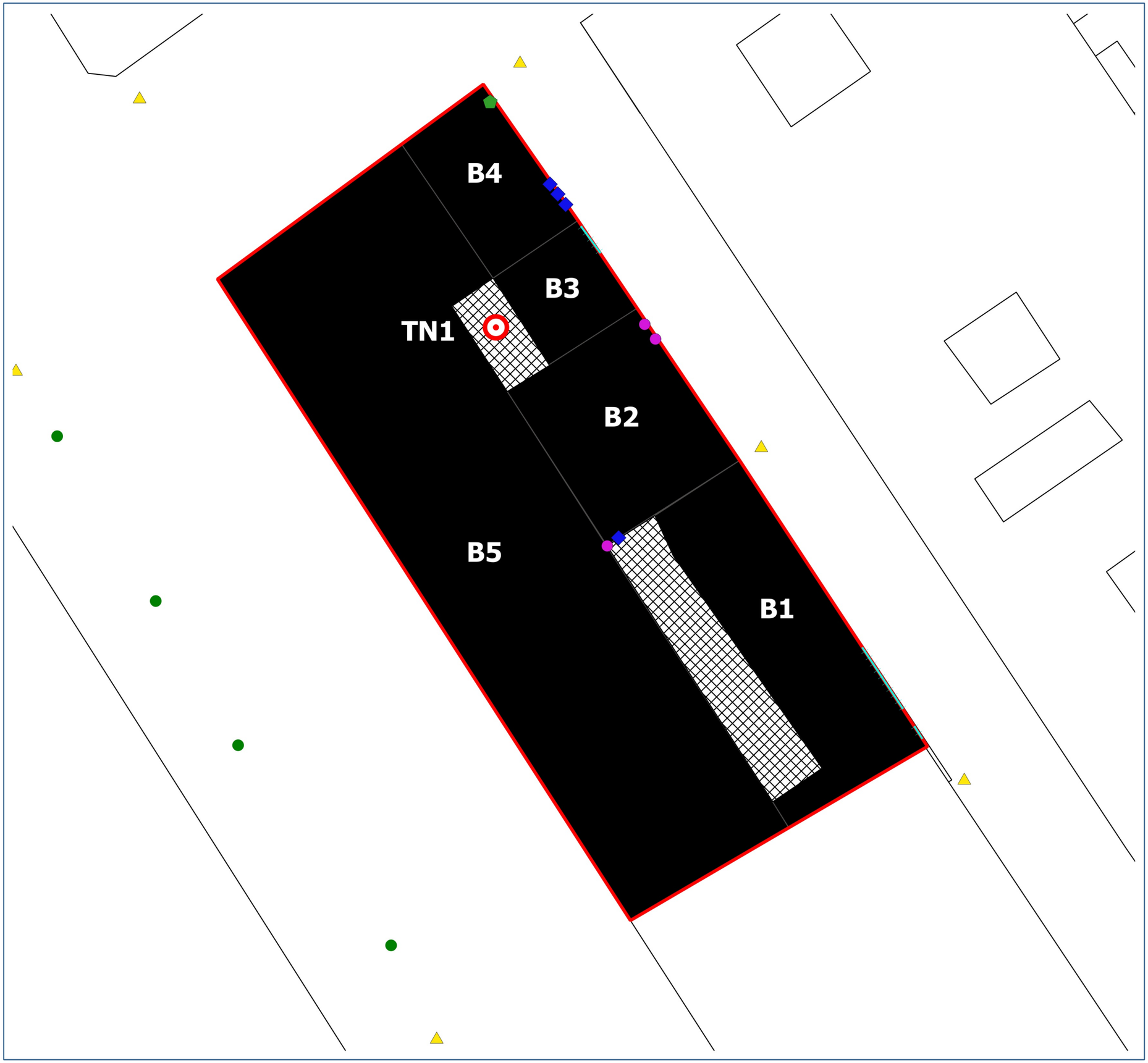
- Bats
- Hedgehogs
- Butterflies
- Sparrows
- Swifts
- Bees
- Slow worm
- Stag beetle

A1.51. Habitat:

- Green corridors
- Green roofs
- Public parks/amenity grass
- Gardens
- Hedges
- Housing estates
- Acid grassland
- Ponds and standing water
- Wetlands, canals
- Orchards
- Woodland
- Meadows
- Roadside verges
- Brownfield

Plan

Habitat Features Plan (13175/P01a)



- Red Line Boundary
- Building
- Gate
- Hardstanding
- London Plane
- Target Note

Bat Features

- Gap under Roof Sheeting
- Missing Spot Light
- Motar Gap
- Street Lamp

N

0 10 m

Project	247 Tottenham Court Road and Morwell Street Properties
Drawing Title	**Habitat Features and Potential Bat Roost Features Plan**
Scale	As Shown (Approximate)
Drawing No.	13175/P01a
Date	July 2020
Checked	RB

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